



Public Utility Commission of Texas (PUCT)
Precedent Manual

The PUCT's Precedent Manual (Manual) includes a brief summary of Commission decisions in contested cases involving water and wastewater, electric, and telecommunication utilities. The Manual includes orders of the Commission from May 23, 2024, and forward. A glossary of commonly used terms may be found at the end of the Manual.

Please note that enforcement settlements are also included in the Manual for convenient reference but are not binding or precedential under 16 Texas Administrative Code §22.222(d).

PUCT DECISIONS				
WATER AND WASTEWATER				
Docket No.	Date of Decision	Type of Decision	Utility	Commission Decision
53363	5/23/24	Appeal	North Fort Bend Water	Dismissed appeal of increase in groundwater-reduction-plan and surface-water fees for lack of jurisdiction and failure to state a claim for which relief may be granted.
53815	6/13/24	Rate Change	Corix Utilities (Texas) Inc.	Approved a 7.31% overall rate of return, a 9.5% return on equity, and consolidation of all but one water system into two tariffs (one water and one wastewater).
53842	6/13/24	WCCN Amendment	Crystal Springs Water Company, Inc.	Approved requested addition of 2,364 uncertificated acres in Montgomery County.
54546	5/23/24	STM	Texas Water Utilities, LP and Woodland Oaks Utility, LP	Approved sale and transfer of facilities and service areas in Montgomery County to Texas Water Utilities, LP; name change for Woodland Oaks; and Staff's recommended ratemaking rate base.
54565	6/13/24	Rate Change	CSWR-Texas Utility Operating Company, LLC	Determined that repealed TWC § 13.145 did not apply to the proceeding; the use of annualized test-year data is not always appropriate and must be evaluated on a case-by-case basis; and for each system acquired using the fair market value process, the ratemaking rate base is the one approved by the Commission in

				the underlying sale, transfer, or merger proceeding. Approved 7.37% rate of return, a 9.53% return on equity, and consolidation of requested systems.
54662	7/11/24	SER	Crystal Clear Special Utility District	Granted motion to withdraw and dismissed petition without prejudice because motion was filed by party initiating proceeding.
54670	7/12/24	New WCCN and Dual Certification	Orange County Water Control and Improvement District No. 2	Dismissed application without prejudice for failure to prosecute and amend for sufficiency.
54802	5/23/24	SAC	Cities of Schertz and Selma	Dismissed application without prejudice for failure to amend for sufficiency.
54826	6/13/24	SAC	City of Seguin and Springs Hill Water Supply Corporation	Approved transfer of 2,890 acres of certificated service area from Springs Hill Water Supply Corporation to the City of Seguin (no customers or facilities in transferred area).
54940	5/23/24	Rate change	Integra Water Texas, LLC	Approved requested increase in flat monthly rates for sewer service; 6.55% rate of return; and 8.50% return on equity.
54972	6/20/24	STM	Travis Lakeside Inc., dba Flat Rock Ranch, L.P., dba Capstone Water System (Capstone) and City of Marble Falls	Approved sale and transfer of facilities and service area in Burnet County to the City of Marble Falls; found good cause to waive deficient notice.
55236	7/12/24	Amend WCCN and Dual Certification	Pendleton Water Supply Corporation	Dismissed application without prejudice for failure to prosecute and amend for sufficiency.
55608	6/13/24	SER	Aqua Texas, Inc.	Approved SER and released tract from WCCN; compensation to be awarded to WCCN holder to be determined in separate order.

55623	7/12/24	New WCCN (single certification)	City of McLendon-Chisholm	Dismissed application without prejudice for other good cause shown, namely that deficient notice could not be cured.
55730	5/23/24	SER	Aqua Texas, Inc.	Approved SER and released tract from WCCN; compensation to be awarded to WCCN holder to be determined in separate order.
55819	7/12/24	Tariff Change	Gideon Water LLC	Dismissed application without prejudice for failing to state a claim for which relief can be granted.
55866	5/23/24	SER	Creedmoor-Maha Water Supply Corp.	Approved SER and released tract from WCCN; compensation to be awarded to WCCN holder to be determined in separate order.
56328	7/13/24	Appeal	Crossroads Utility Services and South Buda Water Control and Improvement District No. 1	Dismissed appeal with prejudice for lack of jurisdiction.
ELECTRIC				
Docket No.	Date of Decision	Type of Decision	Utility	Commission Decision
54812	7/12/24	Update of Surcharge	El Paso Electric Company	Approved update to COVID-19 surcharge and ordered refund for overbilled amounts in a one-month charge on a class basis.
55277	6/14/24	RCE Rider	Southwestern Electric Power Company	Dismissed without prejudice because recovery of omitted rate case expenses is not appropriate in a compliance filing and must be addressed in next base-rate case.
55296	5/30/24	ECCN Amendment	AEP Texas, Inc. and Electric Transmission Texas, LLC	Approved new transmission line in Brooks, Duval, Jim Hogg, Webb, and Zapata counties.
55965	5/23/24	Removal of POLR status	Texpo Power, LP	Revoked designation as provider of last resort for 2023-2024 term.

55995	7/12/24	SRC Rider	CenterPoint Energy Houston Electric, LLC	Approved SRC rider and accumulated deferred federal income tax credit charge refund tariff with Staff's recommended modifications.
56425	6/13/24	DCRF	El Paso Electric Company	Approved DCRF tariff schedule (filed on 5/10/24), effective on bills issued on and after the start of the first billing cycle following the order.
56428	6/13/24	DCRF	Texas-New Mexico Power Company (TNMP)	Approved DCRF tariff schedules effective on and after 45 days' notice to REPs.
TELECOMMUNICATIONS				
Docket No.	Date of Decision	Type of Decision	Utility	Commission Decision
COMPLAINTS				
Docket No.	Date of Decision	Type of Complaint	Respondent	Commission Decision
53370	6/13/24	Electric billing complaint	Texas-New Mexico	Denied complaint.
54288	5/23/2024	Electric billing complaint	Monarch Pass Apartments	Dismissed complaint with prejudice for mootness.
55595	6/13/24	Establishment of electric service	Public Utility Commission	Dismissed complaint with prejudice for failure to state a claim for which relief can be granted.
56147	7/12/24	Civil right violations, deceptive trade practices	4Change Energy	Dismissed complaint with prejudice for failure to amend for sufficiency and failure to state a claim for which relief can be granted.
56169	7/12/24	Water/Sewer billing complaint	Lockwood Heights	Dismissed complaint without prejudice for failure to prosecute and failure to amend for sufficiency.
56305	7/13/24	Water billing complaint	Lockwood Heights	Dismissed complaint without prejudice for failure to amend for sufficiency.
ENFORCEMENT SETTLEMENTS				

Docket No.	Date of Decision	Utility Type	Respondent	<i>*This section includes voluntary agreements that resolved specific issues among the parties but are not binding on the Commission or precedential for any other purpose.</i>
55929	6/13/24	Water and Sewer	Ranger Utility Company	Administrative penalty of \$70,000 for violations related to annual reporting and customer relations.
56181	5/23/24	Electric	Bearkat Wind Energy 1, LLC	Administrative penalty of \$12,500 for violations related to weather preparedness declaration requirements for winter 2022 and summer 2023.
56182	5/23/24	Electric	Fluvanna Wind Energy, LLC	Administrative penalty of \$12,500 for violations related to weather preparedness declaration requirements for winter 2022 and summer 2023.
56198	6/13/24	Electric	Rockstar Capital Management, LLC	Administrative penalty of \$200,000 for violations related to customer protection standards; customer choice; billing and metering services; and certification and selection of REPs.
56242	6/13/24	Electric	Specialized Property Management, Inc.	Administrative penalty of \$120,000 for violations related to customer protection standards; customer choice; billing and metering services; and certification and selection of REPs.
56248	5/23/24	Electric	Value Based Brands, LLC	Administrative penalty of \$93,007 for violations related to issuing contract expiration notices.
56439	6/13/24	Electric	Southwestern Electric Power Company (SWEPCO)	Administrative penalty of \$34,000 for violations relating to service quality and system reliability standards.

GLOSSARY

Complaint – A formal complaint presented to the Commission under 16 Texas Administrative Code § 22.242.

DCRF (distribution cost recovery factor) – Electric utilities are authorized to apply to the Commission for inclusion of a distribution cost recovery factor in their tariffs, which allows the utility to adjust rates to account for changes in distribution invested capital between base rate proceedings on a system-wide basis. DCRF proceedings are governed by PURA § 36.210 and 16 Texas Administrative Code § 25.243.

ECCN (electric certificate of convenience and necessity) – Authorization from the Commission allowing an electric utility to provide electric utility service to the public in an identified geographic area. New transmission lines must be approved by the Commission through an ECCN application process. ECCNs are governed by PURA Chapter 37 and 16 Texas Administrative Code Chapter 25, Subchapter E.

RCE (rate case expense) – Supplemental charges incurred as part of a ratemaking proceeding that are not included in a utility's standard rates. The recovery of rate case expenses is governed by PURA §§ 36.061 and 33.023 and 16 Texas Administrative Code § 25.245.

SAC (service area contract) – A contract between retail public utilities holding existing CCNs designating an area(s) and customers to be served by those retail public utilities. SACs are governed by the Texas Water Code § 13.248 and 16 Texas Administrative Code § 24.253.

SER (streamlined expedited release) – The process by which, under certain circumstances, a tract of land may be released from an existing WCCN. SERs are governed by the Texas Water Code § 13.2541 and 16 Texas Administrative Code § 24.245(h).

SRC (system restoration charge) – Costs incurred by an electric utility in connection with the restoration of service and infrastructure after an outage caused by a weather-related event or natural disaster. The recovery of system restoration costs is governed by PURA § 36.402.

STM (sale, transfer, merger) - The process by which a utility's facilities, customers, or service area(s) may be sold, transferred, or merged with another entity. STMs are governed by the Texas Water Code § 13.301 and 16 Texas Administrative Code §§ 24.239 and 24.240.

Tariff – A document that contains a utility's rates, terms, and conditions for providing electric, water, or sewer (wastewater) services.

WCCN (water certificate of convenience and necessity) – Authorization from the Commission allowing a retail public utility the exclusive right to provide retail water or sewer utility service to an identified geographic area. WCCNs are governed by the Texas Water Code, Chapter 13, Subchapter G and 16 Texas Administrative Code Chapter 24, Subchapter H.