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Public Utility Commission

Memorandum

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

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

Date: October 31, 2022

Re: December 15, 2022 Open Meeting – Project No. 54207 – *2022 Summary of Customer Complaints and Enforcement Activities*

BACKGROUND

Attached is summary information on enforcement actions and customer complaint data for fiscal year 2022. We intend to present this information for your review at the December 15, 2022 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. 54207. Staff will consider comments filed regarding this project as it prepares to publish the 2022 Summary of Customer Complaint and Enforcement Activities.

The 2022 Summary has taken into consideration comments suggested by the public in previous summaries. Staff has made color copies of the 2022 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 2022 SUMMARY

Complaints

As indicated on attached charts, there were a total of 446 telecom complaints and 8,880 electric complaints filed in fiscal year 2022. There were also 2,345 water complaints and 1,943 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 2022, Commission Staff opened 139 investigations and closed 79 investigations. The Commission approved orders imposing a total of \$1,103,250.00 in administrative penalties, \$281,250.00 in bill pay assistance and \$104,723.10 in refunds. Investigations and enforcement actions in fiscal year 2022 involved entities in the wholesale and retail electric sectors, telecom, and water utility industries.

As reflected in the attached charts, the breakdown of docketed cases in fiscal year 2022 was 36% electric retail, 32% electric wholesale, 19% electric service quality, and 13% water. The percentage of total penalties assessed in fiscal year 2022 was 14% electric retail, 54% electric wholesale, and 32% electric service quality. Of the investigations that were opened in fiscal year 2022, 18% were electric retail, 13% were electric reporting, 45% were electric wholesale, 6% were electric service quality, 16% were water, and 2% were apartments.

PROJECT NO. 54207
PUBLIC UTILITY COMMISSION OF TEXAS
PUBLIC NOTICE OF 2022 SUMMARY OF CUSTOMER COMPLAINTS
AND ENFORCEMENT ACTIVITIES
AND REQUEST FOR COMMENTS

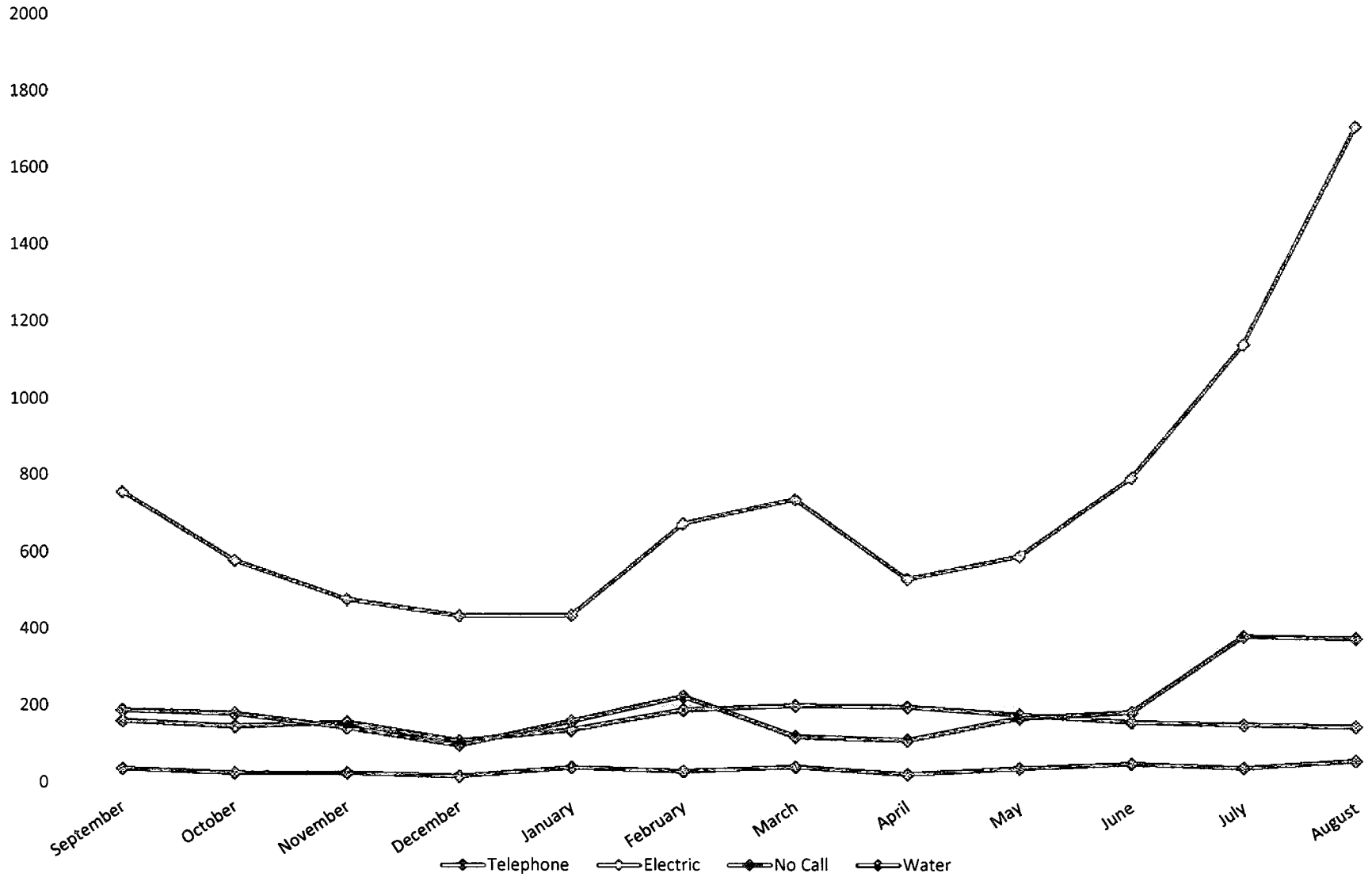
As a part of its 2010 report on the PUC, the Sunset Advisory Commission adopted a management action recommending that the Commission publish, on a regular basis, more complaint and enforcement data on its website. The Sunset Commission also recommended that the public be given an opportunity to comment on this information. Attached is summary information on enforcement actions and customer complaint data for fiscal year 2022. Staff intends to present this information for the Commissioners' review at the December 15, 2022 Open Meeting. Staff is requesting that any interested person who wants to comment on this information to file written comments in Project 54207 on or before Thursday, December 8, 2022.

Interested persons may file comments electronically through the interchange on the commission's website. Comments must be filed by November 24, 2022. Reply comments must be filed by December 8, 2022. All comments should refer to project number 54207.

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.

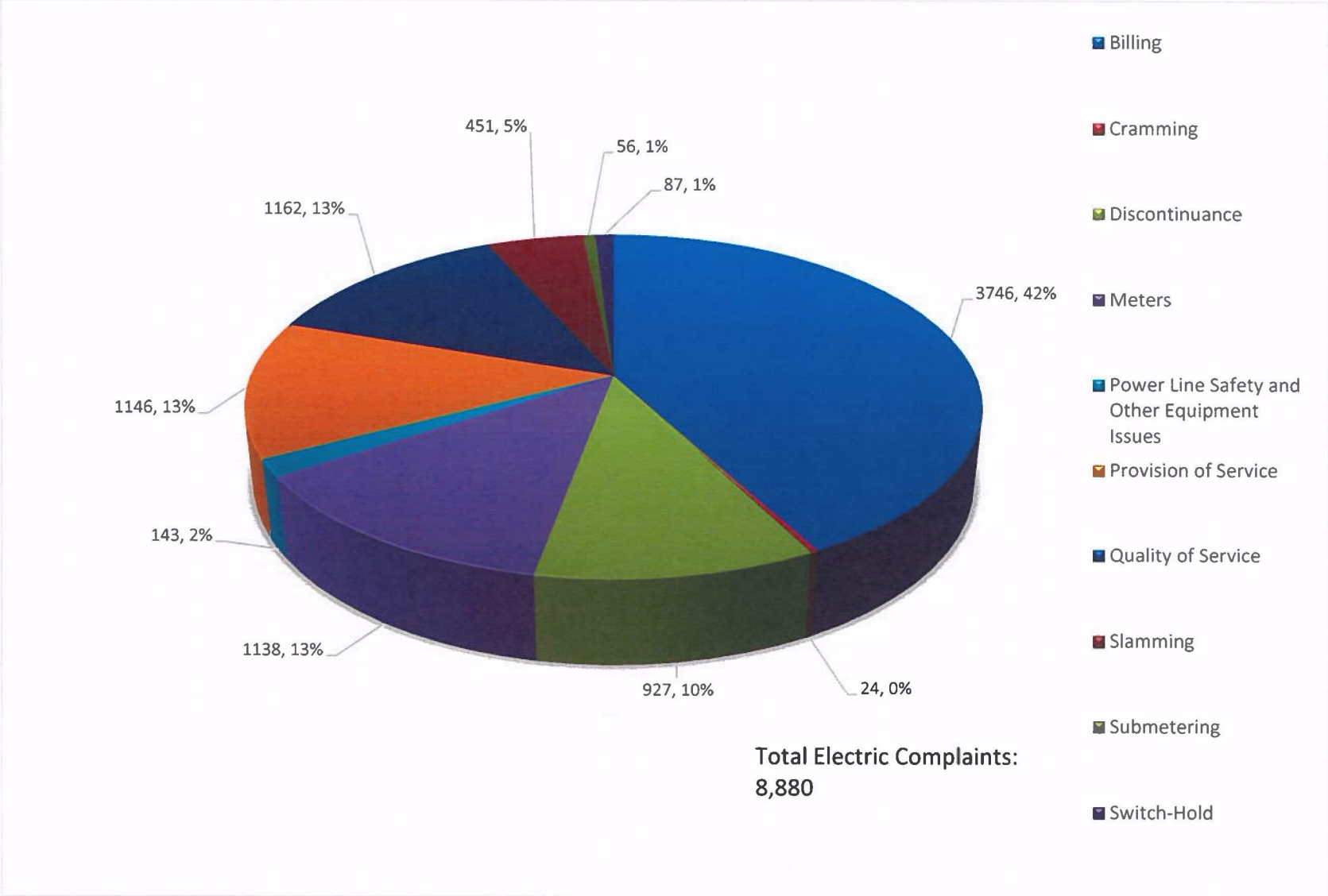
CUSTOMER PROTECTION DIVISION

Fiscal Year 2022 Complaints Received



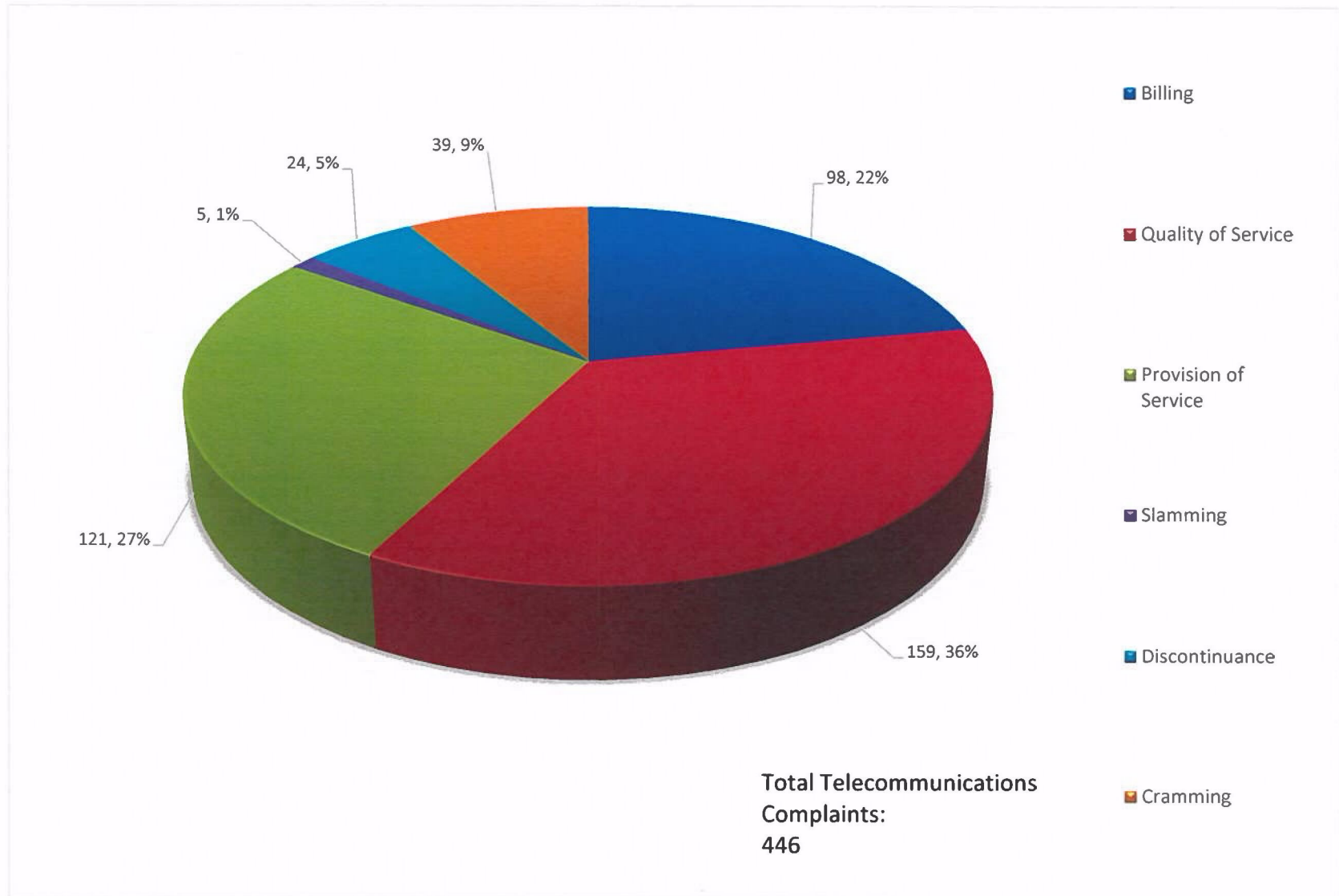
CUSTOMER PROTECTION DIVISION

Electric Complaint Categories – FY 2022



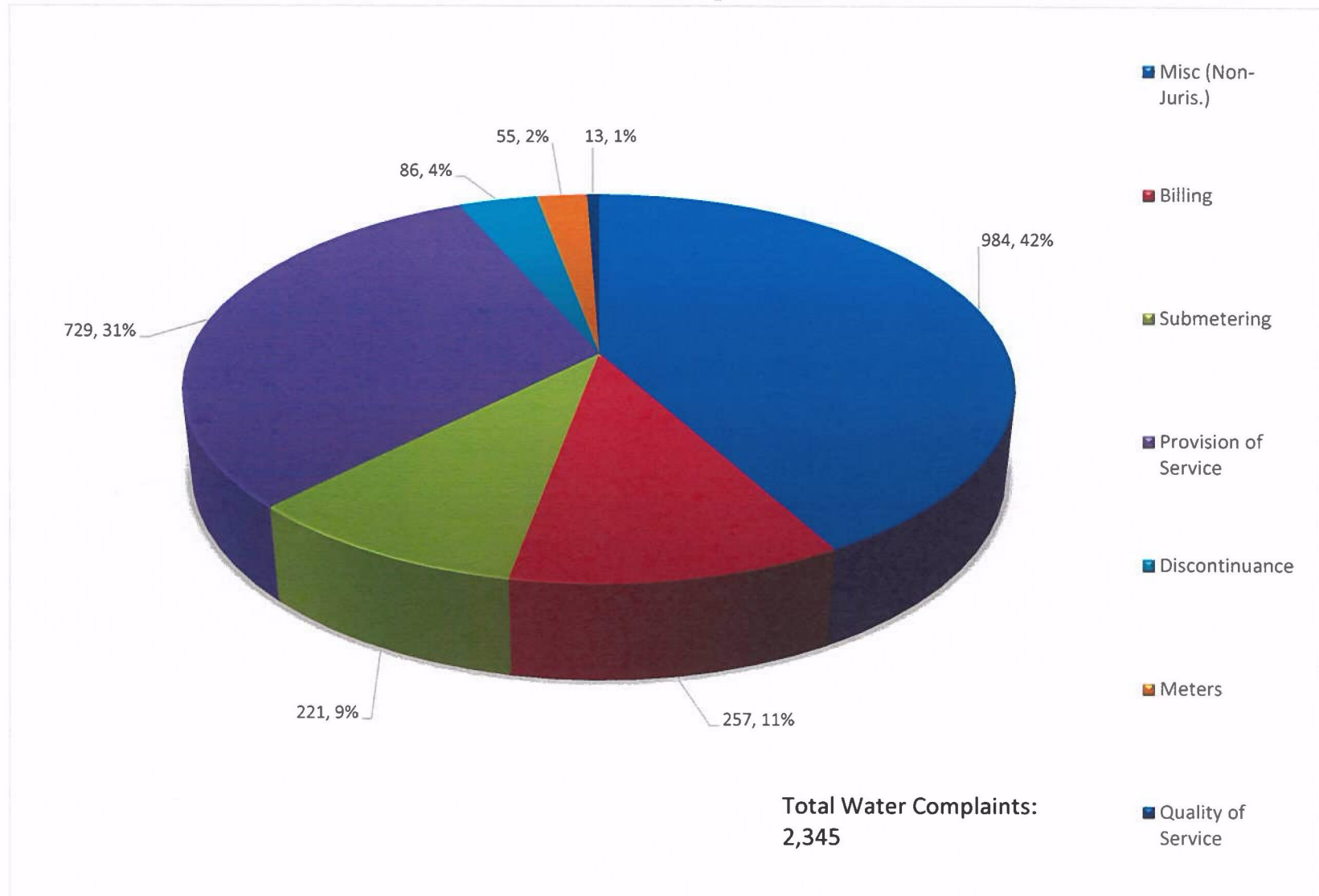
CUSTOMER PROTECTION DIVISION

Telecommunications Complaint Categories – FY 2022



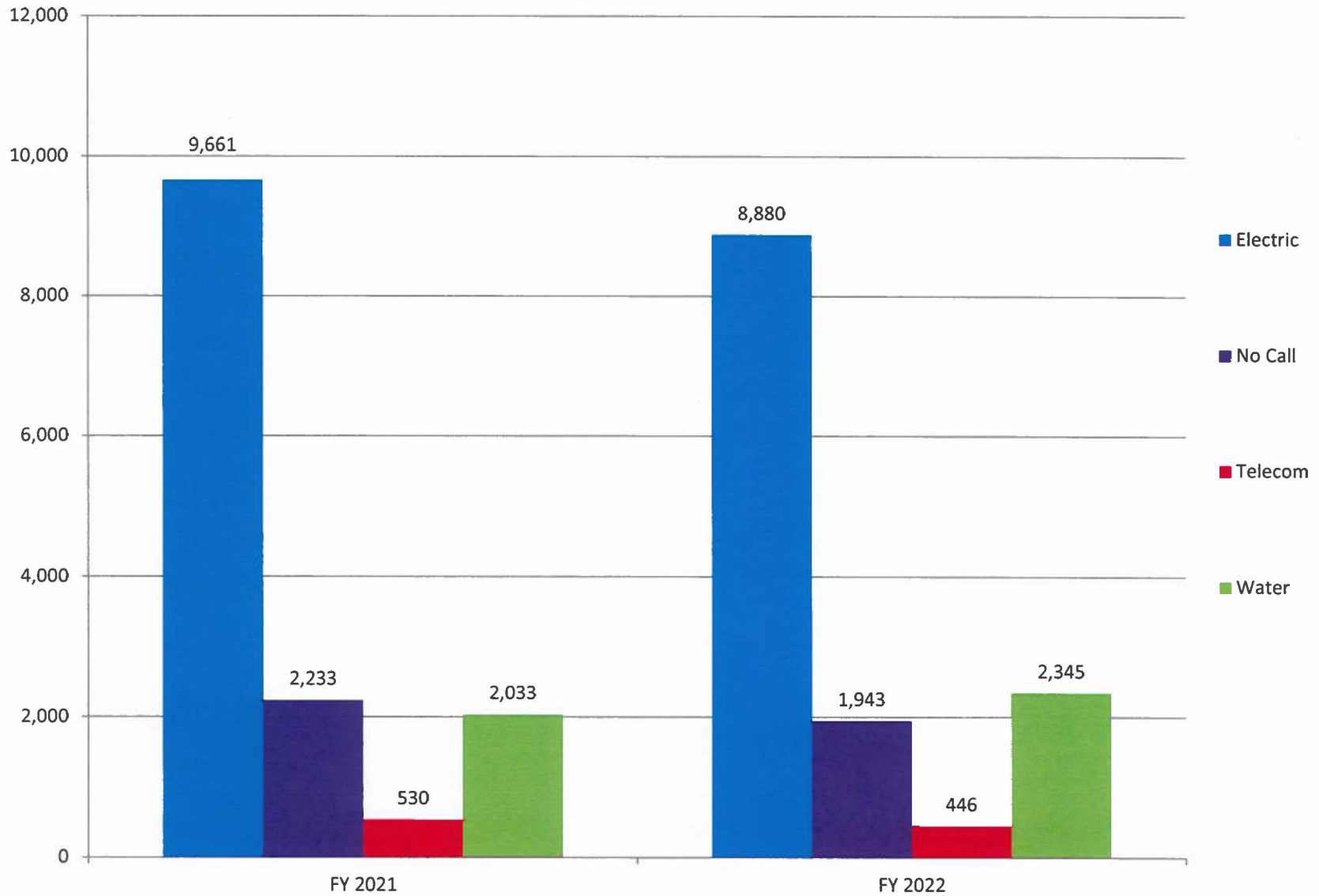
CUSTOMER PROTECTION DIVISION

Water Complaint Categories – FY 2022



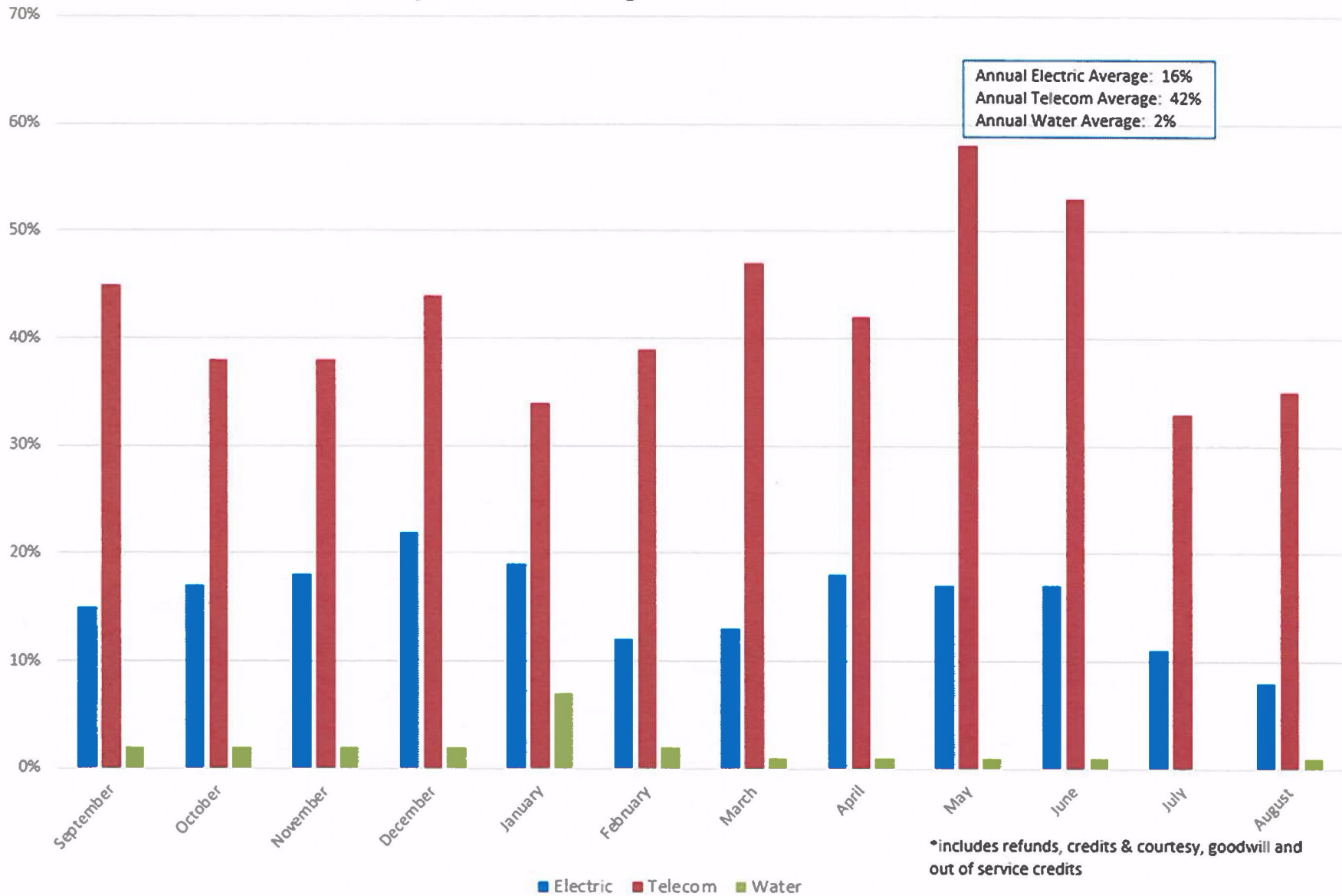
CUSTOMER PROTECTION DIVISION

Complaints Received Comparison – FY 2021 and FY 2022



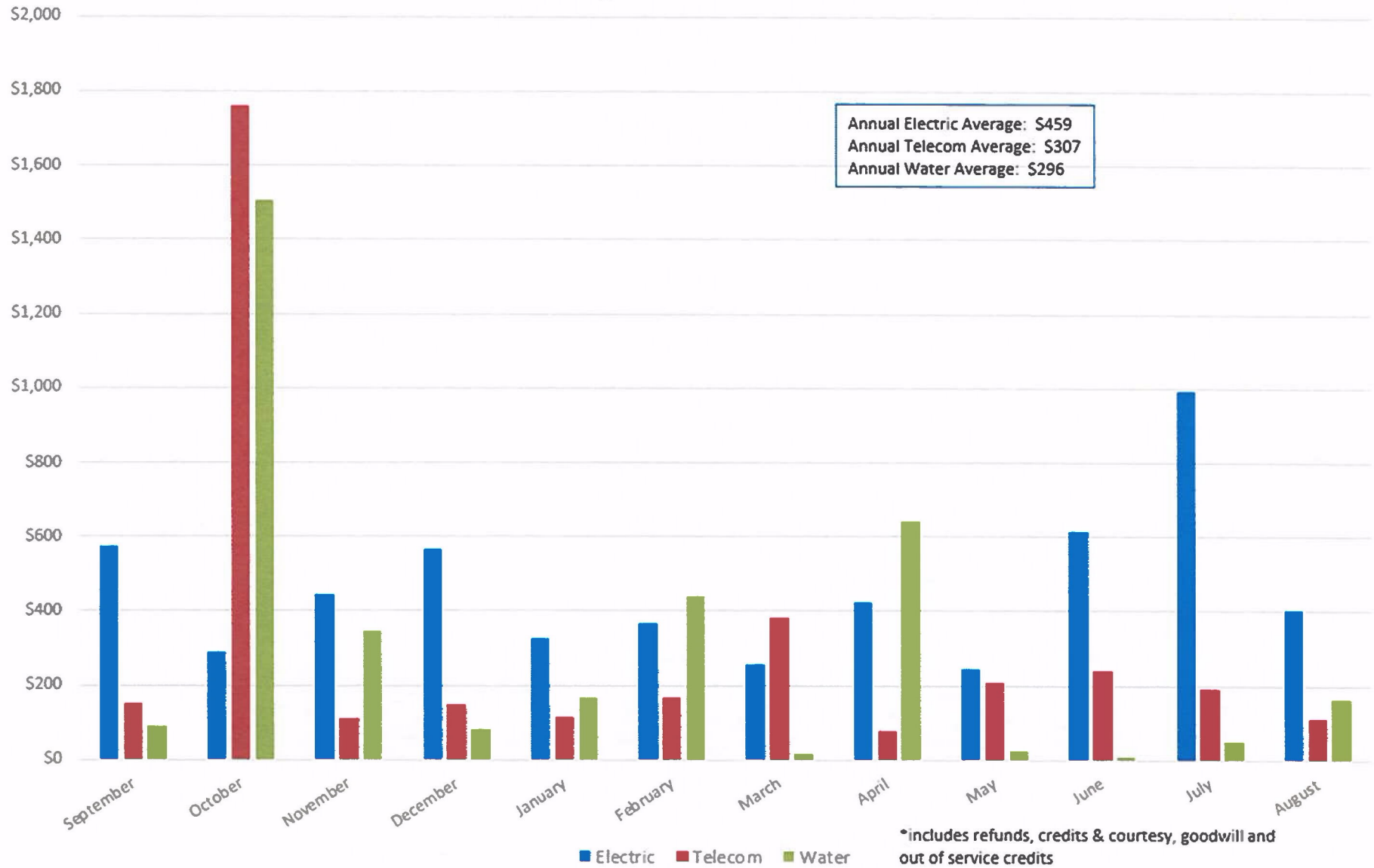
CUSTOMER PROTECTION DIVISION

% of Complaints Resulting in Customer Refunds* - FY 2022



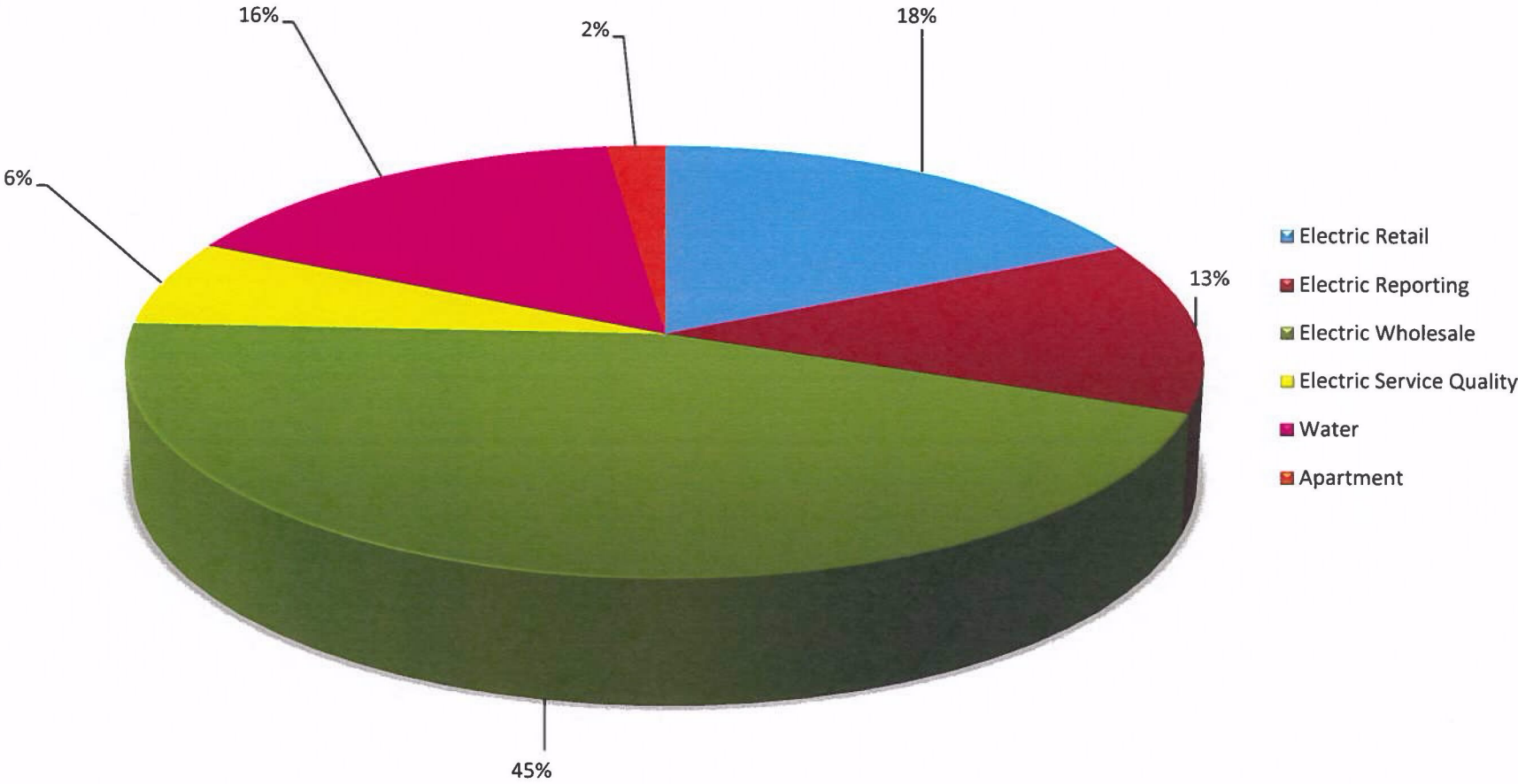
CUSTOMER PROTECTION DIVISION

Average Refund* - FY 2022



DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

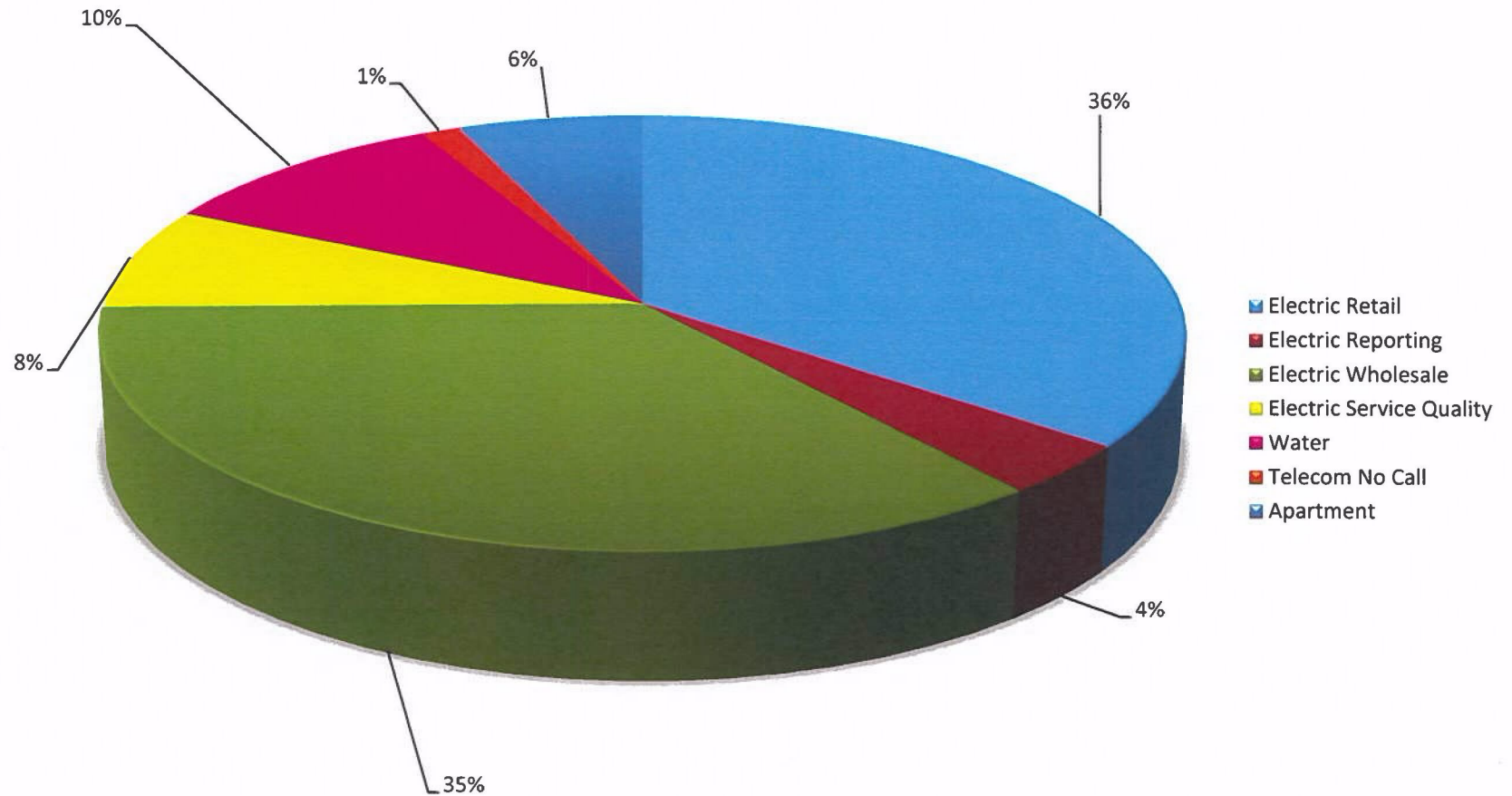
Total Investigations Opened Within Fiscal Year 2022



Total Investigations Opened: 139

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

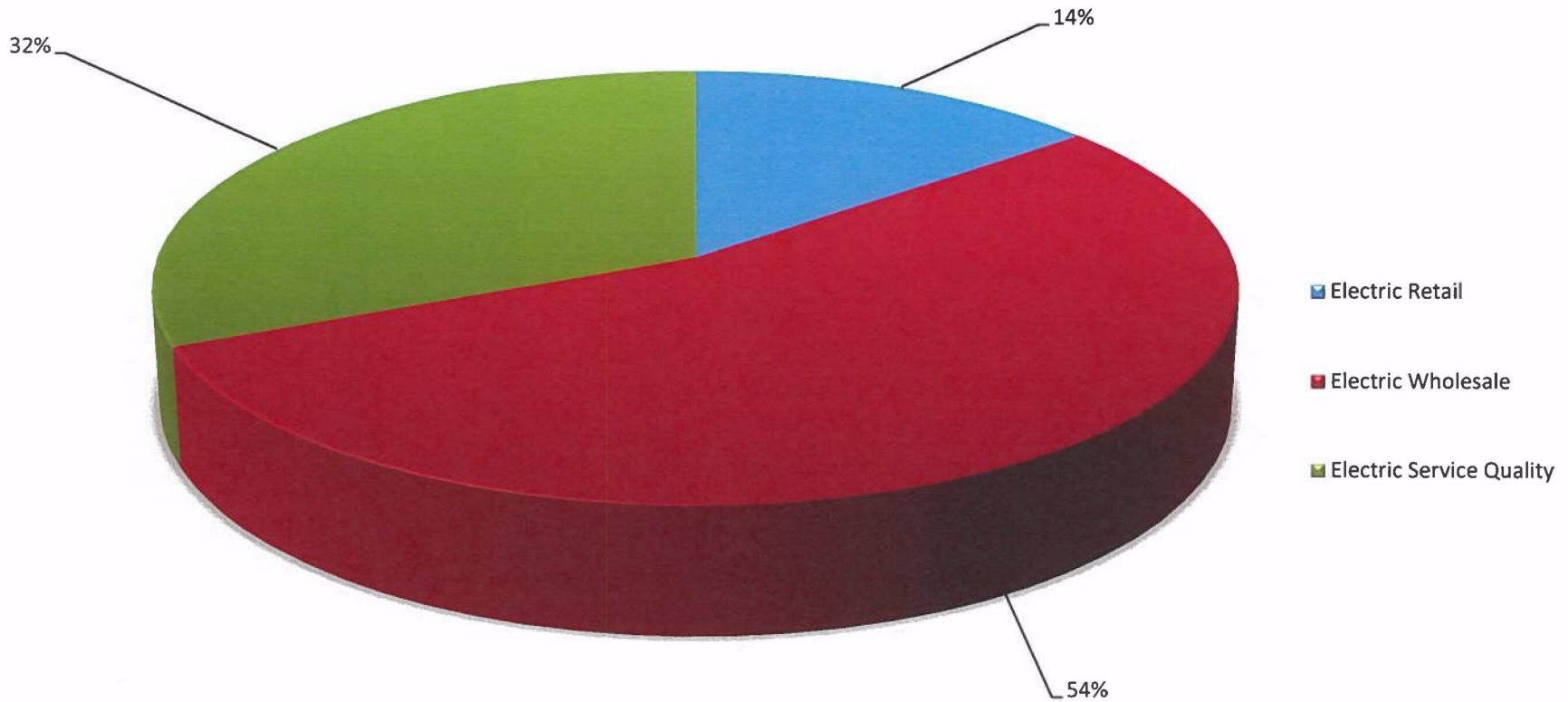
Total Investigations Closed Within Fiscal Year 2022



Total Investigations Closed: 79

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

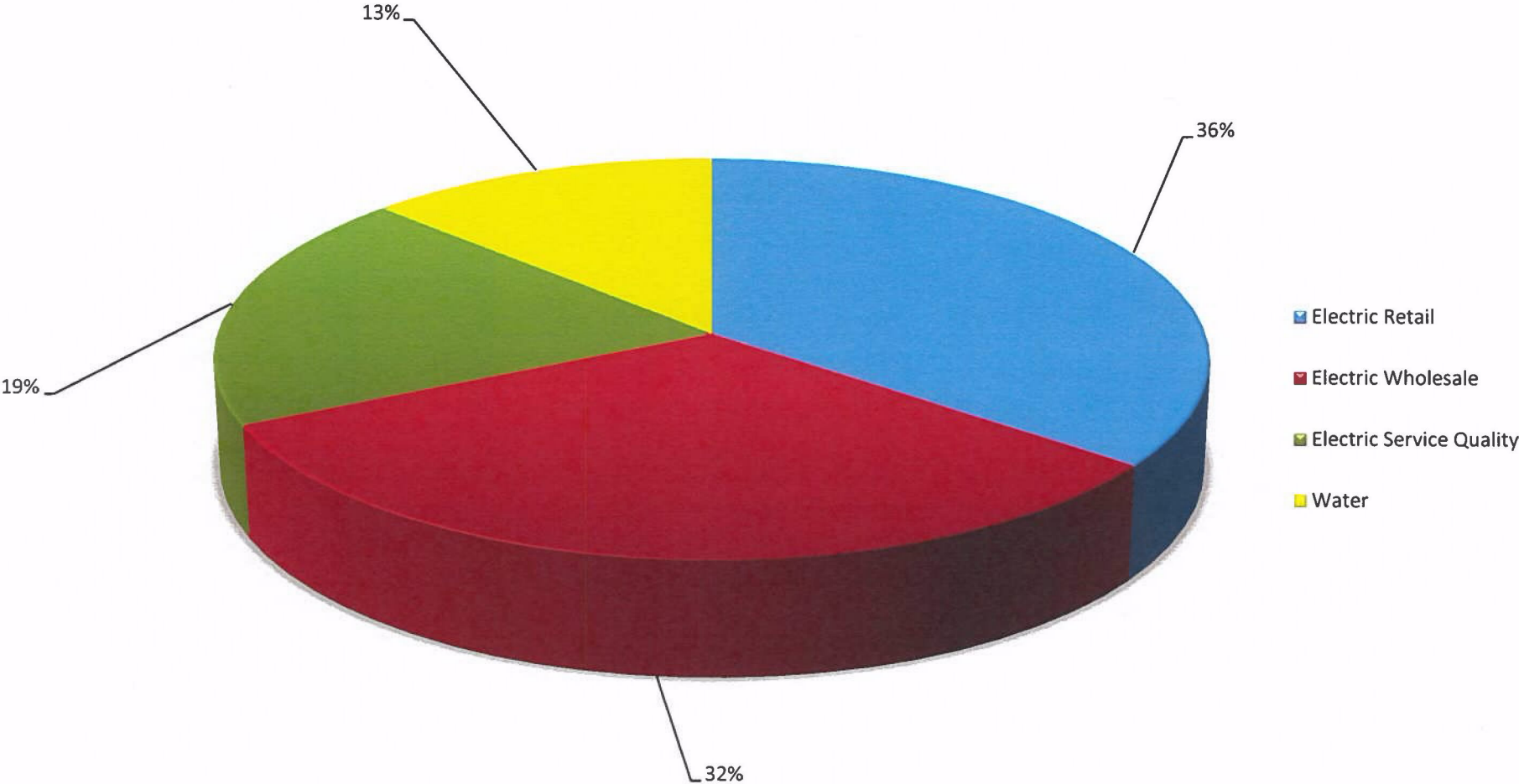
**Docketed Cases that Resulted in Administrative Penalties:
Percentage of Total Penalties Assessed by Violation Type
Fiscal Year 2022**



Total Penalties: \$1,103,250.00

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

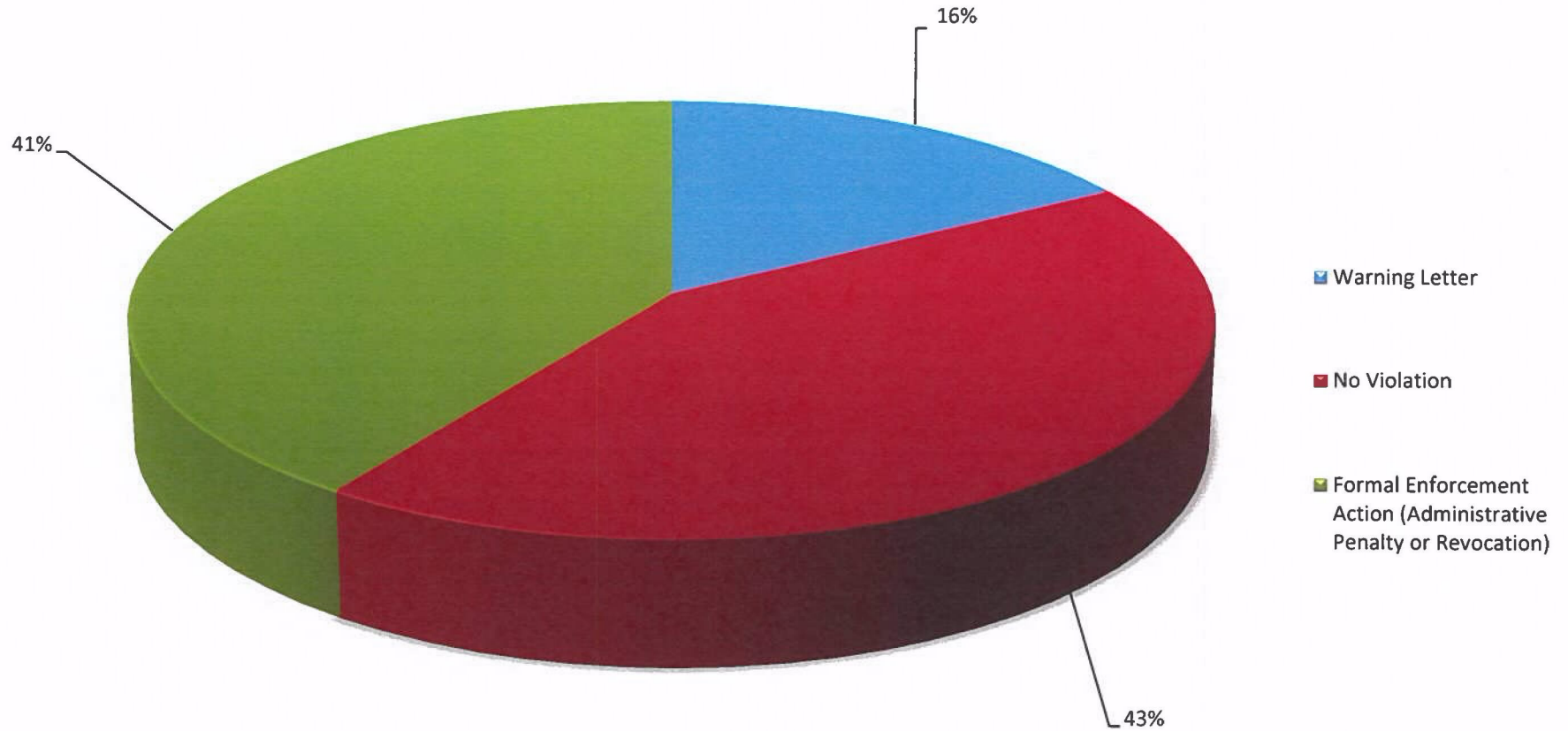
Closed Docketed Cases by Violation Type Fiscal Year 2022



Total Docketed Cases: 32

DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

Closed Investigation Results in Fiscal Year 2022



DIVISION OF COMPLIANCE & ENFORCEMENT ACTIVITY

PUC ENFORCEMENT ACTIVITY REPORT FOR CLOSED DOCKETED CASES: FISCAL YEAR 2022

<u>Company</u>	<u>Violation</u>	<u>Docket</u>	<u>Final Order Date</u>	<u>Penalty</u>	<u>Violation Type</u>	<u>Settlement/Contested Case</u>	<u>Certificate Revoked</u>
AEP SWEPSCO	Electric	52116	11/2/2021	\$20,000.00	Svc. Quality	Agreed Settlement	No
AEP TEXAS	Electric	52034	10/12/2021	\$56,000.00	Svc. Quality	Agreed Settlement	No
Ambit Texas, LLC (Ambit)	Electric	52550	1/14/2022	\$21,250.00	Retail	Agreed Settlement	No
Barilla Solar LLC	Electric	52786	3/31/2022	\$0.00	Wholesale	Withdrawn/Dismissed	No
Blue Cube Operations, LLC	Electric	52786	3/31/2022	\$0.00	Wholesale	Withdrawn/Dismissed	No
Calpine Power Management	Electric	53020	4/21/2022	\$500,000.00	Wholesale	Agreed Settlement	No
CENTERPOINT	Electric	51972	1/14/2022	\$210,000.00	Svc. Quality	Agreed Settlement	No
CenterPoint Energy Houston Electric	Electric	51972	1/14/2022	\$0.00	Wholesale	Agreed Settlement	No
EL PASO ELECTRIC	Electric	52409	1/25/2022	\$0.00	Svc. Quality	Withdrawn/Dismissed	No
Entergy	Electric	52509	1/14/2022	\$75,000.00	Retail	Agreed Settlement	No
ENTERGY	Electric	51966	1/25/2022	\$20,000.00	Svc. Quality	Agreed Settlement	No
George S Nalle III	Water	53223	8/4/2022	\$0.00	Water	Revocation	Yes
Griddy	Electric	51859	8/4/2022	\$0.00	Retail	Revocation	Yes
Griddy Energy	Electric	51859	8/4/2022	\$0.00	Retail	Revocation	Yes
Griddy Energy, LLC	Electric	51859	8/4/2022	\$0.00	Retail	Revocation	Yes
Gridplus	Electric	52033	3/1/2022	\$0.00	Retail	Revocation	Yes
High Lonesome Wind Power LLC	Electric	53023	2/4/2022	\$0.00	Wholesale	Withdrawn/Dismissed	No
Illuminar	Electric	52085	1/14/2022	\$0.00	Retail	Revocation	Yes
Just Energy	Electric	53285	8/4/2022	\$60,000.00	Retail	Agreed Settlement	No
Kaufman County Development District 1	Water	53322	5/12/2022	\$0.00	Water	Withdrawn/Dismissed	No
Midway Wind LLC	Electric	53029	1/25/2022	\$0.00	Wholesale	Withdrawn/Dismissed	No
Monarch Utilities I, LP	Water	53120	6/30/2022	\$0.00	Water	Agreed Settlement	No
My Quest Energy	Electric	52001	3/14/2022	\$0.00	Retail	Revocation	Yes
New Braunfels Utilities	Electric	52786	3/31/2022	\$0.00	Wholesale	Withdrawn/Dismissed	No
NRG Texas Power, LLC	Electric	53058	4/4/2022	\$100,000.00	Wholesale	Agreed Settlement	No
Phonoscope Enterprises Group, LLC	Telecom	48972	1/13/2020	\$0.00	Reporting	Withdrawn/Dismissed	No
RES Nation, LLC	Electric	52992	6/30/2022	\$0.00	Retail	Revocation	Yes
Signal Hill Generating LLC	Electric	53032	1/26/2022	\$0.00	Wholesale	Withdrawn/Dismissed	No
Sweeny Cogeneration LLC	Electric	53025	1/25/2022	\$0.00	Wholesale	Withdrawn/Dismissed	No
T P Investments	Water	53222	8/4/2022	\$0.00	Water	Revocation	Yes
Volt	Electric	51922	3/22/2022	\$0.00	Retail	Withdrawn/Dismissed	No
XCEL/SPS	Electric	51957	3/1/2022	\$41,000.00	Svc. Quality	Agreed Settlement	No
	Dockets:	32	Penalties Total:	\$1,103,250.00			