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DOCKET NO. 57571

**COMPLAINT OF MATI ANGUITA
AGAINST AMBIT TEXAS LLC**

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**PUBLIC UTILITY COMMISSION

OF TEXAS**

COMMISSION STAFF'S STATEMENT OF POSITION

I. INTRODUCTION

On January 21, 2025, Mati Anguita (Complainant) filed a complaint against Ambit Texas LLC (Ambit Energy) regarding electric service. This complaint was filed under 16 Texas Administrative Code (TAC) § 22.242.

On January 22, 2025, the administrative law judge (ALJ) filed Order No. 1, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a statement of position regarding the complaint by February 14, 2025. Therefore, this pleading is timely filed.

II. COMPLIANCE WITH REQUIREMENTS FOR INFORMAL DISPOSITION

The Complainant has complied with the informal resolution requirements under 16 TAC § 22.242(c). Staff has reviewed Consumer Protection Division (CPD) records and confirmed that informal complaint No. CP2024120383 matches the subject matter of this formal complaint. The CPD informal complaint was filed by the Complainant. The informal complaint file was closed on December 31, 2024. Staff recommends that the Complainant be found to have complied with the informal resolution requirements under 16 TAC § 22.242(c).

III. JURISDICTION

Staff recommends that the Complainant is not required to satisfy the requirements of 16 TAC § 22.242(e)(1), which states in relevant part:

If a person receives electric, water, or sewer utility service or has applied to receive electric, water or sewer utility service within the limits of a city that has original jurisdiction over electric, water, or sewer utility providing service or requested to provide service, the person must present any complaint concerning the electric, water, or sewer utility to the city before presenting the complaint to the commission.

The Complainant's complaint is against Ambit Energy, which is a retail electric provider (REP). Because REPs do not fall under the definition of "electric utility" provided in 16 TAC § 25.5(41), this requirement is inapplicable.

IV. COMPLAINT

The Complainant alleges in their formal complaint that Ambit Energy has increased their bill and is they are being charged two separate bills for one household. Additionally, the Complainant seeks to break contract and change do a different retail electric provider.

V. RESPONSE

Order No. 1 directed Ambit Energy to file a response to the complaint by February 7, 2025. On February 10, 2025, Ambit Energy filed its response to the complaint stating they deny each and every, all and singular, the allegations made by the Complainant in the formal complaint.

VI. STATEMENT OF POSITION

Staff has reviewed the pleadings in this docket submitted by the Complainant and Ambit Energy. While Staff does note that some of the allegations made by the Complainant in their formal complaint fall outside the Commission's jurisdiction, the Commission does have jurisdiction over the issuance and format of bills, and accordingly should the Complainant have been overbilled the Commission would have authority to address the overbilling. Staff asks for additional time to send discovery requests before referring this docket to the State Office of Administrative Hearings.

VII. CONCLUSION

For the reasons detailed above, Staff respectfully requests the entry of an order consistent with the foregoing recommendation.

Dated: February 14, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on February 14, 2025, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Garrett Sharp
Garrett Sharp