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Public Utility Commission

Memorandum

To: Chairman Peter M. Lake
Commissioner Will McAdams
Commissioner Lori Cobos
Commissioner Jimmy Glotfelty

From: Barksdale English – Director, Division of Compliance & Enforcement
Chris Burch – Director, Customer Protection Division

Date: November 18, 2021

Re: November 18, 2021 Open Meeting – Project No. 52713 – *2021 Summary of Customer Complaints and Enforcement Activities*

BACKGROUND

Attached is summary information on enforcement actions and customer complaint data for fiscal year 2021. We intend to present this information for your review at the November 18, 2021 Open Meeting.

As part of its 2010 report on the PUC, the Sunset Advisory Commission adopted a management action recommending that the Commission publish, on a regular basis, more complaint and enforcement data on its website. The Sunset Advisory Commission recommended that the public be given an opportunity to comment on this information.

Staff has requested that any interested person who wants to comment on this information file written comments. Staff also posted the attached information on the PUC Announcements section of the Commission's homepage along with the same notice and request for comments to be filed in Project No. 52713. Staff will consider comments filed regarding this project as it prepares to publish the 2021 Summary of Customer Complaint and Enforcement Activities.

The 2021 Summary has taken into consideration comments suggested by the public in previous summaries. Staff has made color copies of the 2021 Summary available on the Commission's website. The color version is accessible from the PUC Announcements section of the homepage and by downloading the native file from the filings interchange. Staff also included a notation on the two graphs regarding refunds that the reported refunds and credits includes refunds, credits & courtesy, goodwill and out of service credits.

Pursuant to the Sunset Advisory Commission's recommendation, Staff will continue to publish complaint and enforcement data on an annual basis and to provide the public an opportunity to comment on this data.

DISCUSSION OF THE 2021 SUMMARY

Complaints

As indicated on attached charts, there were a total of 530 telecom complaints and 9,661 electric complaints filed in fiscal year 2021. There were also 2,033 water complaints and 2,233 No-Call complaints filed during this period. Because No-Call complaints are processed differently than other types of complaints, these complaints are tracked separately.

The attached charts include a breakout of complaints by type, as well as information on the percentage of total complaints in which customers received a refund, and the average amount of the refund provided by month.

Enforcement Actions

In fiscal year 2021, Commission Staff opened 57 investigations and closed 60 investigations. The Commission approved orders imposing a total of \$682,000.00 in administrative penalties and \$0 in refunds. Investigations and enforcement actions in fiscal year 2021 involved entities in the retail, wholesale, electric sectors, telecom, apartment, and water utility industries.

As reflected in the attached charts, the breakdown of docketed cases was 20% electric retail, 30% electric wholesale, 20% electric service quality, and 30% water. The percentage of total penalties assessed in fiscal year 2021 were 37% electric retail, 21% electric wholesale, and 42% electric service quality. Of the investigations that were opened in fiscal year 2021, 45% were electric retail, 14% were electric reporting, 12% were electric wholesale, 2% were electric service quality, 2% were telecommunications, 9% were water, and 16% were apartments.

PROJECT NO. 52713
PUBLIC UTILITY COMMISSION OF TEXAS
PUBLIC NOTICE OF 2021 SUMMARY OF CUSTOMER COMPLAINTS
AND ENFORCEMENT ACTIVITIES
AND REQUEST FOR COMMENTS

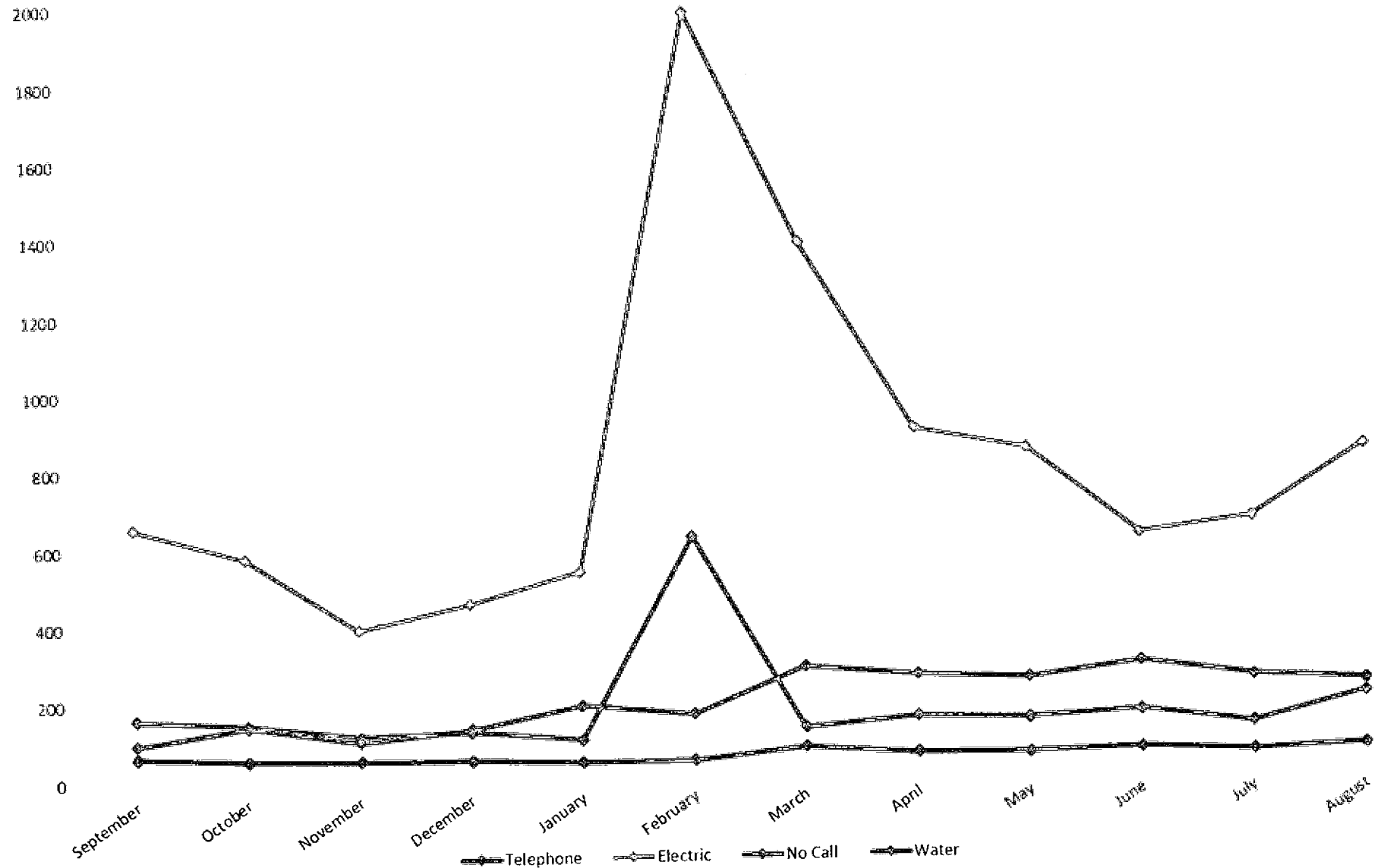
As a part of its 2010 report on the PUC, the Sunset Advisory Commission adopted a management action recommending that the Commission publish, on a regular basis, more complaint and enforcement data on its website. The Sunset Commission also recommended that the public be given an opportunity to comment on this information. Attached is summary information on enforcement actions and customer complaint data for fiscal year 2021. Staff intends to present this information for the Commissioners' review at the November 18, 2021 Open Meeting. Staff is requesting that any interested person who wants to comment on this information to file written comments in Project 52713 on or before Friday, November 12, 2021.

Comments may be filed by submitting 16 copies to the Commission's Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 no later than Friday, November 12, 2020. All comments should reference Project Number 52713.

Questions concerning this notice should be referred to Chris Burch, Director of Customer Protection, (512) 936-7145. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission by dialing 7-1-1.

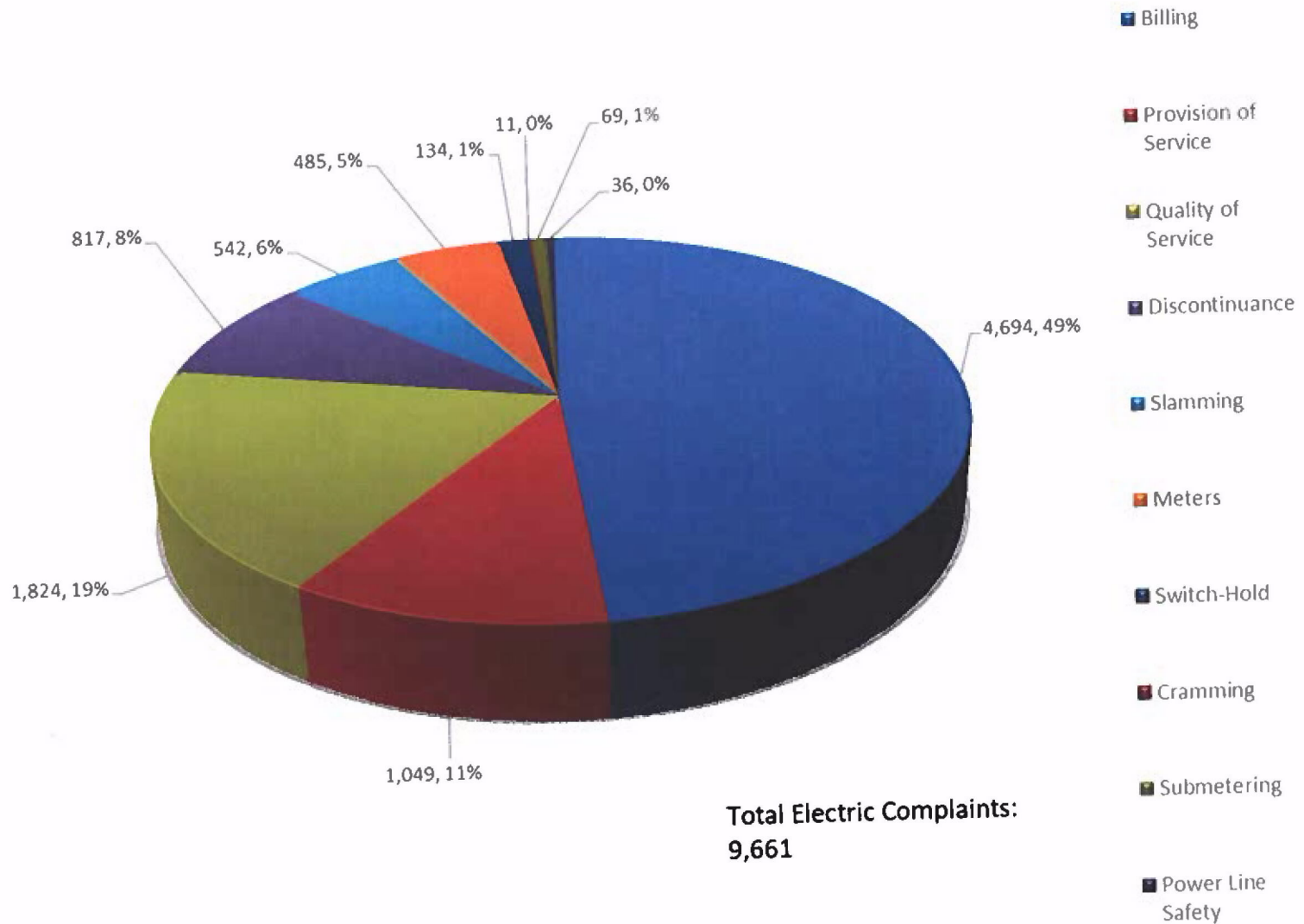
CUSTOMER PROTECTION DIVISION

Fiscal Year 2021 Complaints Received



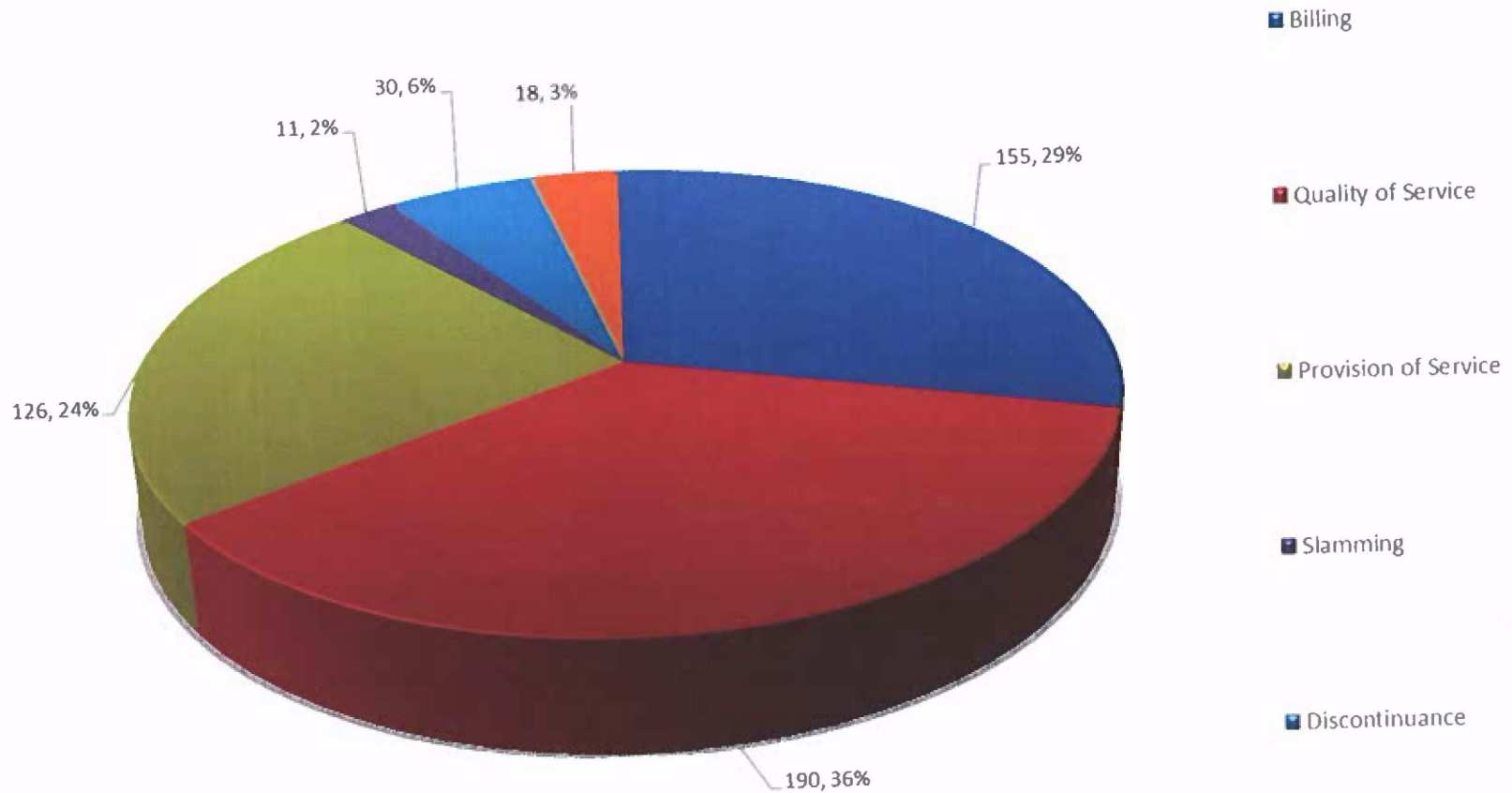
CUSTOMER PROTECTION DIVISION

Electric Complaint Categories – FY 2021



CUSTOMER PROTECTION DIVISION

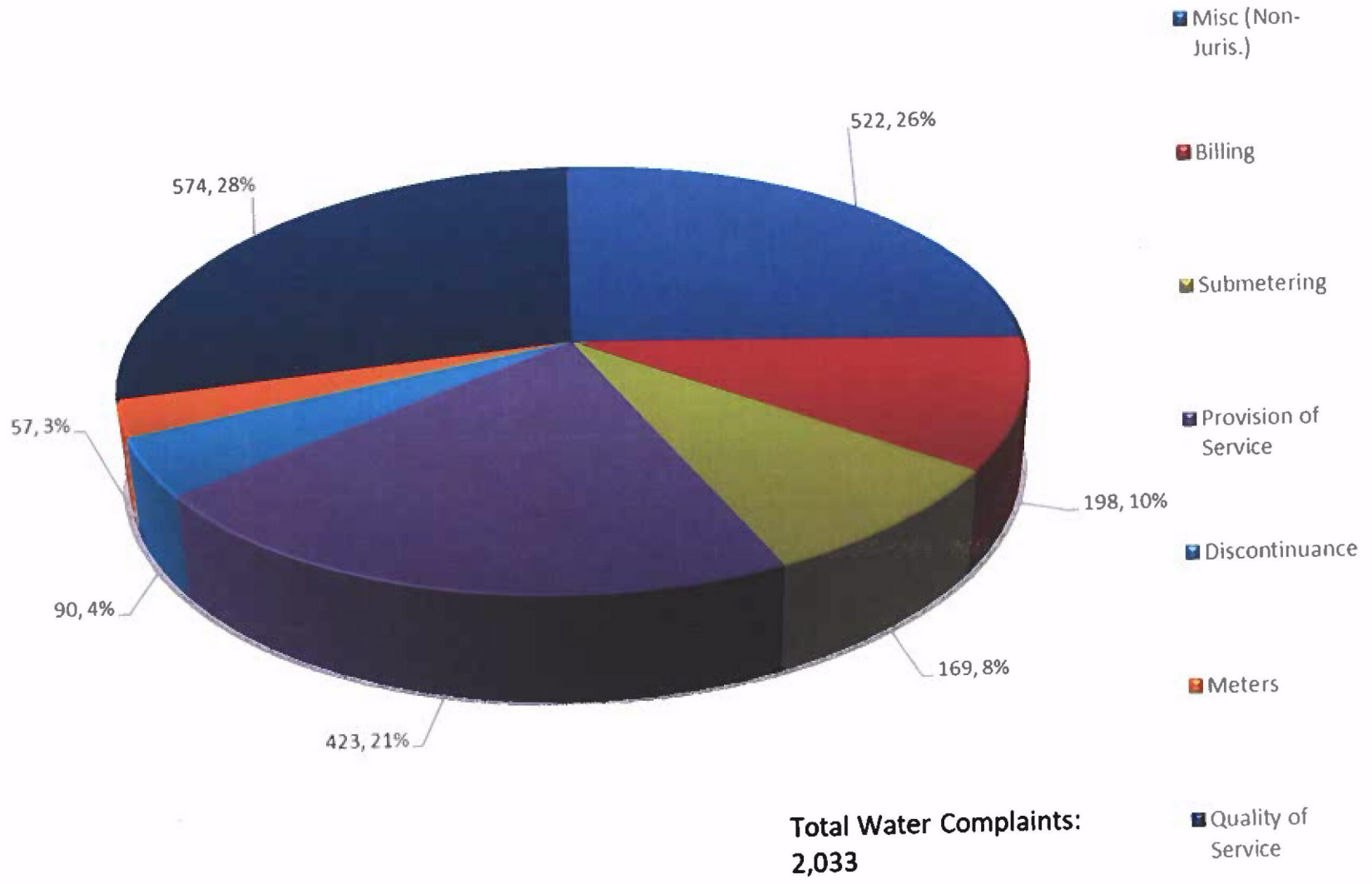
Telecommunications Complaint Categories – FY 2021



Total Telecommunications
Complaints:
530

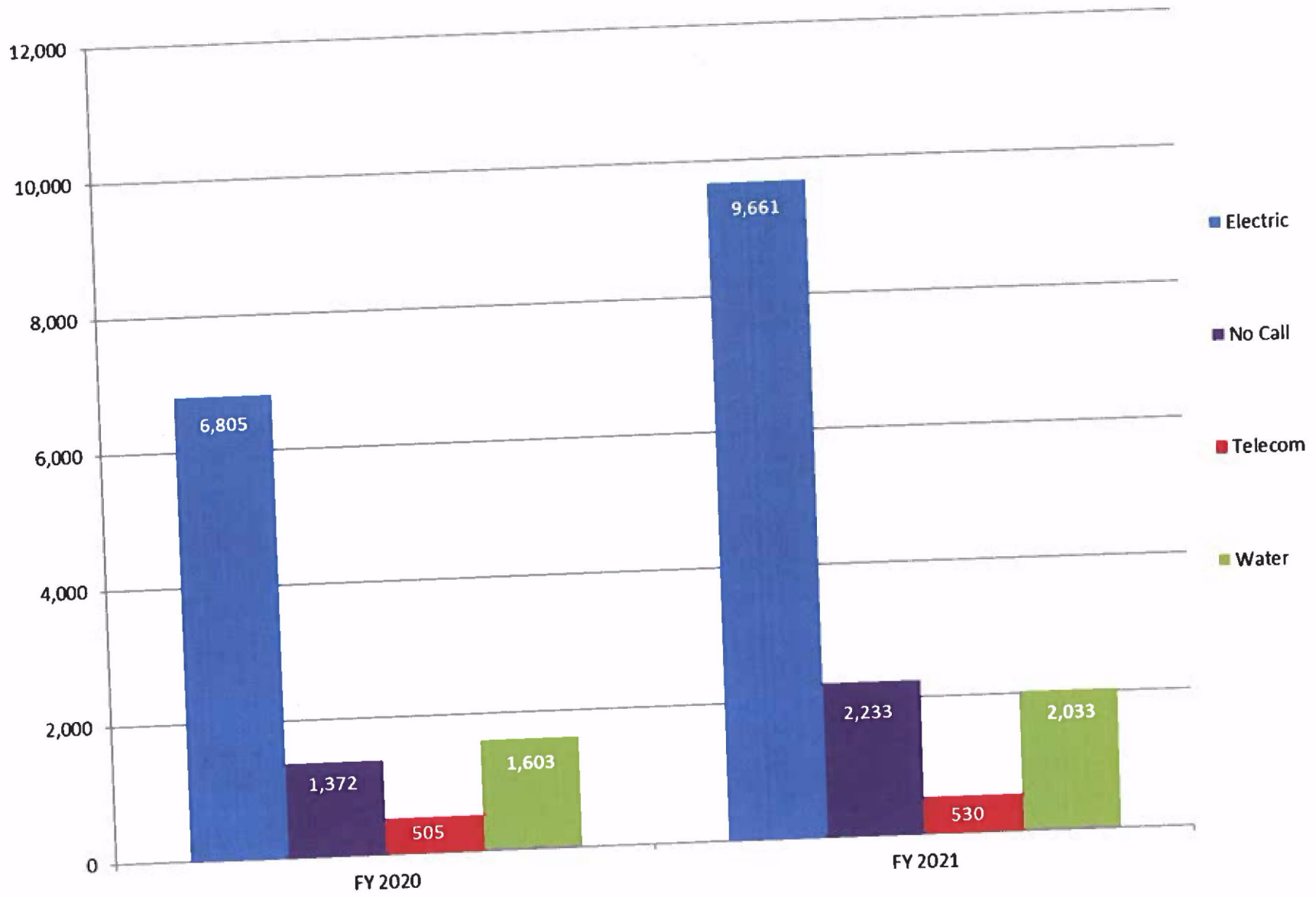
CUSTOMER PROTECTION DIVISION

Water Complaint Categories – FY 2021



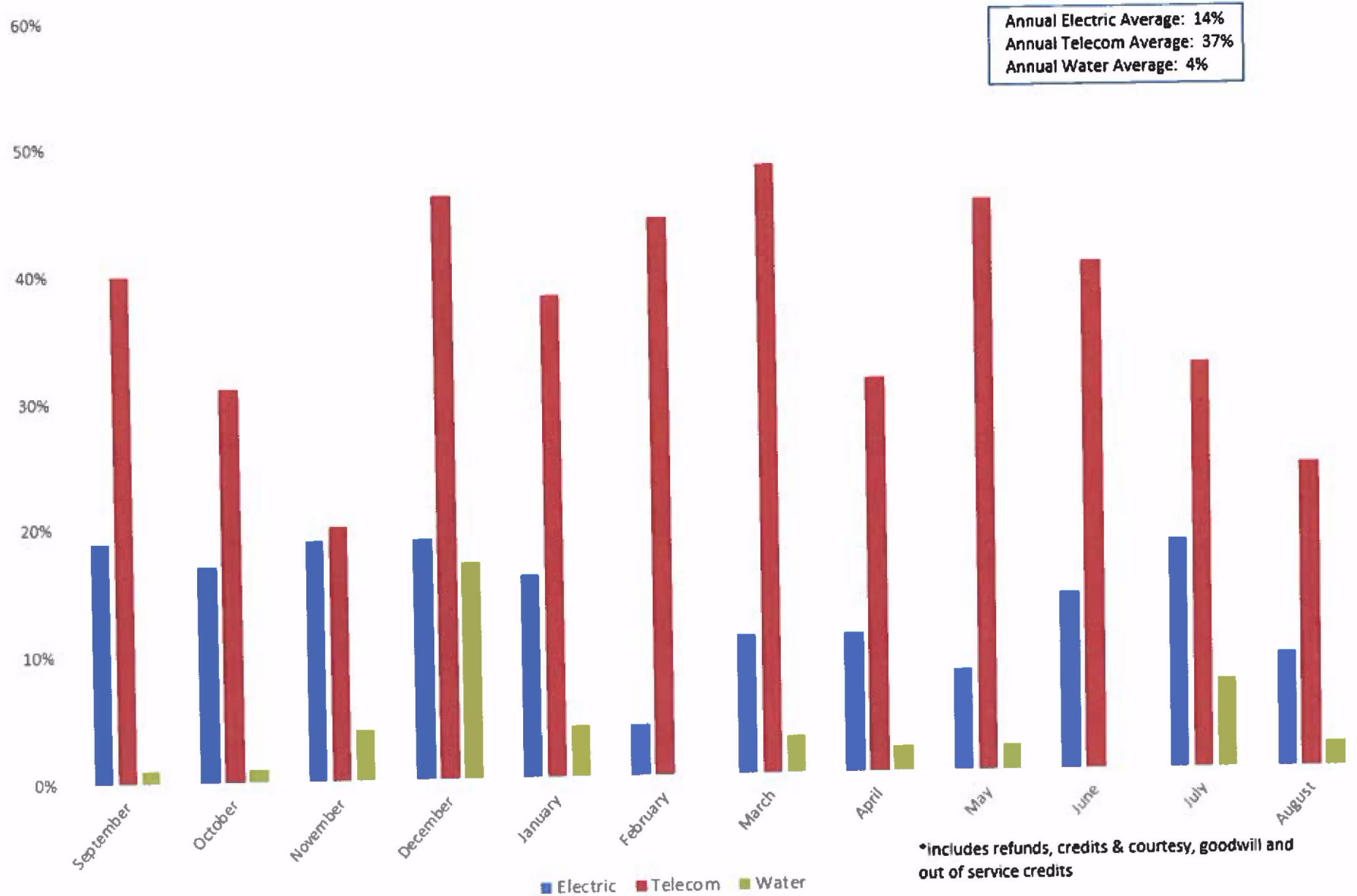
CUSTOMER PROTECTION DIVISION

Complaints Received Comparison – FY 2020 and FY 2021



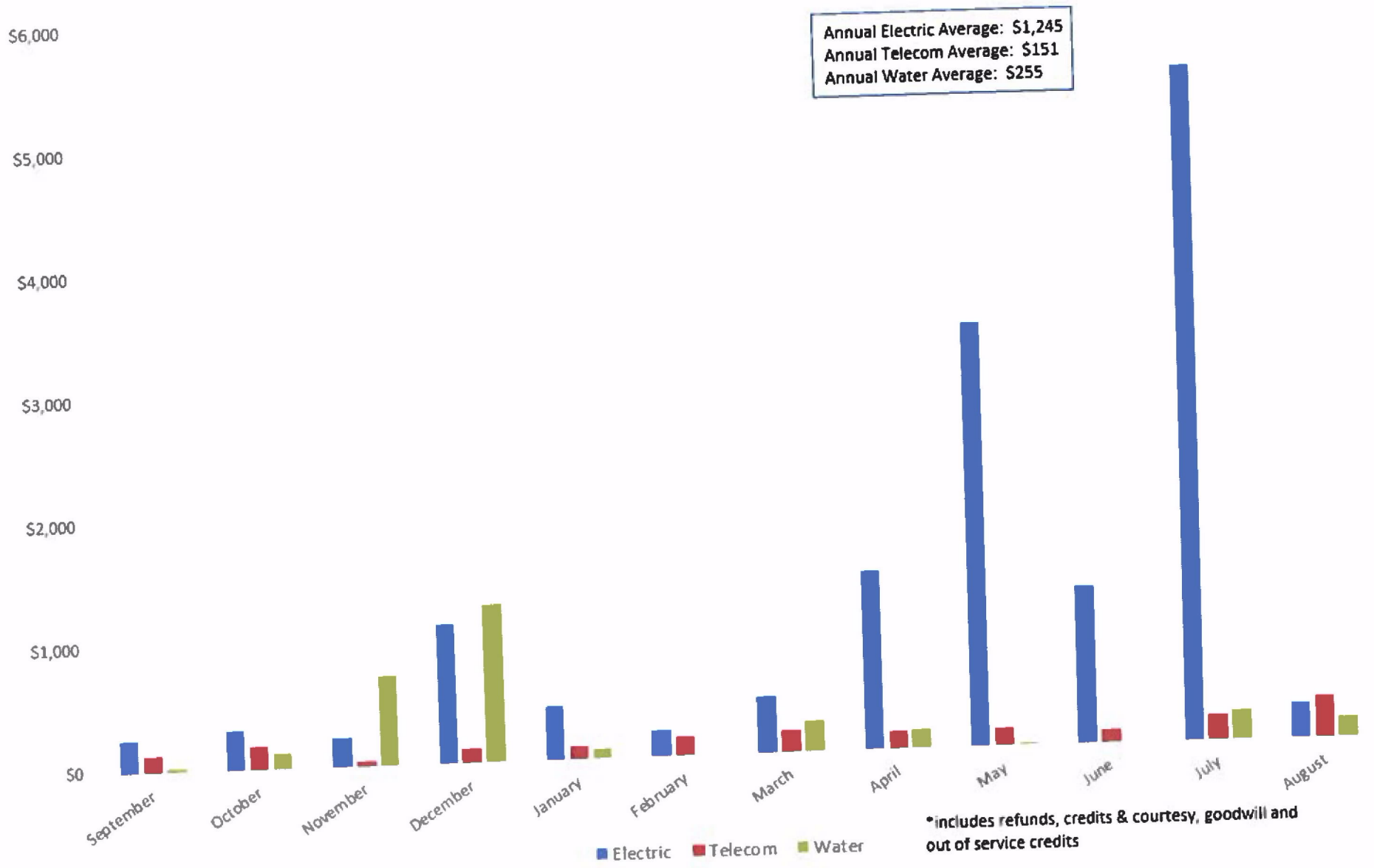
CUSTOMER PROTECTION DIVISION

% of Complaints Resulting in Customer Refunds* - FY 2021



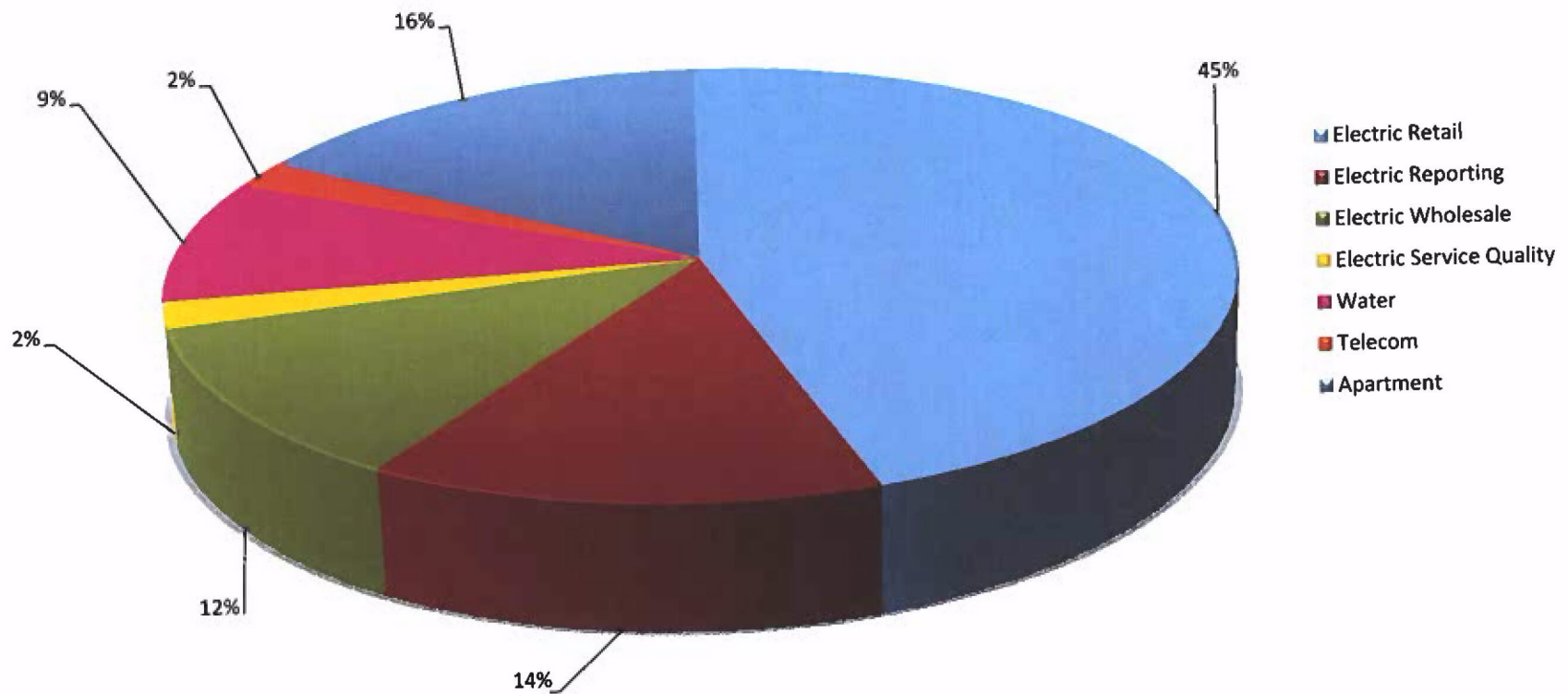
CUSTOMER PROTECTION DIVISION

Average Refund* - FY 2020



DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

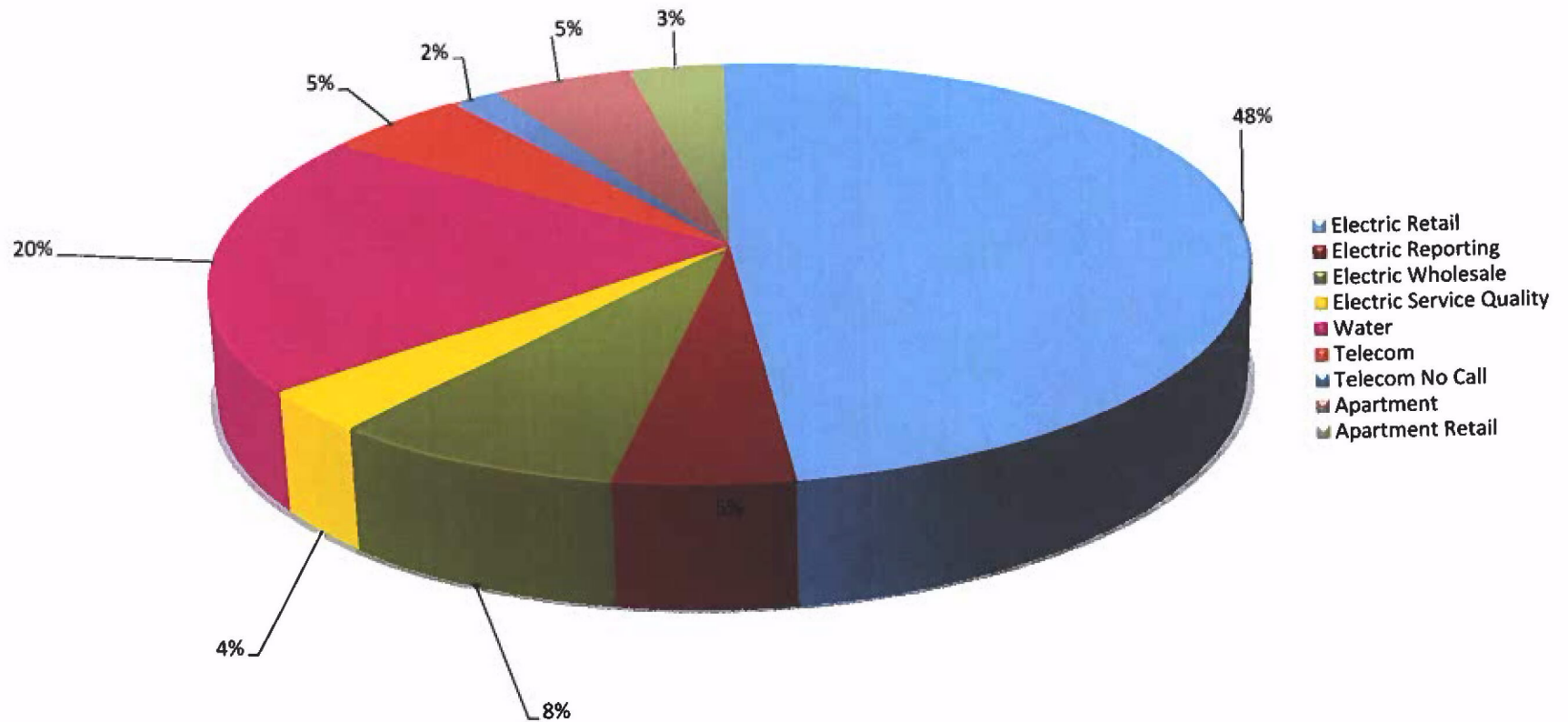
Total Investigations Opened Within Fiscal Year 2021



Total Investigations Opened: 57

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

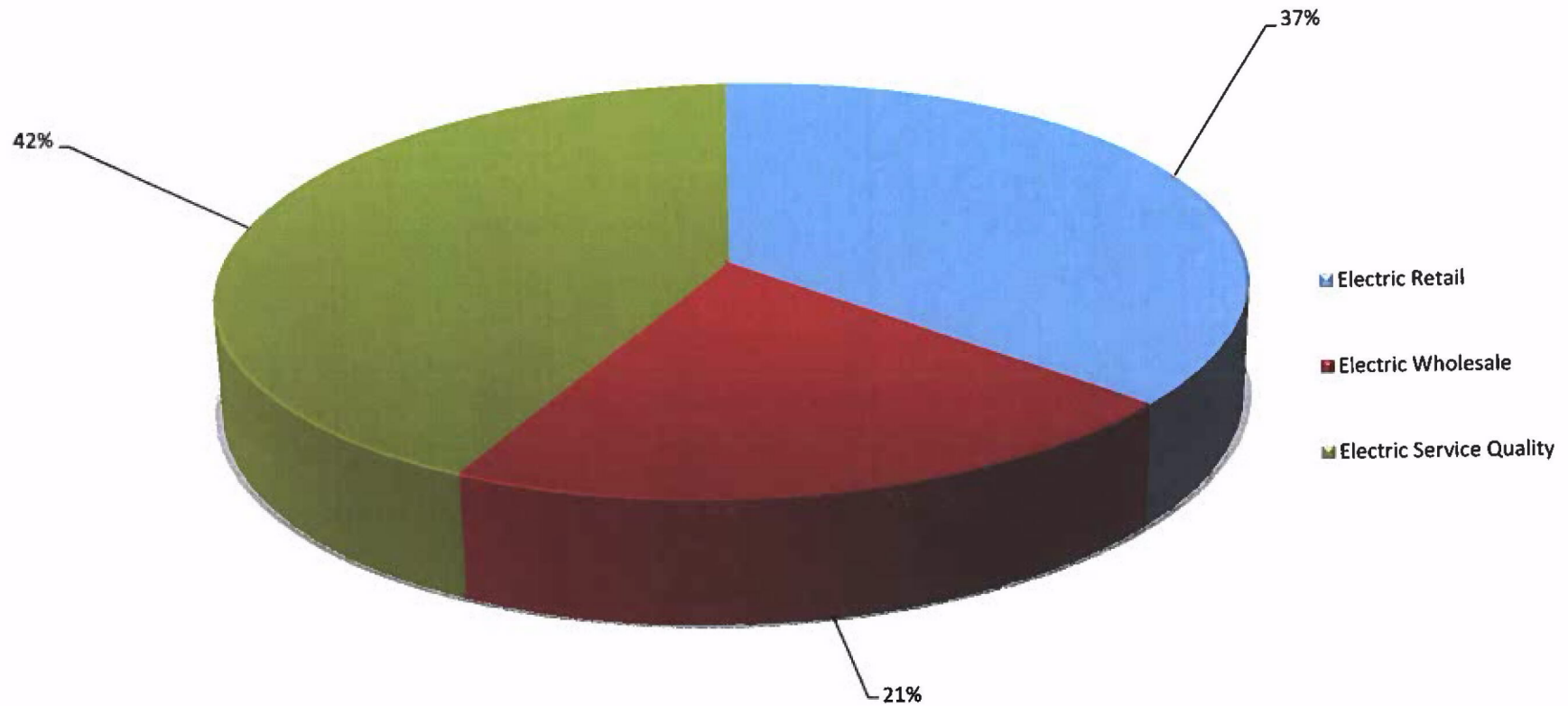
Total Investigations Closed Within Fiscal Year 2021



Total Investigations Closed: 60

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

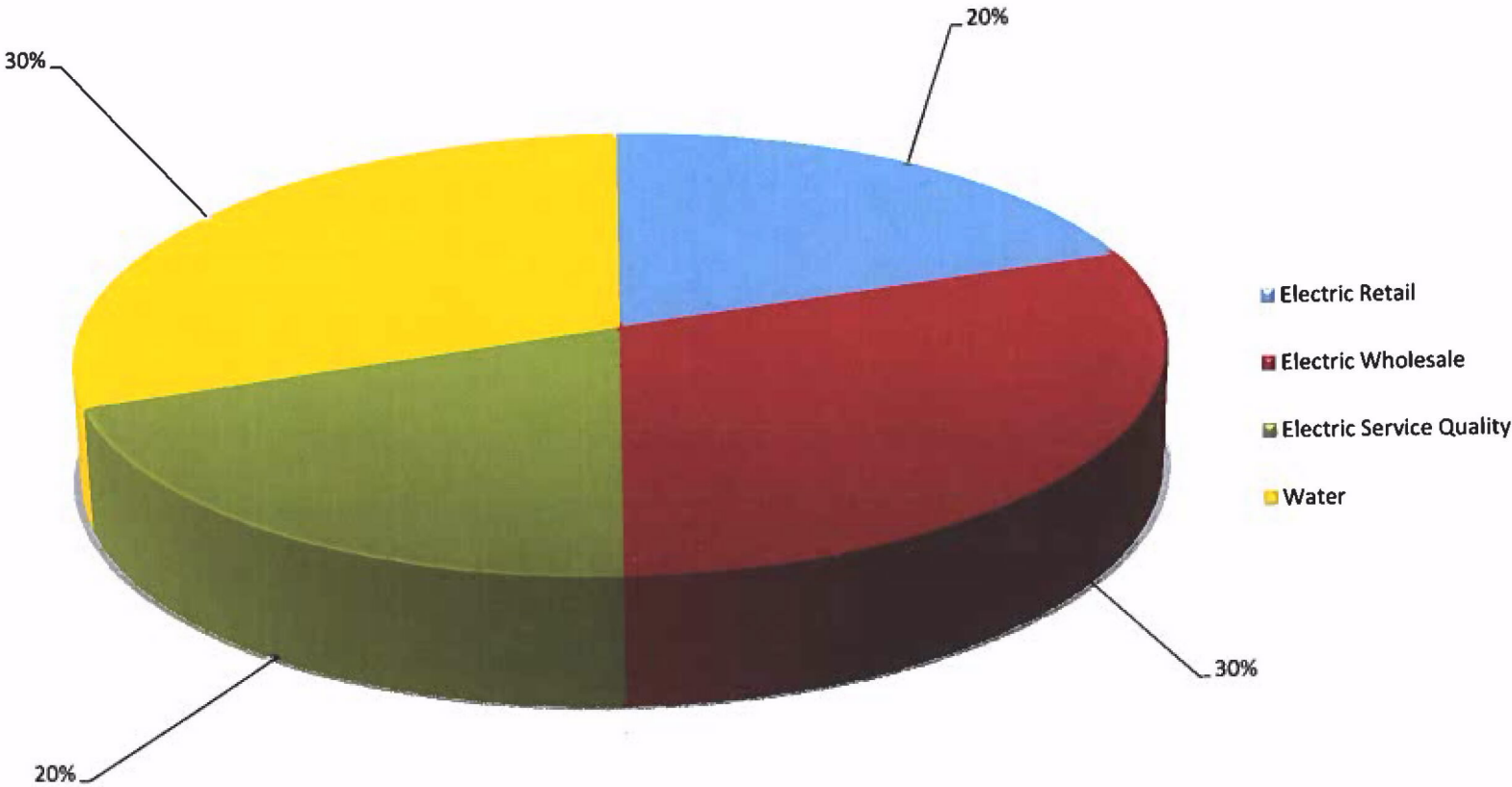
**Docketed Cases that Resulted in Administrative Penalties:
Percentage of Total Penalties Assessed by Violation Type
Fiscal Year 2021**



Total Penalties: \$682,000.00

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

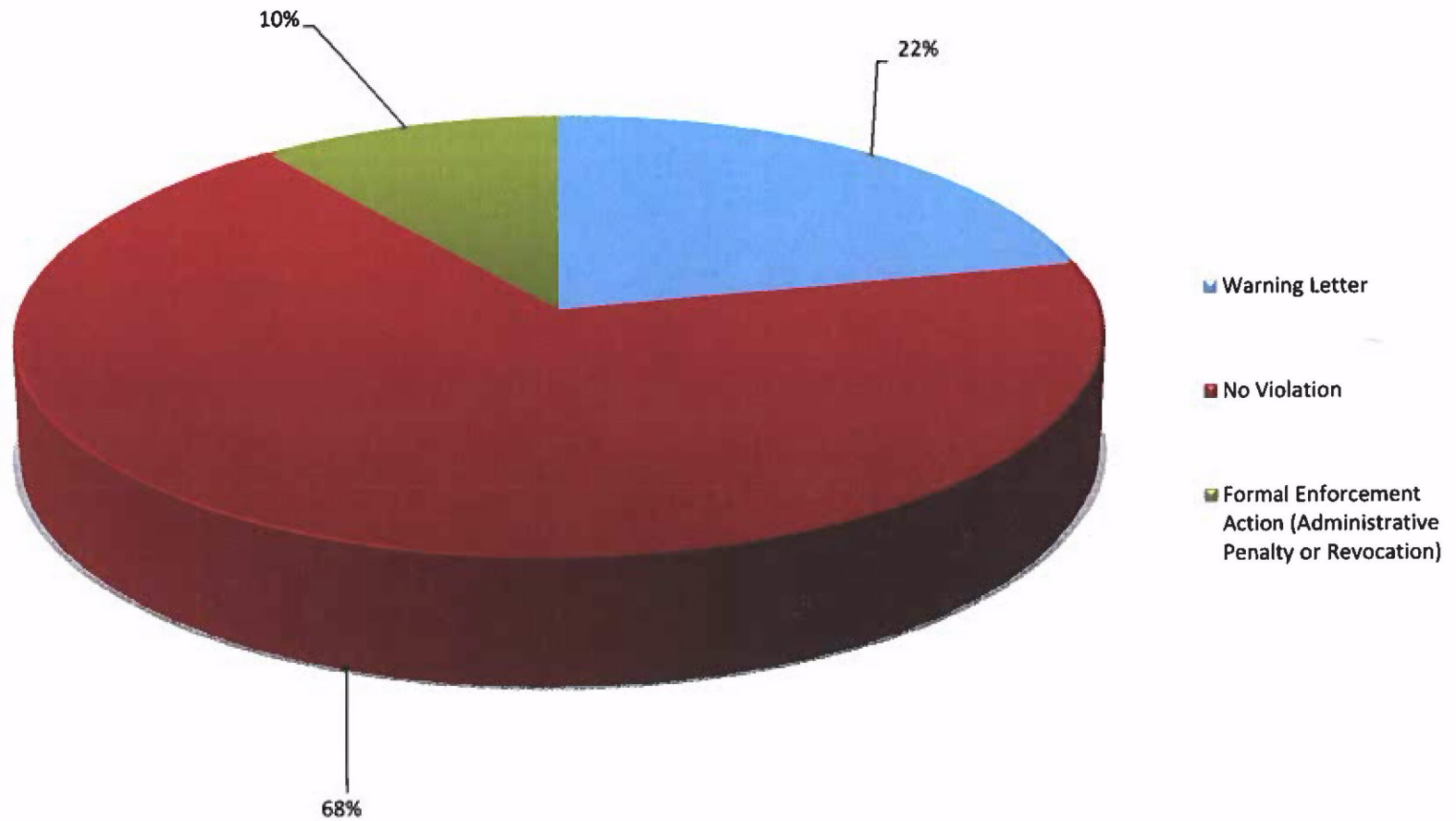
Closed Docketed Cases by Violation Type Fiscal Year 2021



Total Docketed Cases: 10

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

Closed Investigation Results in Fiscal Year 2021



DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

PUC ENFORCEMENT ACTIVITY REPORT FOR CLOSED DOCKETED CASES: FISCAL YEAR 2021

<u>Company</u>	<u>Violation</u>	<u>Docket</u>	<u>Final Order Date</u>	<u>Penalty P/R</u>	<u>Violation Type</u>	<u>Settlement/Contested Case</u>	<u>Certificate Revoked</u>
Blue Cereus	Water	48650	03/16/2020	\$0.00	Water	Emergency Order	No
Calpine Corporation	Electric	51193	09/24/2021	\$50,000.00 {P}	Wholesale	Agreed Settlement	No
Castlecomb	Water	47426	03/05/2021	\$0.00	Water	Withdrawn/Dismiss	No
Direct Energy	Electric	51277	12/17/2021	\$250,000.00 {P}	Retail	Agreed Settlement	No
Energy Monger	Electric	52079	07/01/2021	\$0.00	Retail	Revocation	Yes
Felipe Posada	Water	46092	01/12/2017	\$0.00	Water	Revocation	Yes
Mozart Wind	Electric	51050	10/16/2020	\$48,000.00 {P}	Wholesale	Agreed Settlement	No
ONCOR	Electric	51952	07/16/2021	\$239,000.00 {P}	Svc. Quality	Agreed Settlement	No
TNMP	Electric	51395	12/17/2020	\$50,000.00 {P}	Svc. Quality	Agreed Settlement	No
Viridity Energy, Inc.	Electric	50874	09/24/2020	\$45,000.00 {P}	Wholesale	Agreed Settlement	No
		TOTAL	10 Closed Docketed Cases	0.00 {R} 682,000.00 {P}			