

# **PUBLIC UTILITY COMMISSION OF TEXAS**

## **Agency Strategic Plan**

**For the Fiscal Years 2023-2027**



**June 1, 2022**

# AGENCY STRATEGIC PLAN

## FISCAL YEARS 2023-2027

BY

THE PUBLIC UTILITY COMMISSION OF TEXAS

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### DATE OF SUBMISSION

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## **AGENCY MISSION**

The mission of the Public Utility Commission of Texas is to protect customers, foster competition, and promote high-quality utility infrastructure. The Public Utility Commission of Texas is accountable to the people of Texas to provide equitable, efficient, and effective regulation in an increasingly competitive environment. We conduct business openly and fairly, observe the highest ethical standards, encourage public participation, and balance the views of customers, utilities, market participants, and other affected parties. We value commitment, competence, innovation, teamwork, and respect for the individual.

# AGENCY GOALS AND ACTION PLANS

## OPERATIONAL GOAL I

Foster competition in the Electric Reliability Council of Texas (ERCOT) electric market by conducting effective market oversight through the evaluation of the market design and operations and the development and enforcement of market rules.

### ACTION ITEMS

1. Electric Wholesale Market Oversight: The PUC monitors market power associated with the generation, transmission, distribution, and sale of electricity in Texas. The Public Utility Regulatory Act (PURA) gives the PUC the authority to require mitigation of market power. The PUC has the authority to request any information it needs from market participants to assess market power and evaluate the development of a competitive market in the state. The PUC establishes and enforces rules relating to the operation of the wholesale electric market within the ERCOT power region to ensure well-functioning markets and efficient prices. Winter Storm Uri led to significant legislation; SB 3 increased the PUC 10 FTEs for enhanced wholesale market oversight. Additionally, under SB 3, the PUC has engaged a contractor to assist in an ERCOT market redesign. SB 3 requires the PUC to submit weather emergency preparedness reports to the legislature.
2. Electric Retail Market Oversight: The PUC provides retail electric provider and aggregator certification and registration, develops retail market and customer-protection rules, participates in the development of ERCOT Protocols and othering binding documents, designates and oversees providers-of-last-resort, and oversees the implementation of market activities.
3. Electric Reliability Council of Texas (ERCOT) Oversight: The PUC is required by law to certify an independent organization to ensure access to the transmission and distribution system for all buyers and sellers of electricity on a nondiscriminatory basis; ensure the reliability and adequacy of the regional electric network; and ensure that electricity production and delivery are accurately accounted for among the generators and wholesale buyers and sellers in the region. The PUC sets out the functions of the independent organization, standards for access to meetings and information, qualifications for board members, and reporting requirements. The PUC has previously designated ERCOT as the independent organization in PURA 39.151. The PUC approves the ERCOT budget, system administration fee, and performance measures and has authority to review and order modifications to ERCOT Protocols and Guides. The current system administration fee is set at \$0.555 per MWh, and ERCOT projects the fee will remain at this level through 2027. Winter Storm Uri led to significant legislation; HB 1 increased the PUC 14 FTEs for enhanced ERCOT oversight along with 2 FTEs for enhanced communications with the legislature and public.
4. Enforcement of Utilities Code Statutes and PUC Rules or Orders: The PUC establishes review and audit plans to monitor compliance levels of utilities and other entities in an efficient manner. The PUC issues notices of violations, participates in contested case hearings, and assesses penalties when violations are found.

## **SUPPORTING STATEWIDE OBJECTIVES**

1. Accountable to tax and fee payers in Texas: The PUC ensures accountability by engaging in public decision-making and actively seeking public participation. The PUC process allows for meaningful participation in rulemakings and contested cases. Public and stakeholder comment is accepted on all rules that the PUC considers enacting. PUC and ERCOT meetings are broadcast on the internet, and the PUC Interchange contains all nonconfidential documents in each proceeding filed at the PUC. PUC rulings on contested cases and rulemakings are supported and explained through orders that provide detailed rationale and justification of PUC decisions.
2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any functions or provision considered redundant or not cost-effective: The PUC ensures results are achieved efficiently through management review of the resources required to achieve desired outcomes. PUC staff develops the Agency Report, which provides an update on the status of electric competition in Texas and provides information on other electric industry matters. The report identifies the primary regulatory issues facing the PUC and provides a framework for evaluating the prospective rules and projects that may require the greatest resources to accomplish. Also, enforcement staff has the discretion on whether to proceed with prosecuting alleged violations and penalties, including notice of violation settlement agreements and full enforcement. PUC management is continuously monitoring workload and reallocating resources or hiring consultants as necessitated by the work being performed by staff.
3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve: The PUC ensures effective outcomes by measuring the results of PUC decisions and activities and analyzing results to determine if action is needed to improve PUC outcomes. The PUC measures the average retail electric provider offers on the Power to Choose website for a 12-month, fixed-rate plan versus the national average price for electricity. The PUC estimates that the average competitive offer in Texas will be approximately 85% of the average cost for electricity nationally in fiscal year 2022. This is one measure of how well the retail market is operating. The PUC also tracks and analyzes enforcement data to identify market trends and violation types as a way to inform decisions and rulemakings. The PUC anticipates conducting more than 280 enforcement investigations and assessing approximately \$5 million in administrative penalties for violations in fiscal year 2022. In addition, the PUC continually monitors the wholesale electric market in ERCOT to determine if market rules should be fine-tuned. The agency also participates in state-led challenges to federal environmental regulations that threaten the viability of the Texas electricity market.
4. Attentive to providing excellent customer service: The PUC ensures excellent customer service through a combination of accessible information and short response times to public inquiries and requests. All reports, including the Agency Report, can be downloaded from the PUC website. The PUC also maintains an online staff directory to speed and simplify direct contact with the proper subject-matter expert. The PUC is constantly updating and improving the Power to Choose website, which allows customers in competitive areas to comparison shop hundreds of electric service plans. The PUC also consistently responds to Public Information Act requests relating to the electric market in less than 10 days.
5. Transparent such that agency actions can be understood by any Texan: The PUC ensures transparency in agency actions by discussing all decisions in open meetings that are broadcast on the internet and by posting a full range of reports and policy documents (including detailed orders explaining the legal and policy basis of decision making) on the PUC website for maximum accessibility. All nonconfidential documents in each proceeding are filed and made publicly available on the PUC Interchange website. Once a year, the PUC Enforcement Division presents all enforcement data to the PUC at an open meeting then posts it to the PUC website.

The Customer Protection Division also makes an annual report at an open meeting and posts information on the PUC website. Additionally, the PUC posts all contracts and solicitation documents for outsourced services on the PUC website.

## **OPERATIONAL GOAL II**

Ensure that Texas ratepayers are charged just and reasonable rates for high-quality electric and water service through rate proceedings and monitoring activities. Ensure utilities construct and maintain critical utility infrastructure, which is vital for sustained economic growth in Texas. Ensure that telecommunications customers in rural areas of the state receive service at reasonable rates by providing financial assistance to eligible telecommunications providers.

### **ACTION ITEMS**

1. Electric Utility Regulation: The PUC is authorized to establish and regulate rates that are just and reasonable. As such, the PUC computes rates, including the establishment of procedures for rate changes, cost recovery, and rate adjustments, and the securitization for recovery of system restoration costs. The PUC conducts earnings monitoring activities to ensure utilities are not realizing greater-than-expected returns on investment and requires utilities to file rate cases to lower rates when warranted.
2. Wholesale Transmission Regulation: The PUC is authorized to establish rules related to wholesale transmission service and access. The PUC ensures that utilities provide nondiscriminatory access to wholesale transmission service. The PUC is also authorized to order transmission service to certain entities, including deciding whether terms for service are reasonable.
3. Transmission Line Regulation: The PUC considers applications for Certificates of Convenience and Necessity (CCNs) for electric transmission lines, as well as determining the geographic route and siting of transmission lines. PUC staff develops and maintains all forms related to electric CCNs. With the passage of HB 4150 in the 86<sup>th</sup> legislative session, electric utilities, municipally owned utilities, and electric cooperatives are required to meet minimum clearance requirements for lines over recreational lakes. Additionally, these entities are required to file reports with the PUC regarding their inspections of facilities, hazards identified, and injuries from transmission lines.
4. Water and Wastewater Utility Regulation: The PUC is authorized to establish and regulate rates that are just and reasonable. As such, the PUC computes rates, including the establishment of procedures for rate changes, cost recovery, and rate adjustments. The PUC considers applications for CCNs, which set forth a utility's service territory, and may grant an application if certain requirements are met. PUC staff develops and maintains all forms related to water and wastewater CCNs. The PUC conducts earnings monitoring activities to ensure utilities are not realizing greater-than-expected returns on investment. HB 837 created a mechanism for an approved expedited release, the petitioner must submit a report that the compensation has been paid to the appropriate entity. Winter Storm Uri led to significant legislation: SB 3 requires all affected utilities to file with the PUC, TDU, REP, and the OEM in the utility's county for facilities that qualify for critical load status.
5. Texas Universal Service Fund: The PUC administers the Texas Universal Service Fund (TUSF) and sets the assessment amount that funds programs supported by the TUSF. The PUC designates which telecommunications providers are eligible to receive TUSF support, and the amount of support, so that rural customers are charged reasonable rates for basic local telecommunications service while minimizing the level of the TUSF assessment.



## **SUPPORTING STATEWIDE OBJECTIVES**

1. Accountable to tax and fee payers in Texas: The PUC ensures accountability by engaging in public decision-making and actively seeking public participation. The PUC's process allows for meaningful participation in rate-setting and CCN proceedings. Affected customers may intervene in cases before the PUC, enter evidence into the record, and by motion, engage in oral arguments before the PUC, thereby helping to inform the decisions made by the PUC. The meetings at which the PUC makes decisions are open to the public and broadcast on the internet. All nonconfidential documents in each proceeding are filed and made publicly available on the PUC Interchange website. The PUC continually assesses the appropriateness of the TUSF assessment and has concluded that the current rate of 3.3% of intrastate telecommunications receipts is insufficient to fully fund current programs beyond 2020, an issue which continues today.
2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any functions or provision considered redundant or not cost-effective: The PUC ensures results are achieved efficiently through management review of the resources required to achieve desired outcomes. PUC staff work diligently to conclude ratemaking and CCN cases within the timelines established by statute. However, extensions of time are granted in rate proceedings to encourage settlement, which often results in a more efficient outcome than a fully litigated case. PUC management assesses the complexity of each filing and assigns staff based on the anticipated workload in the case. The PUC, in accordance with legislative direction, continually reforms and evaluates expenditures from the Texas Universal Service Fund to ensure appropriate support for rural telephone companies and customers, while ensuring the fee paid by Texans is appropriate.
3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve: The PUC ensures effective outcomes by measuring the results of PUC decisions and activities, and analyzing results to determine if action is needed to improve PUC outcomes. The PUC conducts a thorough review of each electric and water utility request for a rate increase that is filed with the PUC. The PUC anticipates conducting 65 rate cases for regulated electric utilities and 140 rate reviews for water and sewer utilities in fiscal year 2022. The PUC requires companies to file annual earnings reports so that the PUC can determine if a company is earning a rate of return that exceeds the amount authorized by the PUC. The PUC has the authority to require a utility company to file a rate case if that company is over-earning. The PUC approves CCN applications for both electric and water utilities. The PUC also reviews utility reports to monitor the progress of infrastructure construction and maintenance. The PUC anticipates processing approximately 15 electric transmission line CCN applications and 235 water and wastewater CCN applications in fiscal year 2022.
4. Attentive to providing excellent customer service: The PUC ensures excellent customer service through the accessibility of information and records, and short response times to inquiries and requests from the public. Specifically, all agency reports, including monthly construction progress reports, can be downloaded from the PUC website. The PUC also maintains an online staff directory to make subject-matter experts available for any question or inquiry. The PUC's Customer Protection Division assists customers who have questions about their utility service, including questions about billing and help filing complaints against utility companies. Also, the PUC contracts with the Superior Water Management of Texas, LLC (SWMT) to assist water utilities complete filings with the PUC and to improve the financial and managerial capabilities of utilities to ensure customers receive continuous and adequate water and wastewater service. In 2019, the PUC reorganized the agency's structure and created the Division of Utility Outreach. This division's work complements work performed by SWMT by assisting companies in improving their financial, managerial, and technical capabilities through outreach activities

such as townhall meetings and local workgroup sessions. The goal of this work is to have better-functioning water systems that provide continuous and adequate water and wastewater service that meets all statutory and regulatory requirements.

5. Transparent such that agency actions can be understood by any Texan: The PUC ensures transparency in agency actions by discussing all decisions in open meetings, which are broadcast on the internet and by posting reports and other policy documents on the PUC website so that the public can easily access information. Final orders memorializing decisions on rate and CCN matters are signed by the Commissioners and filed in the corresponding project number and are available to the public on the PUC's Interchange website. All nonconfidential documents in each proceeding are filed and made publicly available on the PUC Interchange website. Additionally, the PUC posts all contracts and solicitation documents for outsourced services on the PUC website.

### **OPERATIONAL GOAL III**

Provide information and assistance to Texas electric, water, and telecommunications customers to promote public understanding and awareness of customers' rates, terms, services, and rights.

#### **ACTION ITEMS**

1. Customer Outreach Activities: The PUC provides information to customers in deregulated areas of the state about their choices regarding electric service and the selection of retail electric providers through the Power to Choose website, the Texas Electric Choice Call Center, and the Texas Electric Choice Outreach program. The PUC also provides information to customers of regulated electric, water, and telecommunications utilities via email, phone, and the PUC website.
2. Customer Dispute Resolution: The PUC provides customers with assistance in resolving disputes with electric, telecommunications, and water and wastewater providers by investigating complaints of alleged offenses, making informal decisions about an activity's compliance with applicable rules and statutes, and recommending corrective actions where appropriate. The PUC receives complaints via email, the PUC website, over the phone, and in person.
3. Winter Storm Uri Response: Winter Storm Uri greatly increased the number of calls, emails, and online complaints received from customers beginning with the storm on February 12, 2021. To facilitate the increased volume, the PUC temporarily repurposed staff to assist with the intake of complaints. In the five months following Winter Storm Uri, the PUC answered 17,786 calls, received 7,224 emails, and closed 6,485 complaints.

#### **SUPPORTING STATEWIDE OBJECTIVES**

1. Accountable to tax and fee payers in Texas: The PUC ensures accountability by engaging in public decision-making and actively seeking public participation. Regarding the Power to Choose website, the PUC has conducted usability studies and requested input on changes to the website from consumer advocates to make the site more user-friendly. Regarding customer dispute resolution activities, the PUC has direct interaction with electric and water customers. Customers are informed of the final resolution of a complaint. If customers are dissatisfied with the outcome of the informal complaint process, they may file a formal complaint with the PUC. Virtually all customer complaints are resolved through the informal complaint process.
2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any functions or provision considered redundant or not cost-effective: The PUC ensures results are achieved efficiently through management review of the resources required to achieve desired outcomes. Approximately 95% of the information products distributed by PUC are disseminated electronically. The remaining 5% are distributed at high-turnout events such as Earth Day Texas. Complaints received by the PUC call center are largely resolved through the PUC informal complaints process. The PUC projects an average of 15 days to conclude informal complaints, with 99.9% reaching resolution in under 30 days, in fiscal year 2022.
3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve: The PUC ensures effective outcomes by measuring the results of PUC decisions and activities, and analyzing results to determine if action is needed to improve PUC outcomes. The PUC projects 1,250,000 customer education information products will be distributed, and staff will respond to approximately 70,000 information requests in fiscal year 2022. Furthermore, the PUC projects the PUC website will

have more than 390,000 hits in fiscal year 2022, with most people searching for information on the consumer education pages. The PUC estimates that it will conclude more than 7,500 customer complaints in fiscal year 2022, which will result in credits and refunds to customers in excess of \$300,000 for the year. Of the 7,500 complaints concluded during the year, approximately 99% will be resolved using the PUC's informal complaint resolution process.

4. Attentive to providing excellent customer service: The PUC ensures excellent customer service through the accessibility of information and records and short response times to inquiries and requests from the public. The PUC receives immediate feedback in customer outreach and customer dispute resolution activities. Customers are notified of the outcome of the dispute resolution process, so that the complainant can better understand the actions of the utility and how the outcome was reached. The individuals who interact with the PUC in both of these activities receive the customer service survey required as a part of the State's strategic planning process every two years. The survey is also available to the general public and industry partners on the PUC website. The PUC reviews the results of the survey and addresses agency processes and policy issues that were identified in the survey and need to be improved.
5. Transparent such that agency actions can be understood by any Texan: The PUC ensures transparency in agency actions by discussing all decisions in open meetings broadcast on the internet and posting reports and other policy documents on the PUC website for easy public access. The PUC website contains information to aid customers in making informed electric, water, and telecommunications decisions. The topics range from explaining the process for filing a complaint, to clarifying charges that appear on electricity bills, to identifying who may intervene in a PUC proceeding and providing guidance on public participation. The website also contains retail electric market complaint data that allows customers to research the complaint history of retail electric providers and compare the types and total number of complaints of each provider. The PUC Customer Protection Division presents all complaint data to the PUC at an open meeting once a year, and that information is posted to the PUC website.

## **OPERATIONAL GOAL IV**

Represent and protect the interests of Texas customers and market participants in federal agency and court proceedings that directly impact Texans.

### **ACTION ITEMS**

1. Participation in Federal Energy Regulatory Commission (FERC) proceedings: The PUC actively participates in a variety of proceedings before the FERC to protect the interests of Texas electric ratepayers and stakeholders. These proceedings include those necessary to maintain the independence of the ERCOT region and proceedings affecting the interests of Texas ratepayers in the non-ERCOT regions of Texas.
2. Participation in administrative and federal court proceedings: The PUC may participate in rulemaking proceedings before the Environmental Protection Agency (EPA) which impact the Texas electric industry. The PUC also actively participates in a variety of federal court appeals of EPA rules.
3. Participation in non-ERCOT Regional Transmission Organization (RTO) matters: The PUC participates in the Southwest Power Pool and Mid-Continent Independent System Operator activities as it deems necessary to protect the interests of Texas ratepayers located in the non-ERCOT areas of Texas. With the passage of HB 3867 in the 86<sup>th</sup> legislative session, the PUC is authorized to retain consultants to participate in proceedings in these two regions.

### **SUPPORTING STATEWIDE OBJECTIVES**

1. Accountable to tax and fee payers in Texas: The PUC ensures accountability by engaging in public decision-making and actively seeking public participation. The PUC informs the Governor's Office, Legislature, and, when appropriate for litigation matters, the Office of the Attorney General of activities in federal matters. Comments submitted by the PUC on rulemakings at federal agencies are posted for the public to view.
2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any functions or provision considered redundant or not cost-effective: The PUC ensures results are achieved efficiently through management review of the resources required to achieve desired outcomes. PUC staff consults with outside counsel who advises and assists the PUC in the scope of the PUC's duty to ensure Texas ratepayer interests are being represented during FERC proceedings to minimize duplicative efforts. Counsel is also instructed to be judicious in intervening in federal proceedings. The PUC, along with ERCOT, Texas Commission on Environmental Quality, and the Railroad Commission of Texas, may file joint comments when the interests of the entities align in a federal proceeding. This makes more efficient use of agency resources by reducing duplicative efforts.
3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve: The PUC ensures effective outcomes by measuring the results of PUC decisions and activities, and analyzing results to determine if action is needed to improve PUC outcomes. PUC management staff meet regularly to discuss PUC activities in rulemakings and other federal proceedings. PUC Commissioners also actively participate in non-ERCOT RTO meetings to represent Texas's interests in those matters. On litigation relating to federal proceedings, PUC staff meets with counsel from the Office of the Attorney General to discuss strategy, then informs PUC Commissioners during the closed session portion of open meetings.

4. Attentive to providing excellent customer service: The PUC ensures excellent customer service through the accessibility of information and records as well as short response times to public inquiries and requests. Recognizing that decisions made by federal agencies and in federal courts affect all Texas ratepayers, the PUC gives them a voice by actively participating in the decision-making process on federal activities.
5. Transparent such that agency actions can be understood by any Texan: The PUC ensures transparency in agency actions by making decisions in open meetings that are broadcast on the internet and posting reports and other policy documents on the PUC website, so that the public can easily access information. Any filings the PUC makes in FERC or EPA rulemakings, or court cases are publicly available through the relevant agency's website. PUC Commissioners and staff discuss activities relating to FERC proceedings and decisions made in non-ERCOT RTO meetings at PUC open meetings, when appropriate.

## **OPERATIONAL GOAL V**

Ensure public trust in infrastructure by fostering a culture of security internally and among regulated utilities. Fostering resiliency to the myriad of threats to the reliable delivery of utility services whether those threats are physical, cyber, manmade, or natural.

### **ACTION ITEMS**

1. Emergency Response: The PUC Emergency Management Response Team serves in the State Operations Center during an emergency, where it provides coordination and information from regulated utilities. The PUC worked closely with the Texas Division of Emergency Management in responding to Winter Storm Uri. The PUC works with the Office of the Governor to provide discretion on enforcement of PUC rules and suspension of relevant statutes to protect public safety and ensure the timely restoration of utility services after a disaster.
2. Internal PUC Security: The PUC has partnered with the Department of Public Safety, the Department on Information Resources, and the Texas Facilities Commission to identify and correct security weaknesses. Pursuing the goal of a properly trained professional workforce, the PUC holds training for PUC staff in measures needed to take to create a more secure workspace and holding employees accountable for lapses in security. All PUC staff will complete the cybersecurity training as required annually by HB 3834 in the 86<sup>th</sup> legislative session. Furthermore, the PUC requires a set of minimum-security standards for staff to work from home while using Virtual Private Network access.
3. Security among regulated utilities: The PUC works with ERCOT and the Texas Reliability Entity, a regional entity within the North American Electric Reliability Corporation, which enforces and coordinates regional reliability standards to the bulk power system, to ensure that standards for physical and cyber security are maintained by regulated electric utilities. Efficient rate regulation for utilities allows timely recovery of security investments. Participation in information sharing networks, such as the Electricity Information Sharing and Analysis Center, helps enhance situational awareness of threats to the electric grid and facilitate solutions. With the passage of SB 64, SB 475, and SB 936 in the 86<sup>th</sup> legislative session, the PUC's Chairman is a member of the newly formed Texas Grid Security Council, and PUC staff has enacted a coordinated cybersecurity monitoring and outreach program. The PUC has set up rules that establish requirements for utilities' cybersecurity efforts, including providing the PUC with important information for increase transparency and accountability.

### **SUPPORTING STATEWIDE OBJECTIVES**

1. Accountable to tax and fee payers in Texas: Expenditures related to emergency response are reported to the Office of the Governor and the Legislative Budget Board. Contracts for security-related expenses, including the contract with the firm hired to act as the Cybersecurity Monitor, are conducted under standard state purchasing guidelines and applicable rules and statute.
2. Efficient by producing maximum results with no waste of taxpayer funds and by identifying any functions or provision considered redundant or not cost-effective: Ongoing coordination with the regulated utilities on emergency response and security preparedness helps ensure that there is not a needless duplication of effort while maintaining appropriate oversight.
3. Effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve: Security of the state's electric, water, and telecommunications infrastructure is a top priority of the Commission.

4. Attentive to providing excellent customer service: Timeliness is key in recovery scenarios, with plans that emphasize the security of utility customer data and speed the restoration of utility services after an emergency. The PUC also maintains open channels of communications so that customer complaints relating to security and disaster response can be acknowledged and rapidly forwarded for resolution.
5. Transparent such that agency actions can be understood by any Texan: The PUC's emergency communications plans provide for stakeholder notification during an emergency. Non-emergency security matters are conducted in a collaborative manner with utility and customer stakeholders. Additionally, the Cybersecurity Monitor will provide progress reports to the PUC in open meetings and may testify on its findings and recommendations at legislative hearings.



## REDUNDANCIES & IMPEDIMENTS

<b>Redundancy or Impediment</b>	<b>Description</b>	<b>Recommendation</b>	<b>Benefit</b>
<p><b>Texas No-Call List</b></p> <p>Citations: Chapter 304, Subchapter B, Business and Commerce Code</p>	<p>The PUC is required to establish and maintain a statewide “No-Call List” of residences that do not want to receive telemarketing calls. Generally, telemarketers must obtain the list at a cost of \$150 per quarter. Statute authorizes the PUC to investigate alleged violations and to assess administrative penalties against violators. The PUC has exclusive jurisdiction if the violator is a telecommunications provider. The Office of the Attorney General also has jurisdiction to investigate possible violations. Additionally, a state agency that has licensed an alleged violator may conduct investigations and assess any penalties for which it has authorization. The law also creates a private right of action in civil court for a customer that has been damaged through a violation of the statute.</p>	<p>The PUC recommends deleting the requirement that the Commission maintain a state-specific no-call list. The Federal Trade Commission (FTC) maintains the National Do Not Call Registry, which prohibits the same sales calls that are prohibited if a number is on the Texas No- Call List. If the requirement for the PUC to maintain a Texas-specific list was deleted, the PUC would direct people to sign up on the national list, which provides more expansive protections.</p>	<p>The FTC’s jurisdiction extends beyond Texas to the entire country. Therefore, the FTC can investigate and assess penalties against violators that make calls from any state. Therefore, the protections afforded residences and businesses on the national list are greater than those on the Texas-specific list. Removing this requirement would allow the PUC to reallocate resources from this activity and would reduce costs to telemarketers through the elimination of the requirement that they purchase the Texas list.</p>
<p><b>Gross Receipts Assessment</b></p> <p>Citations: §§16.001-16.004, Utilities Code</p>	<p>Public utilities, retail electric providers, and other entities subject to the PUC assessment currently pay one-sixth of one percent of gross receipts from rates charged to the ultimate consumer in the state (note: this does not include water or wastewater utilities) to defray the expenses incurred in the administration of the Public Utility Regulatory Act.</p>	<p>The PUC recommends authorizing the PUC to set the assessment rate at an amount necessary to produce revenue equal to the General Revenue appropriation of the PUC.</p>	<p>Authorizing the PUC to set the assessment rate would result in a significant fee reduction for entities paying the assessment. Based on the Comptroller’s Biennial Revenue Estimate, the amount of revenue collected from this assessment will exceed the PUC’s authorized General Revenue appropriation by approximately \$38.3 million in fiscal year 2022.</p>

<p><b>TUSF Funds Used to Cover Federal USF Reductions</b></p> <p>Citations: §56.025, Utilities Code</p>	<p>PURA § 56.025 allows certain companies to request additional funds from TUSF to offset reductions in Federal Universal Service Fund Support.</p>	<p>The PUC recommends deleting the requirement that Texas funds replace any reductions in federal universal service funding.</p>	<p>Deleting the §56.025 requirement would decrease TUSF expenditures and eliminate company reliance on Texas funding to support the federal government’s changing policy priorities. In 2021, §56.025 payments to eligible telecommunications carriers totaled \$2.1 million, and the PUC is projecting costs for fiscal year 2022 will total in excess of \$15 million. Of note, the TUSF is currently paying approximately \$0.30 on the dollar owed to high-cost companies due to lack of funding.</p>
<p><b>Receivership/Temporary Manager (RTM) Program for Water and Sewer Utilities</b></p> <p>Citations: Texas Water Code (TWC) §§§13.412, 13.413, 13.4132</p>	<p>Both the PUC and the TCEQ have jurisdiction to place an abandoned utility into temporary management or to refer a utility to the Office of the Attorney General (OAG) for the appointment of a receiver.</p>	<p>Amend the TWC Chapter 13 to remove the TCEQ’s ability to appoint a temporary manager or to refer an abandoned utility to the OAG for the appointment of a receiver.</p>	<p>Both the PUC and TCEQ currently have the regulatory authority to appoint a temporary manager or to refer an abandoned utility to the OAG for the appointment of a receiver. The agencies, however, differ in their interpretation of the definition of “abandonment.” In addition, the TCEQ believes that they can appoint a Temporary Manager by an</p>

			<p>Emergency Order for a period of 180 days. The Emergency Order can then be renewed for an additional 180 days. After that, the TCEQ believes they can refer the utility to the OAG for the appointment of a receiver; however, they can no longer appoint a Temporary Manager. Most often, the TCEQ will refer the utility to the PUC so that the PUC can appoint a Temporary Manager after the 360-day period has lapsed. The PUC believes that it can appoint a Temporary Manager for 180 days and can renew the Emergency Order for an additional 180 days. The PUC also believes that they can appoint a Temporary Manager by regular order with no time limit. Temporary Managers and Receivers are difficult to find. They are currently having to report to different agencies at different times.</p>
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			Giving only one agency the authority to appoint a temporary manager or to refer an abandoned utility to the OAG for the appointment of a receiver will allow for a more streamlined approach to managing abandoned utilities.
<p><b>Revocation or Amendment of a CCN</b></p> <p>Citation: Texas Water Code (TWC) §§13.254(a-7) to (a-11)</p>	<p>This subsection describes a notice that must go to a ratepayer for an area that is not currently served and that is seeking to be released from a CCN.</p>	<p>The PUC recommends appealing TWC §13.254 (a-7) as it appears to have been included in the statute in error. The PUC also recommends renumbering (a-8) to (a-11) of this subsection.</p>	<p>Removal of §13.254(a-7) would provide clarity for individuals seeking to be released from a CCN.</p>

## **BUDGET STRUCTURE AND PERFORMANCE MEASURES**

## **PUBLIC UTILITY COMMISSION GOALS**

**GOAL 1 ENSURE COMPETITION, CHOICE, JUST RATES, AND RELIABLE QUALITY SERVICE:** To ensure fair competition, customer choice, just and reasonable rates, system reliability, a high level of service quality, and the opportunity for technological advancement in the electric, telecommunications, and water industries.

**GOAL 2 EDUCATE CUSTOMERS AND ASSIST CUSTOMERS:** To serve the public by distributing customer education information, administering customer service programs, and assisting customers in resolving disputes concerning electric and telecommunications services.

**GOAL 3 INDIRECT ADMINISTRATION**

## OBJECTIVES AND OUTCOME MEASURES

**OBJECTIVE 1-1: Maintain Policies to Foster Competition in Telecom & Elec Mkts:** Maintain innovative policies to foster competition in telecommunications and retail electric markets, such that 85 percent of Texas cities are served by three or more certified telecommunications providers, and 100 percent of residential electric customers in areas of the state open to competition have at least five providers for electric service.

### Outcome Measures:

**OC 1-1.01** Percent of Texas Cities Served by Three or More Certificated Telecommunications Providers

**OC 1-1.02** Percentage of Residential Customers in Areas Open to Competition Having a Choice of More than Five Electric Services Providers

**OC 1-1.03** Average Price of Electricity per kWh in Texas for Residential Customers from Competitive Suppliers as a Percentage of the National Residential Average

**OC 1-1.04** Average Price of Electricity per kWh in Texas for Commercial Customers as a Percentage of the National Commercial Average

**OC 1-1.05** Average Price of Electricity per kWh in Texas for Industrial Customers as a Percentage of the National Industrial Average

**OC 1-1.06** Average Annual Residential Electric Bill from Competitive Suppliers as a Percentage of the National Average

**OC 1-1.07** Average Price of Electricity per kWh Offered on Power-to-Choose as Percentage of National Residential Average

**OBJECTIVE 1-2: Regulate Providers Ensuring Companies Meet Service Quality Standards:** Regulate service providers such that 90 percent of regulated telecommunications customers are served by exchanges that meet service quality standards and 100 percent of electric customers are served by companies meeting service quality standards. Provide effective oversight of water and sewer utilities.

**Outcome Measures:**

**OC 1-2.01** Average Annual Residential Telephone Bill in Texas as a Percentage of the National Average

**OC 1-2.02** Average Price of Electricity per kWh in Texas for Residential Customers from Regulated Suppliers as a Percentage of the National Average

**OC 1-2.03** Average Price of Electricity per kWh in Texas for Commercial Customers from Regulated Suppliers as a Percentage of the National Average

**OC 1-2.04** Average Annual Residential Electric Bill from Regulated Suppliers as a Percent of the National Average

**OC 1-2.05** Percentage of Telephone Subscribers Lines Served by Exchanges Meeting Commission Service Quality Standards

**OC 1-2.06** Percentage of Electric Customers Served by Electric Utilities Meeting Commission Service Quality Standards



**OBJECTIVE 1-3: Ensure Compliance with Statutes, Rules, and Orders:** To ensure compliance with statutes, rules, and orders such that 90 percent of all settlement agreements entered in formal enforcement proceedings will contain specific provisions regarding how future violations of the same type will be avoided.

**Outcome Measures:**

**OC 1-3.01** Percent of Settlement Agreements Entered in Formal Enforcement Proceedings That Contain Specific Provisions Regarding How Future Violations of the Same Type by the Entity that is the Subject of the Proceeding Will be Avoided

**OBJECTIVE 2-1: Inform Customers of Choices & Rights & Facilitate Information Access:** Inform customers about their choices, opportunities, and rights pertaining to electric and telecommunications services.

**OBJECTIVE 2-2: Resolve Complaints Consistent w/Laws & PUC Rules & Orders:** To resolve complaints consistent with relevant law and PUC rules and orders, such that all customer complaints will be concluded within the targeted average number of days each fiscal year.

**Outcome Measures:**

**OC 2-2.01** Percentage of Customer Complaints Resolved through Informal Complaint Resolution Process

**OC 2-2.02** Credits & Refunds Obtained for Customers through Complaint Resolution

## **DIRECTLY BUDGETED STRATEGIES, OUTPUT, EFFICIENCY AND EXPLANATORY MEASURES**

**STRATEGY 1-1-1: Foster and Monitor Market Competition:** Foster and monitor market competition by evaluating the relevant electric and telecommunications markets, and develop policies to enhance effectiveness of competition and benefits for customers; and register and license competitive service providers. Develop rules, conduct studies and prepare reports responsive to changes in electric and telecom markets.

### **Efficiency Measure:**

**EF 1-1-1.01** Average Number of Days to Process an Application for a Certificate of Operating Authority or Service Provider Certificate of Operating Authority

### **Explanatory Measures:**

**EX 1-1-1.01** Number of Electric Coops and Municipal Utilities Regulated for Wholesale Transmission Rates

**EX 1-1-1.02** Percentage of Statewide Electric Generating Capacity Above Peak Demand in ERCOT

**EX 1-1-1.03** Percent of Energy Savings Goal Due to Energy Efficiency Programs

**EX 1-1-1.04** Percent of Demand Reduction Goal Due to Energy Efficiency Programs

**EX 1-1-1.05** Number of Power Generation Companies in Texas

**EX 1-1-1.06** Number of Aggregators in Texas

**EX 1-1-1.07** Number of Applications and Amendments for Cable Franchise Certificates

### **Output Measures:**

**OP 1-1-1.01** Number of Retail Electric Providers Registered

**OP 1-1-1.02** Number of Cases Completed Related to Competition Among Providers

**STRATEGY 1-2-1: Conduct Rate Cases for Regulated Telephone Electric and Water Utilities:** Conduct rate cases for regulated telephone and electric utilities under the Administrative Procedures Act and methods of alternative dispute resolution to evaluate whether revenue requirements, cost allocation, rate design, and affiliate transactions are reasonable and in compliance with all laws and PUC rules; register and license regulated service providers; evaluate utility infrastructure and quality of service. Provide regulatory oversight of water and sewer utilities to ensure that charges to customers are necessary and cost - based; and to promote and ensure adequate customer service.

**Efficiency Measures:**

**EF 1-2-1.01** Average Number of Days to Process a Major Rate Case for a Transmission and Distribution Utility

**Explanatory Measures:**

**EX 1-2-1.01** Number of Electric Utilities Regulated

**EX 1-2-1.02** Number of Telecom Service Providers Regulated

**EX 1-2-1.03** Number of Water and Sewer Utilities Regulated

**Output Measures:**

**OP 1-2-1.01** Number of Rate Cases Completed for Regulated Electric Utilities

**OP 1-2-1.02** Number of Rate Cases Completed for Regulated Telecommunications Providers

**OP 1-2-1.03** Number of Water Utility Rate Reviews Performed

**OP 1-2-1.04** Number of Water CCN Applications Processed

**STRATEGY 1-3-1: Conduct Investigations and Initiate Enforcement Actions:** Conduct investigations and initiate enforcement actions to ensure compliance with relevant law, PUC rules, and orders.

**Explanatory Measure:**

**EX 1-3-1.01** Dollar Amount Administrative Penalties Assessed for violations

**Output Measure:**

**OP 1-3-1.01** Number of Enforcement Investigations Conducted

**STRATEGY 2-1-1: Provide Information and Educational Outreach to Customers:** Provide information and distribute materials to customers on changes in the electric and telecommunications industries. Produce and disseminate customer education information for electric market competition through outsourcing and address customer inquiries through a third party call center and website. Respond to requests for information from the public and media. Conduct outreach activities and administer Relay Texas.

**Efficiency Measure:**

**EF 2-1-1.01**            Percent of Customer Information Products Distributed Electronically

**Explanatory Measure:**

**EX 2-1-1.01**            Number of Website Hits to Consumer Protection Home Page

**EX 2-1-1.02**            Number of Power-to-Choose Website Hits

**Output Measures:**

**OP 2-1-1.01**            Number of Information Requests to Which Responses Were Provided

**OP 2-1-1.02**            Number of Customer Information Products Distributed

**STRATEGY 2-2-1: Assist Customers in Resolving Disputes:** Assist customers in resolving disputes concerning electric and telecommunications services consistent with statutes and rules.

**Efficiency Measure:**

**EF 2-2-1.01** Average Number of Days to Conclude Customer Complaints

**Explanatory Measure:**

**EX 2-2-1.01** Number of Complaints Received for Unauthorized Changes in Service

**Output Measure:**

**OP 2-2-1.01** Number of Customer Complaints Concluded

## **INDIRECT ADMINISTRATION STRATEGIES**

**STRATEGY 3-1-1:           Central Administration**

**STRATEGY 3-1-2:           Information Resources**

**STRATEGY 3-1-3:           Other Support Services**



## **FY 2023 – 2024 PERFORMANCE MEASURE DEFINITIONS**

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
OUTCOME: 01 % Tx Cities Srvd by 3 or More Certificated Telecommunication Providers

Cross Reference to Prior Biennium Measure Code: OC 01-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reports the percentage of municipalities in Texas served by three or more Certificated Telecommunications Providers (CTPs). For purposes of this measure, “municipalities” is defined as cities, towns and villages that are incorporated. “CTPs” are defined as those who provide either residential, non-residential or point-to-point service.

**Data Limitations:** The decision of a CTP to offer service in any geographic area is outside the control of the Public Utility Commission (PUC). This measure reports results from the first quarter of a calendar year; therefore, there is a seven month lag in reported performance.

**Data Source:** CTPs are required to file quarterly reports with the PUC. The data used to calculate this measure are obtained from such reports.

**Method of Calculation:** This performance measure is calculated by dividing the number of cities with three or more CTPs providing local service by the total number of cities.

**Purpose/Importance:** The purpose of this measure is to indicate the status of competitive telecommunications markets in Texas as reflected by whether customers have a choice in the selection of their local telecommunications provider.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
OUTCOME: 02 % Comp Res Customers Served by More Than Five Electric Providers in Areas of Electric Competition or ERCOT

Cross Reference to Prior Biennium Measure Code: OC 01-01.02

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number, expressed as a percentage, of residential customers in areas of the state open to electric competition who have a choice of five or more electric providers. Municipal providers are not included in this measure because they are excluded by statute.

**Data Limitations:** None.

**Data Source:** The PUC provides information about retail residential electric prices on its Power to Choose website. The number of companies who post retail residential prices will be used to determine the number of providers in each region of the state. The number of residential customers in each region of the state will be obtained from the transmission and distribution utilities.

**Method of Calculation:** On the Power to Choose website, offers for residential electric service are listed based on the transmission and distribution company service area. The number of companies serving in each area is determined from the offers. Determine which TDU service areas have more than five providers. Determine the number of residential customers in areas open to competition for each TDU service area. Add together the number of customers in areas open to competition for all areas which have more than five providers. Divide the total number of customers in areas having more than five providers by the total number of customers in areas of the state open to competition. Multiply by 100 to obtain the percentage.

**Purpose/Importance:** In order for competitive markets to be successful, customers must have a choice of providers. This measure provides an indication of how many customers have a meaningful choice of providers.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
OUTCOME: 03 Avg Price Elec/kWh in TX for Residential Customers As % of Nat'l Avg

Cross Reference to Prior Biennium Measure Code: OC 01-01.03

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average monthly price of electricity per kilowatt hour (kWh) for residential customers from competitive suppliers in Texas as a percentage of the national average cost of electricity for the same class of service.

**Data Limitations:** The Public Utility Commission (PUC) does not regulate prices charged by competitive providers. Many factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The PUC cannot control electricity prices in other states.

The EIA-861M form is not required of all Retail Electric Providers (REPs) by the Energy Information Agency (EIA) and the data is not always submitted by all REPs.

The revenue and sales data in EIA-861M from the [www.eia.gov](http://www.eia.gov) website include a time lag of 3 or 4 months. For example, data for March is published in the June or July issue of Electric Power Monthly. Therefore, this is a lagged measure.

**Data Source:** Texas residential data are obtained from the monthly Electric Sales and Revenue with State Distributions Reports from the EIA-861M forms filed by REPs with the PUC (Project No. 51761) in compliance with its rules. The report provides information for REPs including revenue from retail electric sales associated with transmission and distribution revenues, sales, and customer count by sector.

National residential data are obtained from the EIA's "Monthly Power Industry Report", form EIA-861M, which collects electric power sales data from approximately 260 of the largest primarily investor-owned and publicly-owned electric utilities in the United States. This data can be found at the following link: [www.eia.gov/electricity/data/eia861m](http://www.eia.gov/electricity/data/eia861m). The last six months of the previous year, and first six months of the current year will be used in this measure.

**Method of Calculation:** The numerator is obtained by summing the monthly revenues as well as the monthly sales from the EIA reports (Project No. 51761) to obtain the annual revenue and annual sales for all competitive REPs serving Texas residential customers. Divide annual revenue by annual sales to determine a weighted average price for Texas residential customers.

The denominator is obtained by adding the twelve monthly U.S. Cost of Electricity per kWh rates for residential customers identified in Electric Power Monthly, and dividing by 12. The twelve months will include the last six months of the previous year and the first six months of the current year.

**Purpose/Importance:** The purpose of this measure is to show how Texas residential electricity prices per kWh compare to the national electricity prices per kWh for the same class of service.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
OUTCOME: 04 Avg Price Electricity/kWh for TX Commercial Customers As % Nat'l Avg

Cross Reference to Prior Biennium Measure Code: OC 01-01.5

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average monthly price of electricity per kilowatt hour (kWh) for commercial customers from competitive suppliers in Texas as a percentage of the national average price of electricity for the same class of service.

**Data Limitations:** The Public Utility Commission (PUC) does not regulate prices charged by competitive providers. Many factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The PUC cannot control electricity prices in other states.

The EIA-861M form is not required of all Retail Electric Providers (REPs) by the Energy Information Agency (EIA) and the data is not always submitted by all REPs. The revenue and sales data in the EIA-861M form obtained from the [www.eia.gov](http://www.eia.gov) website include a lag time of 3 or 4 months include a time lag of 3 or 4 months. For example, data for March is published in the June or July on the EIA website. Therefore, this is a lagged measure.

**Data Source:** Texas commercial data are obtained from the monthly Electric Sales and Revenue with State Distributions Reports from the EIA-861M forms filed by the REPs with the PUC (Project No. 51761) in compliance with its rules. The report provides information for REPs including revenue from retail electric sales associated with transmission and distribution revenues, sales, and customer count by sector. The national commercial data is obtained from the EIA's "Monthly Power Industry Report" form, EIA-861M, which collects electric power sales data monthly from approximately 260 of the largest primarily investor-owned and publicly-owned electric utilities in the United States. This data can be found at the following link: [www.eia.gov/electricity/data/eia861m](http://www.eia.gov/electricity/data/eia861m). The last six months of the previous year, and the first six months of the current year will be used in this measure.

**Method of Calculation:** The numerator for this measure is obtained from the EIA Reports filed in Project No. 51761. Identify REPs serving Texas commercial customers, sum the monthly revenues and the monthly sales to obtain the annual revenue and annual sales. Divide annual revenue by annual sales to determine a weighted average price for Texas commercial customers.

The denominator for this measure is obtained by adding the twelve monthly U.S. cost of Electricity per kWh rates for commercial customers identified in the "Monthly Power Industry Report" (form EIA-861M). The twelve months will include the last six months of the previous year and the first six months of the current year.

**Purpose/Importance:** The purpose of this measure is to show how Texas commercial electricity prices per kWh compare to the national electricity prices per kWh for the same class of service.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
OUTCOME: 05 Avg Price Electricity/kWh for TX Industrial Customers As % Nat'l Avg

Cross Reference to Prior Biennium Measure Code: OC 01-01.06

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average monthly price of electricity per kilowatt hour (kWh) for industrial customers from competitive suppliers in Texas as a percentage of the national average price of electricity for the same class of service.

**Data Limitations:** The Public Utility Commission (PUC) does not regulate prices charged by competitive providers. Many factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The PUC cannot control electricity prices in other states. The EIA-861M form is not required of all Retail Electric Providers (REPs) by the Energy Information Agency (EIA) and the data is not always submitted by all REPs.

The revenue and sales data in the EIA-861M from the [www.eia.gov](http://www.eia.gov) website include a lag time of 3 months or 4 months. For example, data for March is published in June or July on the EIA website. Therefore, this is a lagged measure.

**Data Source:** Texas industrial class data are obtained from the monthly Electric Sales and Revenue with State Distributions Reports from the EIA-861M forms filed by the REPs with the PUC (Project No. 51761) in compliance with PUC rules. The report provides information for REPs including revenue from retail electric sales associated with transmission and distribution revenues, sales, and customer count by sector. The national industrial data is obtained from the EIA's "Monthly Power Industry Report" form, EIA-861M, which collects electric power sales data monthly from approximately 260 of the largest primarily investor-owned and publicly-owned electric utilities in the United States. This data can be found here: [www.eia.gov/electricity/data/eia861m](http://www.eia.gov/electricity/data/eia861m). The last six months of the previous year, and the first six months of the current year will be used in this measure.

**Method of Calculation:** The numerator for this measure is obtained by compiling the monthly Form EIA-861M Reports filed in Project No. 51761. For each REP serving Texas industrial customers, sum the monthly revenues and the monthly sales to obtain the annual revenue and annual sales. Divide annual revenue by annual sales to determine a weighted average price for Texas industrial customers.

The denominator for this measure is obtained by adding the twelve monthly U.S. Cost of Electricity per kWh rates for industrial customers identified in the "Monthly Power Industry Report" (form EIA-861M). The twelve months will include the last six months of the previous year and the first six months of the current year.

**Purpose/Importance:** The purpose of this measure is to show how Texas industrial electricity prices per kWh compare to the national electricity prices per kWh for the same class of service.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
OUTCOME: 06 Avg Ann Resid Elec Bill from Competitive Suppliers as a % of Nat'l Avg

Cross Reference to Prior Biennium Measure Code: OC 01-01.08

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average annual residential electric bill from competitive suppliers in Texas as a percentage of the national annual average residential electric bill.

**Data Limitations:** The Public Utility Commission (PUC) does not regulate prices charged by competitive providers. Many factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The PUC has no control over the usage of individual customers. The EIA-861M form is not required of all Retail Electric Providers (REPs) by the Energy Information Agency (EIA) and the data is not always submitted by all REPs.

**Data Source:** Texas residential class data are obtained from the monthly Electric Sales and Revenue with State Distributions Reports from the EIA-861M forms filed by the Retail Electric Providers (REPs) with the PUC (Project No. 36141) in compliance with PUC rules. The report provides information for REPs including revenue from retail electric sales associated with transmission and distribution revenues, sales, and customer count by sector

The national residential data is obtained from the EIA's "Monthly Power Industry Report," form EIA-861M, which collects electric power sales data monthly from approximately 260 of the largest primarily investor-owned and publicly-owned electric utilities in the U.S. This data can be found at the following website: [www.eia.gov/electricity/data/eia861m](http://www.eia.gov/electricity/data/eia861m). The last six months of the previous year, and the first six months of the current year will be used in this measure.

**Method of Calculation:** The numerator is obtained from the EIA-861M reports filed in Project No. 51761. Compile the annual revenue and annual number of customers for all competitive REPs serving residential customers in Texas. For each REP serving Texas residential customers, sum the monthly revenues and the monthly number of customers to obtain the annual revenue and annual customer count. Divide annual revenue by annual customer count to determine an average annual price for Texas residential customers.

The denominator for this measure is obtained by adding the twelve monthly U.S. revenue and customer count for residential customers identified in the "Monthly Power Industry Report" (form EIA-861M) from the EIA website. The twelve months will include the last six months of the previous year and the first six months of the current year. Divide the annual U.S. revenue by the annual U.S. customer count to determine an average annual price for U.S. residential customers.

**Purpose/Importance:** The purpose of this measure is to show how the Texas annual residential electric bill from competitive suppliers compares to the national average.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL:	01	Ensure Competition, Choice, Just Rates, and Reliable Quality Service
OBJECTIVE:	01	Maintain Policies to Foster Competition in Telecom & Elec Mkts
OUTCOME:	07	Average Price/kWH Offered on Power-to-Choose as % of Nat'l Average

Cross Reference to Prior Biennium Measure Code: OC 01-01.08

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average price of electricity per kilowatt hour (kWh), based on 1,000 kWh used, for residential customers from competitive suppliers in Texas offered for a 12-month, fixed-price contract on the Power-to-Choose website as a percentage of the national average cost of electricity for the same class of service.

**Data Limitations:** The Public Utility Commission (PUC) does not regulate prices charged by competitive providers. Many factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The PUC cannot control electricity prices in other states.

REPs are not required to post offers on the Power-to-Choose website. Therefore, not all of the offers for a 12-month, fixed-price contract will be included in this measure.

The Power Sales data in the Electric Power Monthly include a time lag of 3 or 4 months. For example, data for March is published in the June or July issue of Electric Power Monthly. Therefore, this is a lagged measure.

**Data Source:** Texas residential data are obtained from the Available Offers page on the Power-to-Choose website on the first day of each month.

National residential data are obtained from the EIA's Electric Power Monthly publication, which collects electric power sales data from approximately 260 of the largest primarily investor-owned and publicly-owned electric utilities in the United States. This data can also be found on the EIA website as well as on the PUC intranet under Information Services/Library Services.

**Method of Calculation:** The numerator is obtained by exporting all offers on the Power-to-Choose website into a spreadsheet on the first day of each month. The spreadsheet is sorted to isolate the prices offered for 12-month, fixed-price contract, based on 1,000 kWh. Finally, an average of all offers meeting these parameters is calculated.

The denominator is obtained by adding the twelve monthly U.S. Average Price of Electricity per kWh rates for residential customers identified in Electric Power Monthly, and dividing by 12.

Then, the quotient is multiplied by 100 to obtain the reported percentage.

**Purpose/Importance:** The purpose of this measure is to show how Texas residential electricity price offers per kWh compare to the national electricity prices per kWh for the same class of service.

**Calculation Type:** Non-Cumulative.

**New Measure:** Yes.

**Desired Performance:** At or below target.



GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
OUTCOME: 01 Average Annual Residential Telephone Bill as a % of National Average

Cross Reference to Prior Biennium Measure Code: OC 01-02.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reports the average annual residential telephone bill in Texas as a percentage of the national average residential telephone bill. The term “bill” is defined as the weighted average monthly rate for single-line residential telephone service.

**Data Limitations:** The Public Utility Commission (PUC) has limited jurisdiction over telephone rates in Texas, and no ability to affect telephone rates in other states. The Federal Communications Commission (FCC) has discontinued the report which originally supplied data used in the calculation of this measure. As a result the last reported rate for “Average Residential Rates for Local Service in Urban Areas” has since been adjusted yearly using the change in the annual average CPI from the U.S. Bureau of Labor Statistics website.

**Data Source:** Texas access line data is obtained from Texas telephone companies that provide, upon written request from Commission staff, the number of access lines billed at each tariffed residential rate. Texas residential rates are obtained from telephone company tariffs on file at the Commission or by written request to telephone companies from PUC staff. National data is obtained annually from a report published by the Federal Communications Commission (FCC), as noted in the procedures for this measure.

**Method of Calculation:** This performance measure is calculated by dividing the weighted average of single-line residential telephone rates of the ten largest local exchange companies in Texas by the national single-line residential telephone rate. The ten largest local exchange companies in Texas are the ten incumbent local exchange companies that serve the most access lines in Texas.

**Purpose/Importance:** The purpose of this measure is to show how Texas residential telephone bills compare to the national average telephone bill.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL:	01	Ensure Competition, Choice, Just Rates, and Reliable Quality Service
OBJECTIVE:	02	Regulate Providers Ensuring Companies Meet Service Quality Standards
OUTCOME:	02	Avg Price Elec/kWh for Res Cust from Reg Suppliers as % of Nat'l Avg

Cross Reference to Prior Biennium Measure Code: OC 01-02.02

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average monthly price of electricity per kilowatt hour (kWh) for residential customers from regulated suppliers in Texas as a percentage of the national average cost of electricity for the same class of service.

**Data Limitations:** Factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The Public Utility Commission (PUC) cannot control electricity prices in other states.

The EIA-861M form is not required of all utilities by the Energy Information Agency (EIA) and the data is not always submitted by all utilities.

The revenue and sales data in EIA-861M data from the [www.eia.gov](http://www.eia.gov) website ([www.eia.gov](http://www.eia.gov)) include a lag time of 3 or 4 months. For example, data for March is published in June or July on the EIA website. Therefore, this is a lagged measure.

**Data Source:** The Texas residential data are obtained from the EIA’s “Monthly Power Industry Report” form, EIA-861M. The report provides information for utilities including revenue from retail electric sales associated with transmission and distribution revenues, sales, and customer count by sector. This data can be found at the following link: [www.eia.gov/electricity/data/eia861m](http://www.eia.gov/electricity/data/eia861m). The ‘Sales and revenue’ data from the last six months of the previous year, and the first six months of the current year will be used in this measure. However, if the report is not available, the Texas residential data will be obtained from the monthly bill comparisons compiled by the PUC staff, which monthly report base rates, fuel charges, and any surcharges or refunds in effect for the period.

The national residential data are obtained from the EIA’s ‘Sales and revenue’ data contained in the “Monthly Power Industry Report” form, EIA-861M, which collects electric power sales data monthly from approximately 260 of the largest primarily investor-owned and publicly owned electric utilities in the United States. This data can be found at the following website: [www.eia.gov/electricity/data/eia861m](http://www.eia.gov/electricity/data/eia861m). The ‘Sales and revenue’ data from the last six months of the previous year, and the first six months of the current year will be used in this measure.

**Method of Calculation:** The numerator is obtained by summing monthly revenues as well as monthly sales from the EIA-861M report to obtain the annual revenue and annual sales for all the regulated suppliers serving Texas residential customers. Divide annual revenue by the annual sales to determine a weighted average price for Texas residential customers. If the EIA-861M data is not available, then compile the monthly bill surveys for regulated suppliers for each of the twelve months in the period. A twelve-month average residential rate will be determined for each of the investor owned utilities. The residential averages computed for each of the investor owned utilities will then be used to determine a weighted average for all the regulated suppliers in Texas for the twelve-month period.

The denominator for this measure is obtained by summing monthly revenues as well as monthly sales from the EIA-861M report to obtain the annual revenue and annual sales for U.S. residential customers. Divide the annual revenue by the annual sales to determine a weighted average price for U.S. residential customers.

**Purpose/Importance:** The purpose of this measure is to show how Texas residential electricity prices per kWh compare to the national electricity prices per kWh for residential service.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL:	01	Ensure Competition, Choice, Just Rates, and Reliable Quality Service
OBJECTIVE:	02	Regulate Providers Ensuring Companies Meet Service Quality Standards
OUTCOME:	03	Avg Price Elec/kWh for Comm Cust from Reg Suppliers as % of Nat'l Average

Cross Reference to Prior Biennium Measure Code: OC 01-02.04

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average monthly price of electricity per kilowatt hour (kWh) for commercial customers from regulated suppliers in Texas as a percentage of the national average cost of electricity for the same class of service.

**Data Limitations:** Many factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The Public Utility Commission (PUC) cannot control prices in other states.

The EIA-861M form is not required of all utilities by the Energy Information Agency (EIA) and the data is not always submitted by all utilities.

The revenue and sales data in the EIA-861M data from the EIA website ([www.eia.gov](http://www.eia.gov)) include a lag time of 3 or 4 months. For example, data for March is published in June or July on the EIA website. Therefore, this is a lagged measure.

**Data Source:** The Texas commercial data are obtained from the EIA’s ‘Sales and revenue’ data contained in the ‘Monthly Power Industry Report’ form, EIA-861M. The report provides information for utilities including revenue from retail electric sales associated with transmission and distribution revenues, sales, and customer count by sector. This data can be found at the following link: <https://www.eia.gov/electricity/data/eia861m/>. The ‘Sales and revenue’ data from the last six months of the previous year, and the first six months of the current year will be used in this measure. However, if the report is not available, the Texas commercial data will be obtained through surveys compiled by the PUC staff which monthly report base rates, fuel charges, and any surcharges or refunds in effect for the period for regulated suppliers for Texas commercial customers. The national commercial data are obtained from the EIA’s ‘Sales and revenue’ data contained in the ‘Monthly Power Industry Report’ form, EIA-861M, which collects electric power sales data monthly from approximately 260 of the largest primarily investor-owned and publicly owned electric utilities in the United States. This data can be found at the following link: <https://www.eia.gov/electricity/data/eia861m/>. The ‘Sales and revenue’ data from the last six months of the previous year, and the first six months of the current year will be used in this measure.

**Method of Calculation:** The numerator is obtained by summing the monthly revenues as well as the monthly sales in the EIA-861M report to obtain the annual revenue and annual sales for all the regulated suppliers serving Texas commercial customers. Divide annual revenue by the annual sales to determine a weighted average price for Texas commercial customers. If the EIA-861M data is not available, compile the monthly bill surveys for regulated suppliers for each of the twelve months in the period. A twelve-month average commercial rate will be determined for each of the investor-owned utilities. The commercial averages computed for each of the investor-owned utilities will then be used to determine a weighted average for all the regulated suppliers in Texas for the twelve-month period.

The denominator is obtained by summing the monthly revenues and the monthly sales from the EIA-861M report to obtain both the annual revenue and annual sales for U.S. commercial customers. Divide the annual revenue by the annual sales to determine a weighted average price for U.S. commercial customers.

**Purpose/Importance:** The purpose of this measure is to show how Texas commercial electricity prices per kWh compare to the national electricity prices per kWh for the same class of service.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
OUTCOME: 04 Average Annual Res Elec Bill from Reg Suppliers as % of Nat'l Avg

Cross Reference to Prior Biennium Measure Code: OC 01-02.05

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the average annual residential electric bill from regulated suppliers in Texas as a percentage of the national annual average residential electric bill.

**Data Limitations:** Many factors outside the control of the agency, such as fuel prices, weather, economic conditions, and legislative actions can affect electricity prices. The Public Utility Commission (PUC) has no ability to affect prices in other states. The PUC has no control over the usage of individual customers.

The EIA-861 form is not required of all utilities by the Energy Information Agency (EIA) and the data is not always submitted by all utilities.

The revenue and sales data in EIA-861M from the EIA website ([www.eie.gov](http://www.eie.gov)) include a lag time of 3 or 4 months. For example, data for March is published in June or July on the EIA website. Therefore, this is a lagged measure.

**Data Source:** Texas residential data are obtained from the EIA's "Monthly Power Industry Report," form EIA-861M. The report provides information for utilities including revenue from retail electric sales associated with transmission and distribution revenues, sales, and customer count by sector. This data can be found at the following link: <https://www.eia.gov/electricity/data/eia861m/>. The 'Sales and revenue' data from the last six months of the previous year, and the first six months of the current year will be used in this measure. Alternatively, Texas residential price data are obtained from monthly surveys compiled by the PUC staff which report base rates, fuel charges, and any surcharges or refunds in effect for regulated suppliers of Texas residential customers. U.S. residential data such as electric energy sales, number of customers, and total revenue of aggregate electric are obtained from the EIA's Electric Sales and Revenue with State Distribution Database.

**Method of Calculation:** The numerator is obtained from the "Monthly Power Industry Report" (form EIA-861M) for Texas regulated suppliers (IOUs only) from the EIA website. For each regulated supplier serving Texas residential customers, sum the monthly revenues and the monthly number of customers to obtain the annual revenue and annual customer count. Divide annual revenue by annual customer count to determine an average annual price for Texas residential customers.

The denominator is obtained by adding the twelve separate monthly U.S. revenue and customer counts for residential customers identified in the "Monthly Power Industry Report" (form EIA-861M). The twelve months will include the last six months of the previous year and the first six months of the current year. Divide the annual U.S. revenue by the annual U.S. customer count to determine an average annual price for U.S. residential customers.

**Purpose/Importance:** The purpose of this measure is to show how the Texas annual residential electric bill from regulated suppliers compares to the national average.

**Calculation Type:** Non-Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
OUTCOME: 05 % of Customers Served by Dominant Certificated Telecommunications Utilities Meeting Service Quality Benchmarks

Cross Reference to Prior Biennium Measure Code: OC 01-02.07

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure shows the statewide percentage of regulated access lines of dominant certificated telecommunications utilities that either meet or exceed the Public Utility Commission’s (PUC’s) service quality benchmarks.

**Data Limitations:** None.

**Data Source:** Access line data are obtained from utilities who provide the total number of access lines for each utility and the number of access lines in each area (exchange, toll center, or operating unit, as applicable) that did not meet a benchmark. Service quality data is obtained from reports filed by the utilities.

**Method of Calculation:** This measure is calculated by dividing the total number of access lines that meet or exceed the service quality benchmarks by the utilities’ total number of access lines.

**Purpose/Importance:** The purpose of this measure is to evaluate, once annually, the percentage of regulated areas that are meeting or exceeding service quality benchmarks. This measure is important because it is a measure of the quality of regulated telephone service.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
OUTCOME: 06 % Electric Customers Served by Electric Utilities Meeting Service Quality Standards

Cross Reference to Prior Biennium Measure Code: OC 01-02.06

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the percent of customers that received service in compliance with two particular PUC service quality standards that compare the service they receive from electric utilities to the overall performance of the utilities' distribution systems and provides a measure of the degree to which utilities are meeting their obligation to provide reliable service.

**Data Limitations:** None.

**Data Source:** Electric service quality data is obtained from service quality reports the PUC requires electric utilities providing distribution service to submit annually.

**Method of Calculation:** This measure calculates the percentage of customers served by distribution feeders that met two particular PUC service quality standards.

**Purpose/Importance:** The purpose of this measure is to evaluate, once annually, distribution service quality of electric utilities in Texas as measured by two particular PUC service quality standards. This measure is important because it reflects the PUC's efforts in meeting its goal of ensuring compliance with relevant laws and regulations governing provision of reliable distribution service.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.



GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 03 Ensure Compliance with Statutes, Rules, and Orders  
OUTCOME: 01 Percent Agreements with Specific Provisions for Avoiding Future Violations

Cross Reference to Prior Biennium Measure Code: OC 01-03.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** Percent of settlement agreements entered in formal enforcement proceedings that contain specific provisions regarding how future violations of the same type by the entity which is the subject of the proceeding will be avoided.

**Data Limitations:** None.

**Data Source:** The data for this measure are collected in the enforcement database which includes information about whether the settlement contained provisions addressing avoidance of future violations. .

**Method of Calculation:** The enforcement database is queried to identify cases resolved through settlement that contained specific provisions addressing the avoidance of future violations of the same type. The identified cases are counted to determine the total.

**Purpose/Importance:** Deterrence of future violations is an important element of an effective enforcement program. This measure reflects the PUC's efforts to deter future violations.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 02 Resolve Complaints Consistent w/Laws & PUC Rules & Orders  
OUTCOME: 01 % Customer Complaints Resolved through Informal Resolution Process

Cross Reference to Prior Biennium Measure Code: OC 02-02.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure compares the number of customer complaints resolved informally to the total number of complaints resolved both formally and informally.

**Data Limitations:** None.

**Data Source:** The number of informal complaints resolved is obtained from the measure Number of Consumer Complaints Concluded measure. The Agency Information System (AIS) database contains records of formal complaints.

**Method of Calculation:** The numerator is the total number of informal complaints resolved and is obtained from the measure Number of Customer Complaints Concluded. The denominator is obtained by adding the numerator to the total number of formal customer complaints concluded. The total number of formal customer complaints is obtained from the AIS database by querying the number of closed records in the appropriate subclass as detailed in the procedures for this measure.

**Purpose/Importance:** This measure is important because it reflects the relative ability of staff to resolve disputes informally which is generally a shorter and less costly means of resolution. This measure is also important because it tracks the progress of the PUC in attaining the goal of assisting customers in resolving disputes concerning electric, telecommunications, water, or sewer services.

**Calculation Type:** Non-cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 02 Resolve Informal Complaints Consistent w/Laws & PUC Rules & Orders  
OUTCOME: 02 Credits & Refunds Obtained for Customers through the Informal Complaint Resolution

Cross Reference to Prior Biennium Measure Code: OC 02-02.02

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure captures the dollar amount of credits and refunds the Public Utility Commission (PUC) obtains for customers whose complaints were concluded using the informal complaint resolution process.

**Data Limitations:** None.

**Data Source:** As part of the informal complaint resolution process, service providers notify the PUC in writing when a customer who filed a complaint with the PUC was given a refund or issued a credit to his/her account. Staff enters any credits given by the utility into the database.

**Method of Calculation:** The database is queried after the end of the reporting period. The query solicits refunds or credits issued for all complaints concluded during the reporting period

**Purpose/Importance:** This measure reflects the PUC's success in helping utility customers obtain credits, refunds, or waivers to which they may be entitled. This measure is important because it tracks the PUC's progress in attaining the goal of assisting customers in resolving disputes concerning electric, telecommunications, water, and sewer service.

**Calculation Type:** Non-cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EF  
DESC: 01 Avg Number of Days to Process an Application for a Telecom COA & SPCOA

Cross Reference to Prior Biennium Measure Code: EF 01-01-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reports the average number of days to process an application for a telecommunications Certificate of Authority (COA) and Service Provider Certificate of Authority (SPCOA).

**Data Limitations:**

This measure can be affected by requests for hearings, a factor beyond the Public Utility Commission's (PUC) control. Holding a hearing can greatly increase the processing time. Hearings in these cases would be conducted by the State Office of Administrative Hearings (SOAH). The PUC has no control over SOAH operations.

A case is considered complete on the date the final order is filed in the PUC Central Records, as denoted by the "date closed" field in the Agency Information System (AIS). Final orders are subject to motions for rehearing; however, orders on rehearing do not change the date on which a case is considered completed for purposes of this measure. By establishing the date of the final order as the date a case is completed, the days between the final order and any orders on rehearing are not counted and the number of days between filing of the application and ultimate resolution may be greater than reported. Orders on rehearing are entered in very few cases.

**Data Source:** AIS tracks all proceedings by assigned control numbers. Each AIS control number is assigned a category, class, and subclass in accordance with definitions in the PUC AIS Procedures and Classification Guide.

**Method of Calculation:**

The number of days to process a case is the period of time from the date the case is filed until the date the final order is filed in the PUC's Central Records, as denoted by the "date closed" field in AIS.

The calculation is the sum of calendar days that transpired to process each application divided by the total number of applications filed.

The number of calendar days elapsed for processing each case is calculated by subtracting the filing date from the final order date (date-filed minus date-closed in AIS).

**Purpose/Importance:** The purpose of this measure is to provide an indication of the agency's efficiency in processing COA and SPCOA applications.

**Calculation Type:** Non cumulative.

**New Measure:** No.

**Desired Performance:** At or below the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EX  
DESC: 01 Number of Elect Coops and Municipal Utilities Reg for Wholesale Trans Rate

Cross Reference to Prior Biennium Measure Code: EX 01-01-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of non-investor-owned utilities--including electric cooperatives, municipal utilities, and river authorities--regulated for wholesale transmission rates under the jurisdiction of the Public Utility Commission (PUC) at the end of the fiscal year pursuant to PURA Chapter 35, Subchapter A.

**Data Limitations:** None.

**Data Source:** Data are obtained from the group of companies included as transmission owners/load entities on the matrix list filed as part of the final order in the PUC's most recent docket on wholesale transmission charges.

**Method of Calculation:** Results for this measure are determined by counting the number of non-investor-owned transmission owners/load entities included on the matrix list filed as part of the final order in the commission's most recent docket on wholesale transmission charges.

**Purpose/Importance:** This measure identifies the total number of electric cooperatives, municipal utilities, and river authorities regulated for wholesale transmission rates over which the PUC has jurisdiction and for which rate cases and rate reviews are conducted.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EX  
DESC: 02 Percent of Statewide Electric Generating Capacity Above Peak Demand in ERCOT

Cross Reference to Prior Biennium Measure Code: EX 01-01-01.02

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** With regard to electric service, most of the state lies within a region known as the Electric Reliability Council of Texas (ERCOT). This measure represents the amount of electric generating capacity in ERCOT that is above the peak demand for electricity. It shows the difference in percentage terms between the demand for electricity in ERCOT and the amount of electricity that can be generated in order to meet the demand.

**Data Limitations:** The measure is calculated using data for the previous calendar year which results in a 10-month lag in the measure.

**Data Source:**

Data for the ERCOT region is taken from the ERCOT Seasonal Assessment of Resource Adequacy and the ERCOT Demand and Energy Report.

**Method of Calculation:** This measure is calculated in accordance with the following formula: Percent of Capacity Above Peak Demand = (Generating Capacity – Peak Demand) / Peak Demand. The resulting number is multiplied by 100 to calculate the percent. The Generating Capacity will be the total capacity in ERCOT. Peak Demand will be the total peak demand in ERCOT.

**Purpose/Importance:** It is important for generating capacity to be greater than peak demand so there is enough capacity to meet the expected demand, to meet additional, unexpected demand, and to provide reserve capacity that can be used in the event of equipment failures. An inadequate supply of generating capacity could result in loss of power to customers. This measure provides a way to track how much generating capacity there is in relation to the peak demand for electricity.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EX  
DESC: 03 Energy Savings Due to Energy Efficiency Programs

Cross Reference to Prior Biennium Measure Code: EX 01-01-01.03

**MEASURE DEFINITION FOR 2023-2024:**

**Short Definition:** This measure represents the energy savings from standard offer, market transformation programs and self-delivered programs administered by Texas electric utilities.

**Data Limitations:** Due to the time lag in energy efficiency project implementation and reporting/verification of savings, it may be difficult to achieve timeliness and consistency. Many factors which affect this measure are outside the Public Utility Commission's (PUC) control because the energy efficiency programs are administered by the utility companies.

**Data Source:** PUC rules require electric utilities to file Annual Energy Efficiency Reports. Included in the report is the utility's annual growth in demand and peak demand with the corresponding energy and demand savings goal for the utility and the actual energy and demand savings achieved in the preceding calendar year. The PUC uses this report as the basis for reporting the results of this measure.

**Method of Calculation:** The statewide energy savings goal is calculated by adding the individual utilities' energy savings goals reported in the preceding year's Annual Energy Efficiency Report. The statewide energy savings achieved is calculated by adding the individual utilities' energy savings as reported in the preceding year's report. The percentage of the energy savings goal achieved is calculated by dividing the reported savings achieved by the savings goal, multiplied by 100.

**Purpose/Importance:** The Public Utility Regulatory Act requires that electric utilities administer energy savings incentive programs in a market-based, non-discriminatory manner. This measure reflects the success of those programs.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EX  
DESC: 04 Demand Reductions Due to Energy Efficiency Programs

Cross Reference to Prior Biennium Measure Code: EX 01-01-01.04

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure represents the reduction in electric demand that is met through standard offer, market transformation, and self-delivered programs administered by Texas electric utilities.

**Data Limitations:** Due to the time lag in energy efficiency project implementation and reporting/verification of savings, it may be difficult to achieve timeliness and consistency. Many factors which affect this measure are outside the Public Utility Commission's (PUC) control because the energy efficiency programs are administered by the utility companies.

**Data Source:** PUC rules require electric utilities to file Annual Energy Efficiency Reports. Included in the report is the utility's annual growth in demand and peak demand with the corresponding energy and demand savings goal for the utility and the actual energy and demand savings achieved in the preceding calendar year. The PUC uses this report as the basis for reporting the results of this measure.

**Method of Calculation:** The statewide demand savings goal is calculated by adding the individual utilities' demand savings goals reported in the preceding year's Annual Energy Efficiency Report. The statewide demand savings achieved is calculated by adding the individual utilities' demand savings as reported in the preceding year's report. The percentage of the demand savings goal achieved is calculated by dividing the reported savings achieved by the savings goal, multiplied by 100.

**Purpose/Importance:** The Public Utility Regulatory Act requires that electric utilities administer energy and demand savings incentive programs in a market-based, non-discriminatory manner. This measure reflects the success of those programs.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.



GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EX  
DESC: 05 Number of Power Generation Companies in Texas

Cross Reference to Prior Biennium Measure Code: EX 01-01-01.05

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure counts the number of power generation companies (PGC) in Texas. A PGC is an entity that generates electricity that is intended to be sold at wholesale.

**Data Limitations:** The number of power generation companies is affected by factors outside the Public Utility Commission's (PUC) control.

**Data Source:** The PUC requires the registration of PGCs, and it maintains a list of the registered generators. The registration lists provide the data for this measure.

**Method of Calculation:** This measure is calculated by counting the number of PGCs who are registered with the Commission.

**Purpose/Importance:** The purpose of this measure is to track the number of generators in the wholesale market. In general, a greater number of power generators in the wholesale market will result in a more competitive market.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EX  
DESC: 06 Number of Aggregators in Texas

Cross Reference to Prior Biennium Measure Code: EX 01-01-01.06

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure counts the number of aggregators in Texas. An aggregator is an entity that joins two or more customers into a purchasing unit to negotiate the purchase of electricity service in Texas from retail electric providers.

**Data Limitations:** The number of aggregators is affected by factors outside the Public Utility Commission's (PUC) control.

**Data Source:** The PUC requires the registration of aggregators, and it maintains a list of the registered aggregators. The registration lists provide the data for this measure.

**Method of Calculation:** This measure is calculated by counting the number of aggregators who are registered with the PUC.

**Purpose/Importance:** The purpose of this measure is to track the number of aggregators in the restructured market acting as buyer's agents for customer groups.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: EX  
DESC: 07 Number of Applications and Amendments for Cable Franchise Certificates

Cross Reference to Prior Biennium Measure Code: OP 01-01-01.08

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure is a fiscal year-end count of the number of State-Issued Certificates of Franchise Authority or Amendments to a State-Issued Certificate of Franchise Authority.

**Data Limitations:** None

**Data Source:** The Public Utility Commission (PUC) maintains a directory of State-Issued Certificates of Franchise Authority.

**Method of Calculation:** The PUC directory includes both new and amended applications and is frequently updated. This measure is calculated by counting the total number of applications for new and amended certificates approved by the PUC.

**Purpose/Importance:** This measure provides the number of applications for State Issued Certificates of Franchise Authority for cable and video service. The measure provides some perspective for evaluating the level of cable and video competition in Texas.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 01 Ensure Competition, Choice, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: OP  
DESC: 01 Number of Retail Electric Providers Registered

Cross Reference to Prior Biennium Measure Code: OP 01-01-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure is the number of electric service providers in the retail electric market in Texas. Retail Electric Providers (REPs) are entities that sell electric energy to retail customers in the state of Texas.

**Data Limitations:** The number of service providers is affected by factors outside the PUC's control.

**Data Source:** The Public Utility Commission (PUC) requires the registration of REPs, and it maintains a list of the registered providers. The registration lists provide the data for this measure.

**Method of Calculation:** This measure is calculated by counting the number of REPs who are registered with the PUC.

**Purpose/Importance:** The purpose of this measure is to track the number of participants in the retail market. In general, a greater number of participants in the retail market will result in a more competitive market.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 01 Maintain Policies to Foster Competition in Telecom & Elec Mkts  
STRATEGY: 01 Foster and Monitor Market Competition  
TYPE: OP  
DESC: 02 Number of Cases Completed Related to Competition Among Providers

Cross Reference to Prior Biennium Measure Code: OP 01-01-01.03

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reports the total number of cases completed during the reporting period that are related to competition among service providers in the electric and telecommunications industries.

**Data Limitations:** The accuracy of this measure can be affected by accuracy of classification of cases in the Agency Information System (AIS). It can be difficult to determine the proper classification of a case when numerous issues are addressed in the same docket, so judgment must be used in determining whether a case is one that relates to competition among providers.

**Data Source:** AIS tracks all proceedings by assigned control numbers. Each AIS control number is assigned a category, class, and subclass in accordance with definitions in the PUC AIS Procedures and Classification Guide.

**Method of Calculation:** AIS is queried at the end of each reporting period. The query solicits the number of cases completed during the reporting period related to competition among service providers based on the AIS category and class codes contained in the query. For purposes of this definition, a case is considered completed when a final order is filed in the PUC's Central Records section (as denoted by the "date closed" field in AIS).

**Purpose/Importance:** The number of cases completed relating to competition provides an indication of the PUC's workload related to overseeing competitive markets.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At the target.

GOAL:	01	Ensure Competition, Choice, Just Rates, and Reliable Quality Service
OBJECTIVE:	02	Regulate Providers Ensuring Companies Meet Service Quality Standards
STRATEGY:	01	Conduct Rate Cases for Regulated Telephone and Electric Utilities
TYPE:	EF	
DESC:	01	Average Number of Days to Process a Major Rate Case for TDU

Cross Reference to Prior Biennium Measure Code: EF 01-02-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure counts the average number of days to process a major rate case for a transmission and distribution utility. For purposes of this performance measure, a major transmission and distribution utility rate case is a proceeding that may result in a "major change" in rates, as defined by PURA Sec. 36.101, for a transmission and distribution utility (TDU), as defined by PURA Sec. 31.002(19).

**Data Limitations:**

The number of days to process a case is affected by factors outside the Public Utility Commission’s (PUC) control, such as number of intervenors, and number and complexity of issues. Hearings in these cases are usually conducted by the State Office of Administrative Hearings (SOAH). The PUC has no control over SOAH operations.

In this definition, a case is considered complete on the date the final order is filed in the PUC’s Central Records, as denoted by the "date closed" field in the Agency Information System (AIS). By establishing the date of the final order as the date a case is completed, the motion for rehearing portion of the proceeding is not counted and therefore, the actual number of days may be greater than reported.

Data reported under this measure include only major rate cases for a TDU, which are a subset of the rate cases tracked under OP 1-2-1.01. Therefore, the data for these measures may not necessarily correlate.

**Data Source:** The PUC’s AIS tracks all proceedings by assigned control numbers. Each AIS control number is assigned a category, class, and subclass in accordance with definitions in the PUC AIS Procedures and Classification Guide.

**Method of Calculation:** The calculation is the sum of calendar days that transpired to complete each case divided by the number of cases completed. The number of calendar days transpired to complete each case is calculated by subtracting the filing date from the final order date (date filed minus date closed in AIS). AIS is queried to determine the number of cases completed during the reporting period. A case is considered complete on the date the final order is filed in the PUC’s Central Records, as denoted by the "date closed" field in AIS.

**Purpose/Importance:** This measure indicates the PUC’s efficiency in processing major transmission and distribution rate cases.

**Calculation Type:** Non-cumulative.

**New Measure:** No.

**Desired Performance:** At the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
STRATEGY: 01 Conduct Rate Cases for Regulated Telephone and Electric Utilities  
TYPE: EX  
DESC: 01 Number of Electric Utilities Regulated

Cross Reference to Prior Biennium Measure Code: EX 01-02-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of electric utilities under the jurisdiction of the Public Utility Commission (PUC) at the end of the fiscal year pursuant to Chapter 32, Sect. 32.001 of the Public Utility Regulatory Act (PURA). As used herein, the term “electric utilities” refers to investor owned utilities.

**Data Limitations:** A degree of judgment is required when determining the effects of mergers and acquisitions (for example, whether the merger of two utilities results in a single, surviving utility).

**Data Source:** Performance results are determined annually in the first quarter from a master list of utilities holding Certificate of Convenience and Necessity (CCNs).

**Method of Calculation:** Results for this measure are determined by analyzing the master list of utilities holding a CCN and evaluating what changes (if any) have taken place during the fiscal year being reported. Changes to this measure are based on the number of mergers, new CCNs, and the number of utilities deregulated by the legislature.

**Purpose/Importance:** This measure identifies the total number of electric utilities over which the PUC has regulatory jurisdiction.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
STRATEGY: 01 Conduct Rate Cases for Regulated Telephone and Electric Utilities  
TYPE: EX  
DESC: 02 Number of Telecommunications Service Providers Regulated

Cross Reference to Prior Biennium Measure Code: EX 01-02-01.02

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of telecommunications service providers under the jurisdiction of the Public Utility Commission (PUC) at the end of the fiscal year pursuant to Chapter 52, Sect. 52.002 of the Public Utility Regulatory Act (PURA). As used herein, the term “telecommunications service providers” refers to investor owned telephone utility companies and non-profit telephone utility companies cooperatively owned by their members that have been granted Certificates of Convenience and Necessity (CCN) by the PUC.

**Data Limitations:** A degree of judgment is required when determining the effects of mergers and acquisitions (for example, whether the merger of two utilities results in a single, surviving utility).

**Data Source:** Performance results are determined annually from a master list of utilities holding CCNs.

**Method of Calculation:** Results for this measure are determined by analyzing the master list of utilities holding a CCN and evaluating what changes (if any) have taken place during the fiscal year being reported. Changes to this measure are based on the number of mergers, new CCNs, and whether any of the companies has been deregulated by the legislature.

**Purpose/Importance:** This measure identifies the total number of telecommunications service providers with CCNs over which the PUC has regulatory jurisdiction.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At the target.



GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
STRATEGY: 01 Utility Regulation  
TYPE: EX  
DESC: 03 Number of Water and Sewer Utilities Regulated

Cross Reference to Prior Biennium Measure Code: EX 01-02-01.03

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of active water and sewer investor-owned utilities that have a Certificate of Convenience and Necessity (CCN) and utilities under receivership or temporary management at the end of the fiscal year pursuant to Chapter 13 of the Texas Water Code.

**Data Limitations:** The information in the PUC’s Water Utilities Database is queried for active water and sewer investor-owned utilities and utilities under receivership or temporary management.

**Data Source:** Performance results are calculated annually in the fourth quarter by searching for active water and sewer investor-owned utilities with a CCN and utilities under receivership or temporary management in the PUC’s Water Utilities Database.

**Method of Calculation:** Results for this measure are calculated by querying the PUC’s Water Utilities Database for active investor-owned utilities that hold a CCN and utilities under receivership or temporary management.

**Purpose/Importance:** The purpose of this measure is to identify the total number of active water and sewer investor-owned utilities and utilities under receivership or temporary management in Texas.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At the target.

GOAL:	01	Ensure Competition, Choice, Just Rates, and Reliable Quality Service
OBJECTIVE:	02	Regulate Providers Ensuring Companies Meet Service Quality Standards
STRATEGY:	01	Conduct Rate Cases for Regulated Telephone and Electric Utilities
TYPE:	OP	
DESC:	01	Number of Rate Cases Completed for Regulated Electric Utilities

Cross Reference to Prior Biennium Measure Code: OP 01-02-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure counts the total number of rate cases completed for regulated electric utilities during the reporting period. For purpose of this measure, rate cases are proceedings that result in adjustments to rates charged customers by electric utilities regulated by the Public Utility Commission (PUC). The Public Utility Regulatory Act (PURA) excludes an electric cooperative and municipally owned utility (MOU) from the definition of “electric utility.” For purposes of this measure, however, a transmission rate proceeding filed by an electric cooperative or MOU is counted as an application by an electric utility.

**Data Limitations:** This measure counts the number of applications for rate changes filed by electric utilities, a factor beyond the control of the agency. Data reported under this measure include a broader set of electric rates cases, including both minor and major rate cases, than those tracked for EF 1-2-1-01 and EF 1-2-1-02. Therefore, the data for these measures may not necessarily correlate.

**Data Source:** The PUC’s Agency Information System (AIS) tracks all proceedings by assigned control numbers. Each AIS control number is assigned a category, class, and subclass in accordance with definitions in the PUC AIS Procedures and Classification Guide.

**Method of Calculation:** AIS is queried at the end of each reporting period. The query solicits the number of cases completed during the reporting period based on the AIS category and class codes contained in the query. For purposes of this definition, a case is considered complete when the final order is filed in the PUC’s Central Records section (as denoted by the "date closed" field in AIS).

**Purpose/Importance:** This measure reflects the number of proceedings initiated by electric utilities (including electric cooperatives and MOUs for purposes of this measure), by the PUC, or by other parties that result in adjustments to rates charged to customers.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Providers Ensuring Companies Meet Service Quality Standards  
STRATEGY: 01 Conduct Rate Cases for Regulated Telephone and Electric Utilities  
TYPE: OP  
DESC: 02 Number of Rate Cases Completed for Telecommunications Providers

Cross Reference to Prior Biennium Measure Code: OP 01-02-01.02

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure counts the total number of rate cases completed for regulated telecommunications providers during the period. For purpose of this measure, rate cases are proceedings that result in adjustments to rates charged customers by telecommunications providers regulated by the Public Utility Commission (PUC).

**Data Limitations:** The number of applications for rate changes filed by telecommunications utilities is a factor beyond the control of the agency.

**Data Source:** The PUC's Agency Information System (AIS) tracks all proceedings by assigned control numbers. Each AIS control number is assigned a category, class, and subclass in accordance with definitions in the PUC AIS Procedures and Classification Guide.

**Method of Calculation:** AIS is queried at the end of each reporting period. The query solicits the number of cases completed during the reporting period based on the AIS category and class codes contained in the query. For purposes of this definition, a case is considered complete when a final order is filed in the PUC's Central Records section (as denoted by the "date closed" field in AIS).

**Purpose/Importance:** This measure reflects the number of rate proceedings initiated by regulated telecommunications providers, by the PUC, or by other parties, that result in adjustments to rates charged to customers.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Service Providers  
STRATEGY: 01 Utility Regulation  
TYPE: OP  
DESC: 03 Number of Water Utility Rate Reviews

Cross Reference to Prior Biennium Measure Code: OP 1-2-1.05 K

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of rate changes reviewed for water and sewer investor-owned utilities, retail rate appeals and wholesale rate appeals.

**Data Limitations:**

The number of water and sewer applications processed is related to the economic conditions and development activities in the state.

This measure includes a portion of the cases in the PUC Agency Information Systems (AIS) database as follows: AIS CATEGORFY – Docket: CLASS - Regulation SUB-CLASS- Water. It also includes all the cases in the PUC’s Water Utilities Tracking log with a “Date Finaled” during the reporting period and an application extension type of “A, R, X or M”.

**Data Source:** The PUC’s Water Utilities Tracking Log is the main data source. The PUC’s Agency Information System (AIS) is a secondary source of information. AIS tracks all proceedings by assigned control numbers.

**Method of Calculation:**

AIS is queried at the end of each reporting period and the total number of applications processed is summed for each reporting period. The PUC’s Water Utilities Tracking Log is updated with the AIS information and is used to report the final numbers.

**Purpose/Importance:**

This measure reflects the number of rate changes reviewed for water and sewer investor-owned utilities, retail rate appeals and wholesale rate appeals.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 02 Regulate Service Providers  
STRATEGY: 01 Utility Regulation  
TYPE: OP  
DESC: 04 Number of Water Certificate of Convenience Applications Processed

Cross Reference to Prior Biennium Measure Code: OP 1-2-1.06

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure will report on the total number of water and sewer Certificate of Convenience and Necessity related applications that are administratively approved, approved by the commission, dismissed, or withdrawn.

**Data Limitations:**

The number of water and sewer applications processed is related to the economic conditions and development activities in the state.

This measure includes a portion of the cases in the PUC Agency Information Systems (AIS) database as follows: AIS CATEGORFY – Docket: CLASS - Regulation SUB-CLASS- Water. It also includes all the cases in the PUC’s Water Utilities Tracking log with a “Date Finaled” during the reporting period and an application extension type of “C, D, K, Q or S.”

**Data Source:** The PUC’s Water Utilities Tracking Log is the main data source. The PUC’s Agency Information System (AIS) is a secondary source of information. AIS tracks all proceedings by assigned control numbers.

**Method of Calculation:** AIS is queried at the end of each reporting period and the total number of applications processed is summed for each reporting period. The PUC’s Water Utilities Tracking Log is updated with the AIS information and is used to report the final numbers.

**Purpose/Importance:** This measure reflects the number of water or sewer service area Certificates of Convenience and Necessity applications processed.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 03 Ensure Compliance with Statutes, Rules, and Orders  
STRATEGY: 01 Conduct Investigations and Initiate Enforcement Actions  
TYPE: EX  
DESC: 01 Dollar Amount Administrative Penalties Assessed for Violations

Cross Reference to Prior Biennium Measure Code: EX 01-03.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reports the total dollar amount of administrative penalties assessed in final orders of the Public Utility Commission (PUC) during the reporting period against persons or companies that have violated statutes, rules or orders enforced by the PUC.

**Data Limitations:** The amount of penalties assessed is affected by whether entities subject to the PUC's jurisdiction engage in conduct that constitutes violations of a statute or PUC rule or order, and the severity of the violation.

**Data Source:** The data for this measure are collected in the enforcement database which includes data from the PUC's final orders imposing administrative penalties.

**Method of Calculation:** Administrative penalties assessed by the Commission are recorded in the enforcement database. The database is queried at the end of the reporting period to identify and sum the amount of administrative penalties that were assessed during the reporting period.

**Purpose/Importance:** This measure is important because it tracks progress in meeting the PUC's objective to ensure compliance with applicable laws, rules, and orders.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or below the target.

GOAL: 01 Ensure Competition, Choice, Just Rates, and Reliable Quality Service  
OBJECTIVE: 03 Ensure Compliance with Statutes, Rules and Order  
STRATEGY: 01 Conduct Investigations and Initiate Enforcement Actions  
TYPE: OP  
DESC: 01 Number of Enforcement Investigations Conducted

Cross Reference to Prior Biennium Measure Code: OP 01-03-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** The measure reports the number of enforcement investigations undertaken to determine whether the activities of a person or company comply with the statutes, rules, and orders enforced by the Public Utility Commission (PUC).

**Data Limitations:** The need for investigations is affected by whether entities subject to the PUC's jurisdiction engage in conduct that may constitute violations of a statute or PUC rule or order.

**Data Source:** The data for this measure are collected in the enforcement database which includes the number of enforcement investigations conducted.

**Method of Calculation:** Query the number of investigations from the enforcement database at the end of the reporting period to determine the number of enforcement investigations that were completed during the reporting period.

**Purpose/Importance:** This measure tracks progress in meeting the PUC's objective to ensure compliance with the statutes, rules, and orders enforced by the PUC.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above the target.

GOAL:	02	Educate Customers and Assist Customers
OBJECTIVE:	01	Inform Customers of Choices & Rights & Facilitate Information Access
STRATEGY:	01	Provide Information about Electric, Telecom and Water and Sewer Industries
TYPE:	EF	
DESC:	01	Percent Customer Information Product Distributed Electronically

Cross Reference to Prior Biennium Measure Code: EF 02-01-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:**

The Public Utility Commission (PUC) produces numerous customer education and utility information publications for external distribution to utility customers, legislative offices, other state agencies, and the media. These publications include consumer newsletters, utility advisories, PUC meeting notices, news releases, fact sheets, brochures, and other customer outreach materials. These are distributed by mail, email, online, fax, walk-ins, and at various events attended by PUC staff. The measure reports the percent of the total number of products distributed which are distributed electronically.

**Data Limitations:** None.

**Data Source:** Most publications and news releases are distributed to subscriber and/or media lists. For print publications, printing is strictly controlled, and a count is kept of the number that is printed. Single-page fact sheets, brochures and other customer outreach materials are produced internally on an as-needed basis. These publications are maintained in a database file, as are records of the number of copies disseminated. In addition to the printed fact sheets mailed to customers, a large portion of the information products are produced in electronic format for email distribution and website content. Information Technology (IT) keeps count of information products disseminated via email distribution and a report of the number of information product downloads from the PUC website within the dates required of the measure.

**Method of Calculation:** The number of copies disseminated electronically is tracked by counting the number of information products distributed through email and website downloads. IT provides the number of information products downloaded from the website within the time frame of the measure. The number of information products distributed via email to subscribers within the time frame of the measure is counted. The total number of products distributed electronically is divided by the total number of products distributed via all methods and multiplied by 100 to obtain the result for the measure.

**Purpose/Importance:**

The purpose of this measure is to reflect the PUC's efficiency in educating and informing the public of their rights as utility customers in Texas, as reflected by the use of electronic media. This measure is important because it reflects the PUC's progress in meeting the objective to inform customers about their choices, opportunities, and rights pertaining to electric, telecommunications, and water and sewer services.

**Calculation Type:** Non-cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.



GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 01 Inform Customers of Choices & Rights & Facilitate Information Access  
STRATEGY: 01 Provide Information about Changes in Electric, Telecom, Water and Sewer Industries  
TYPE: EX  
DESC: 01 Number of Customer Protection Pageviews

Cross Reference to Prior Biennium Measure Code: EX 02-01-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of page views to the web links on the Customer Protection home page from weblinks the Public Utility Commission’s (PUC’s) website. A “page view” to the Customer Protection home page identifies each time that page was accessed. Only external page views are counted.

**Data Limitations:** Results of this measure only indicate the number of times the Customer Protection home page web links were viewed; however, users may access PUC’s customer protection information from the PUC’s website without having to navigate through the Customer Protection home page. Therefore, results for this measure do not provide a completely accurate picture of how customer protection information is being accessed.

**Data Source:** Using the access log file that is created by the web server, the PUC’s Webmaster reports the number of times the information on the Customer Protection pages are accessed during the reporting period.

**Method of Calculation:** Analytic software is used to report the number of times each page on the PUC web site is accessed.

**Purpose/Importance:** This measure is important because it tracks the PUC’s progress in meeting the objective to inform customers about their choices, opportunities and rights pertaining to electric, telecommunications, water, and sewer services.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 01 Inform Customers of Choices & Rights & Facilitate Information Access  
STRATEGY: 01 Provide Information about Changes in Electric, Telecom, Water and Sewer Industries  
TYPE: OP  
DESC: 01 Number of Information Requests to Which Responses Were Provided

Cross Reference to Prior Biennium Measure Code: OP 02-01-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reports the total number of information requests received from external customers. Information requests are inquiries for assistance by the public that are processed by various departments at the Public Utility Commission (PUC).

**Data Limitations:** None.

**Data Source:** Requests from the public are received via telephone, email, fax, written correspondence, and in person, and are directed to specific locations in the agency. Requests are recorded in electronic databases, spreadsheets, or in manually maintained written logs.

**Method of Calculation:** Each location in the agency that is responsible for responding to requests from the public tallies the number of responses through the use of excel spreadsheets, database queries, or by manual count of written records. The numbers are added together to produce the total for the agency.

**Purpose:** This measure reflects the number of customers seeking information and assistance from the PUC and indicates the level of public interest in PUC activities and the need for assistance from the agency.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 02 Electric Utility Restructuring  
OBJECTIVE: 01 Provide Financial Assistance  
STRATEGY: 01 Customer Education. Nontransferable  
TYPE: EX  
DESC: 02 Number Power-to-Choose Website Hits

Cross Reference to Prior Biennium Measure Code: EX 03-01-02.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** The Power to Choose Website was created and is maintained as part of the customer education program required by Public Utility Regulatory Act §39.902. This Website contains information for electric customers living in areas open to competition to assist them in purchasing electricity in competitive markets. This measure reports the number of times the Website is accessed by external users.

**Data Limitations:** None.

**Data Source:** Using the access log file that is created by the web server, the PUC's webmaster reports the number of times the Power to Choose Website is accessed during the reporting period.

**Method of Calculation:** Software reports the number of times each page in the Power to Choose Website is accessed by external users.

**Purpose/Importance:** This measure is important because it tracks the PUC's progress in meeting the objective to inform customers about their choices, opportunities and rights pertaining to electric and telecommunications services.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 01 Inform Customers of Choices & Rights & Facilitate Information Access  
STRATEGY: 01 Provide Information about Electric, Telecom and Water and Sewer Industries  
TYPE: OP  
DESC: 02 Number of Customer Information Products Distributed

Cross Reference to Prior Biennium Measure Code: OP 02-01-01.02

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** The Public Utility Commission (PUC) produces numerous customer education and utility information publications for external distribution to utility customers, legislative offices, other state agencies, and the media. These publications include consumer newsletters, utility advisories, PUC meeting notices, news releases, fact sheets, brochures, and other customer outreach materials. These are distributed by mail, email, online, fax, walk-ins, and at various events attended by PUC staff.

**Data Limitations:** None.

**Data Source:** Most publications and news releases are distributed to subscriber and/or media lists. For print publications, printing is strictly controlled and a count is kept of the number that is printed. Single-page fact sheets, brochures and other customer outreach materials are produced internally on an as-needed basis. These publications are maintained in a database file, as are records of the number of copies disseminated. In addition to the printed fact sheets mailed to customers, a large portion of the information products are produced in electronic format for email distribution and website content. Information Technology (IT) keeps count of information products disseminated via email distribution and a report of the number of information product downloads from the PUC website within the dates required of the measure.

**Method of Calculation:** The number of copies disseminated is tracked by counting the number of copies of printed materials created, and the number of information products distributed through email and website downloads. Copies of fact sheets and other publications are printed on an as-needed basis. A count of the number of publications printed is made. A separate count of the number of publications remaining in the publication slots is made and subtracted from the total number printed. IT provides the number of information products downloaded from the website within the time frame of the measure. The number of information products distributed via email to subscribers within the time frame of the measure is counted. These results are totaled and reported in the measure.

**Purpose/Importance:** The purpose of this measure is to reflect the PUC's efforts to educate and inform the public of their rights as utility customers in Texas, as well as to inform them of PUC activities related to telephone, electric and water and sewer services. This measure is important because it reflects the PUC's progress in meeting the objective to inform customers about their choices, opportunities, and rights pertaining to electric and telecommunications services.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** At or above target.

GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 02 Resolve Complaints Consistent w/Laws & PUC Rules & Orders  
STRATEGY: 01 Assist Customers in Resolving Informal Disputes  
TYPE: EF  
DESC: 01 Average Number of Days to Conclude Customer Informal Complaints

Cross Reference to Prior Biennium Measure Code: EF 02-02-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the average number of days it takes to close complaints that have been investigated using the informal complaint resolution process. A complaint is an oral, written, or electronic communication received by the Public Utility Commission (PUC) expressing a customer's dissatisfaction with an electric, telephone, water, or sewer service provider.

**Data Limitations:** None.

**Data Source:** Files on informal complaints are maintained in an automated database and include, among other things, the date of receipt by the PUC, nature of the complaint, the name of the complainant, the date the complaint is activated, and the date the complaint is concluded.

**Method of Calculation:** The average time to process an informal complaint is determined by dividing the total number of days to process all complaints completed during the reporting period by the number of complaints. The automated database is queried at the end of each reporting quarter to determine the number of complaints concluded during the reporting quarter and the number of calendar days that elapsed between the date received and the date closed, summed for all complaints closed.

**Purpose/Importance:** This measure reflects the efficiency, measured by days, with which the PUC completes investigations of customer informal complaints. Expedious complaint resolution promotes customer confidence in the utility marketplace and the PUC.

**Calculation Type:** Non-cumulative.

**New Measure:** No.

**Desired Performance:** Lower than the target.

GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 02 Resolve Complaints Consistent w/Laws & PUC Rules & Orders  
STRATEGY: 01 Assist Customers in Resolving Informal Disputes  
TYPE: EX  
DESC: 01 Number of Informal Complaints Received for Unauthorized Changes in Service

Cross Reference to Prior Biennium Measure Code: EX 02-02-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of informal complaints received for unauthorized changes in electric or telephone services for practices known as “slamming” or “cramming.” Unauthorized changes in services can include a change in long distance or local telephone service providers, change in electric service providers, charges for voice mail, calling card programs, or internet services.

**Data Limitations:** None.

**Data Source:** Informal complaint files are maintained in an automated database and include, among other things, the date of receipt by the Public Utility Commission (PUC), nature of the complaint, the name of the complainant, the date the complaint is activated, and the date the complaint is concluded.

**Method of Calculation:** The automated database is queried after the end of each fiscal year. The query solicits only the number of complaints categorized as slamming and cramming received.

**Purpose/Importance:** This measure reflects the magnitude of problems customers have with unauthorized changes to customer accounts. In addition, this measure tracks the PUC’s progress in attaining the goal of assisting customers in resolving disputes concerning electric and telecommunications services.

**Calculation Type:** Non-cumulative.

**New Measure:** No.

**Desired Performance:** At or below target.

GOAL: 02 Educate Customers and Assist Customers  
OBJECTIVE: 02 Resolve Complaints Consistent w/Laws & PUC Rules & Orders  
STRATEGY: 01 Assist Customers in Resolving Disputes  
TYPE: OP  
DESC: 01 Number of Informal Customer Complaints Concluded

Cross Reference to Prior Biennium Measure Code: OP 02-02-01.01

**MEASURE DEFINITION FOR FY 2023-2024:**

**Short Definition:** This measure reflects the number of investigated informal complaints that have been concluded using the informal complaint resolution process. An informal complaint is an oral, written, or electronic communication received by the Public Utility Commission (PUC) expressing a customer’s dissatisfaction with an electric, telephone, water or sewer service provider. An informal complaint is documented with the PUC by phone, letter, walk-in, electronically, or fax.

**Data Limitations:** The PUC has no control over the number of informal complaints filed by persons outside the agency against electric, telephone, water, or sewer service providers.

**Data Source:** Informal complaint files are maintained in an automated database and include, among other things, the date of receipt by the PUC, nature of the complaint, the name of the complainant, the date the complaint is activated, and the date the complaint is concluded.

**Method of Calculation:** An informal complaint is activated when PUC Staff sends the service provider the information supplied by the customer. An informal complaint is concluded on the date the investigatory findings are communicated to the complainant as indicated by the date on the letter from the PUC, or the date entered in the database if a response was provided via the telephone or email. The automated database is queried after the end of each reporting quarter to determine the number of activated complaints concluded during the reporting quarter.

**Purpose/Importance:** This measure reflects the magnitude of problems customers have with their utility service.

**Calculation Type:** Cumulative.

**New Measure:** No.

**Desired Performance:** Below the target.

## Agency Use of Historically Underutilized Businesses

The Public Utility Commission (PUC) has an extensive process to maximize the use of Historically Underutilized Businesses (HUBs) for purchasing commodities and services. The PUC purchasers review each individual requisition to determine whether a HUB opportunity exists. If a HUB opportunity does exist, then a procurement method through a HUB vendor will result in the best value for the agency and the State of Texas. The agency HUB Coordinator actively participates in Good Faith Efforts by attending HUB events, forums, and work groups to network with other state agencies and HUB business owners to share strategies on promoting the usage of HUBs.

As possible, the PUC encourages and assists HUBs to register as vendors with the Texas Comptroller of Public Accounts (CPA). The PUC’s website provides links to the CPA website in efforts to assist in the HUB registration and certification process. The website also provides information on the agency’s Mentor/Protégé program and other purchasing related information.

The PUC actively promotes procurement and contracting opportunities with HUBS. Although the PUC is committed to recruitment and promotion of HUB activity, the nature of agency activities limits procurement and contracting to the categories of professional services, other services, and commodities. Due to the 2020 Covid Pandemic, needs for commodities and services dropped significantly resulting in lower HUB percentages for the agency during FY 2020 and FY 2021. As the state continues to recover from the pandemic, the PUC looks forward to increased HUB procurement opportunities for the agency and the State of Texas in the future.

The PUC’s HUB plan is included in Goal C, Indirect Administration, within its budget structure.

### FISCAL YEAR 2021

<b>FISCAL YEAR 2021</b>				
<b>Category</b>	<b>Total \$ Spent</b>	<b>Total HUB \$ Spent</b>	<b>Percent</b>	<b>Statewide Goal</b>
<b>Heavy Construction</b>	-	-	-	11.2%
<b>Building Construction</b>	-	-	-	21.1%
<b>Special Trade</b>	-	-	-	32.9%
<b>Professional Services</b>	-	-	-	23.70%
<b>Other Services</b>	\$439,495	\$27,251	6.20%	26.0%
<b>Commodities</b>	\$266,988	\$44,091	16.51%	21.1%
<b>TOTAL</b>	\$706,483	\$71,343	10.10%	



# PUC WORKFORCE PLAN

## Introduction

The PUC's Human Resources (HR) mission is to provide exceptional HR services by ensuring that employees have a safe and productive work environment, developing subject-matter expertise, developing leadership and management skills, and leveraging innovative HR technology to achieve organizational excellence.

The PUC anticipates significant challenges during the next five years that may impact the PUC's ability to fulfill its mission. As the PUC works in its 5<sup>th</sup> decade of existence, the scope and breadth of the PUC's responsibilities continues to advance into new areas. Although the PUC's regulatory responsibilities have changed regarding the electric and telecommunications industries over the past fifteen years due to increased deregulation of those industries, the water and sewer regulation greatly expanded the range of the Commission's regulatory oversight.

While many of the professionals needed to properly oversee the water functions are similar to the current workforce at the PUC, the work-related knowledge and subject-matter expertise will be vastly different. The issues debated and staff-level work required in water cases can vary greatly from that required for electric cases. For instance, the amount of staff interaction required to ensure sufficient applications are filed will be different for water rate applications than it is for electric applications. The largest water utility has approximately 45,000 connections, which is similar in size to the smallest electric utility, which has roughly 50,000 customers; conversely, the largest electric utility has approximately 3 million meters.

Additionally, the PUC is experiencing pressures on its workforce such as the retention of qualified, experienced employees who may leave the PUC for more lucrative positions with the State and the retirement of highly tenured employees. PUC turnover reached 20.5 percent in fiscal year 2021 and through 8 months of fiscal year 2022, 23 employees have resigned and 2 have retired from the PUC. Currently, 50.8 percent of employees have tenure of 5 years or less. The loss of institutional knowledge continues to be a major issue facing PUC executive management. However, the PUC will continue to discuss methods for attracting and retaining quality employees.

## Supply Analysis: Current Workforce Profile

### A. Critical Workforce Skills

The PUC employs qualified individuals in a myriad of program disciplines. Strong employee competencies are critical to meet ongoing business objectives and goals.

Current critical workforce skills include the following:

#### 1. *Management and Leadership*

- Performance Management
- Planning
- Training and mentoring

#### 2. *Technical Skills*

- Knowledge of applicable federal and state laws and regulations
- Litigation and settlement facilitation
- Rules development
- Investigation
- Market analysis
- Rate setting
- Licensing of providers
- Accounting and financial analysis
- Engineering
- Policy development

#### 3. *Customer Assistance*

- Call center customer service
- Informal complaint resolution

# PUC WORKFORCE PLAN

## 4. *Information Management*

Web development and maintenance  
Database development  
Electronic filing and reporting

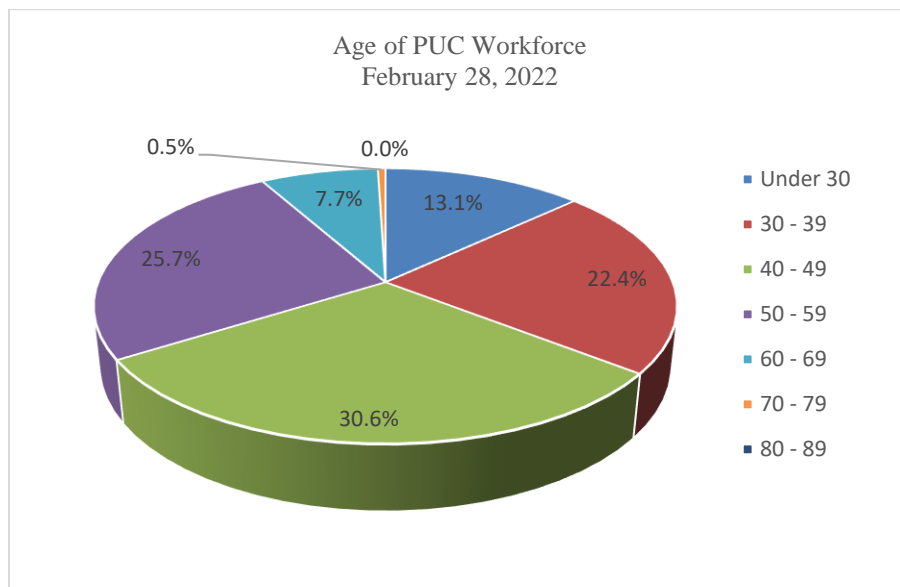
## 5. *Agency Administration*

Fiscal management  
Human Resources management  
Contract management  
Purchasing  
IT Support  
Agency Counsel

## B. *Workforce Demographics*

### Gender and Age

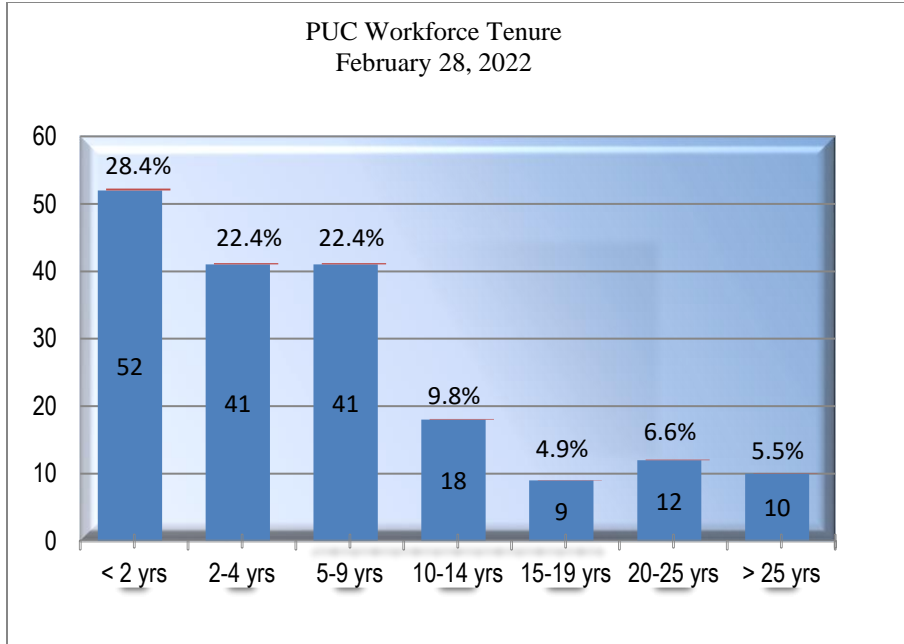
As of February 28, 2022, the PUC had a total of 183 full-time employees and 1 part-time employee. Of the total employees, there were 95 females (51.9%) and 88 males (48.1%). The average age of PUC employees is 44 years, and 118 (64.5%) of the employees are over the age of 40.



### Tenure

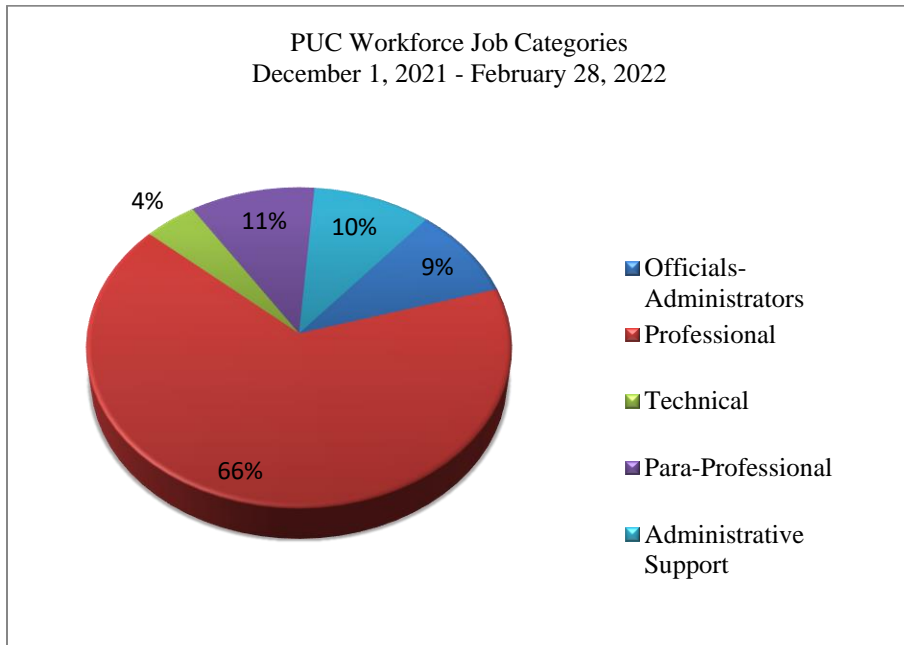
Of the PUC staff, 93 (50.8%) employees have fewer than five years of service with the agency. There are 59 employees (32.2%) with five to fourteen years of service with the PUC and 31 employees (17%) who have fifteen or more years of service with the PUC. The table below reflects tenure of PUC employees. Fifty-two employees (28.4%) have fewer than two years of agency service.

## PUC WORKFORCE PLAN



### Job Categories

The main job categories of PUC employees are identified in the table below. The “Professional” category has the largest number of agency employees, which reflects the qualifications required to accomplish the PUC’s business goals. As a result of these requirements, the PUC has a highly educated workforce with many of the employees holding advanced degrees and credentials.



# PUC WORKFORCE PLAN

## Diversity

The following three tables profile the PUC’s workforce of 183 employees for the second quarter of fiscal year 2022 (December 1, 2020 through February 28, 2022). The workforce comprises 51.9% female and 48.1% male, with an average age of 44 years. The tables compare the African American, Hispanic and female employees in the Commission Workforce to the State Civilian Workforce, as reported by the Civil Rights Division of the Texas Workforce Commission.

Gender – Racial – Ethnic Diversity								
Male	Female	Caucasian American	African American	Hispanic American	Asian American	Two or More	Other	Total
88	95	98	21	49	11	4	0	<b>183</b>
48.1%	51.9%	53.55%	11.47%	26.78%	6.01%	2.19%	0.000%	100%

**All employees on payroll as of February 28, 2022.**

Gender – Occupational Diversity					
Job Category	Male		Female		Female Goal
Administrative	13	61.9%	8	38.1%	38.8%
Administrative Support	0	0%	17	100%	71.6%
Para-Professional*	5	25%	15	75%	N/A
Professional	64	54.7%	53	45.3%	54.5%
Protective Services*	0	0%	0	0%	23.0%
Service Maintenance*	0	0%	0	0%	52.0%
Skilled Craft	0	0%	0	0%	12.0%
Technical	6	75%	2	25%	55.2%
<b>Total</b>	<b>88</b>		<b>95</b>		

Racial – Ethnic – Occupational Diversity														
Job Category	Caucasian American		African American		Goal	Hispanic American		Goal	Asian American		Two or More		Other	
Administrative	16	76.2%	1	4.76%	8.1%	3	14.28%	22.4%	1	4.76%	0	0.0%	0	0.0%
Administrative Support	6	35.29%	4	23.53%	14.3%	7	41.18%	36.4%	0	0.0%	0	0.0%	0	0.0%
Para-Professional*	7	35%	1	5%	N/A	11	55%	N/A	0	0.0%	1	5%	0	0.0%
Professional	64	54.7%	15	12.82%	10.9%	26	22.22%	20.3%	9	7.7%	3	2.56%	0	0.0%
Protective Services*	0	0%	0	0.0%	20.8%	0	0.0%	30.9%	0	0.0%	0	0.0%	0	0.0%
Service/Maintenance*	0	0%	0	0.0%	13.2%	0	0.0%	52.4%	0	0.0%	0	0.0%	0	0.0%
Skilled Craft*	0	0%	0	0.0%	10.2%	0	0.0%	51.5%	0	0.0%	0	0.0%	0	0.0%
Technical	5	62.5%	0	0.0%	14.4%	2	25%	29.2%	1	12.5%	0	0.0%	0	0.0%

Percentage goals represent the State Civilian Workforce, as reported by the Civil Rights Division (CRD) of the Texas Workforce Commission in the EEO/Minority Hiring Practices Report in December 2018. The CRD analyzes the workforce using an 80% benchmark from the EEOC Uniform Guidelines on Employee Selection to determine utilization within each occupational category. Highlighted sections indicate areas in which the percentage of Commission employees in those categories meet or exceed the percentage in the State Civilian Workforce using the 80% benchmark. Shaded sections identify those areas where the percentage of Commission employees in those categories is below the percentage in the State Civilian Workforce using the 80% benchmark.

# PUC WORKFORCE PLAN

When using the EEOC Uniform Guidelines and applying the 80% benchmark, the agency exceeded the percentage goal for Female employees in the Administrative, Administrative Support and Professional occupations. In the ethnic categories, the agency exceeded the goals for African American employees in the Administrative Support and Professional occupations and exceeded the goals for Hispanic American employees in the Administrative Support, Professional, and Technical occupations. The agency did not attain the percentage goal and Female employees are underutilized in the Technical (19.16%) occupations. In the ethnic categories, African American employees are underutilized in the Administrative (1.72%) and Technical (11.52%) occupations and Hispanic American employees are underutilized in the Administrative (3.64%) occupation. The PUC does not employ staff for Protective Services, Service/Maintenance and Skilled Craft occupations.

\*The State category “Para-Professional” is not included since this category is not referenced in the U.S. Bureau of the Census crosswalk. The State category “Protective Services” was extracted from the Census “Service Workers” to become a stand-alone category. The State category “Service and Maintenance” was created by combining the Census categories “Laborers and Helpers” and “Service Workers” (less the “Protective Services” workers and less the “Para-Professional” workers. Prior to 2014, these categories were under one group as “Service/Maintenance” and these categories have been modified to coincide with Chapter 21 of the Texas Labor Code.

### *C. Employee Turnover and Projected Attrition*

Turnover is important in any organization and the PUC is no exception. Throughout its existence, the PUC has faced the difficult challenge of retaining qualified and experienced staff. The PUC turnover averaged 20.3% during FY 2017-2021, however, turnover began to decline beginning in FY 2020 likely due to the COVID-19 pandemic. The following table compares the average PUC turnover to that of all state agencies for the last five years.

<b>EMPLOYEE TURNOVER</b>					
<b>Fiscal Year</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>PUC</b>	16.8%	19.9%	22.6%	21.7%	20.5%
<b>All Agencies*</b>	34.0%	21.5%	23.0%	20.3%	23.3%

\* Information obtained from the State Auditor’s Office E-Class System.

Despite significant statutory post-employment restrictions that apply only to the PUC, the PUC generally experiences turnover due to more lucrative positions in industry-related firms. In FY 2021, the collective turnover in the Attorney, Administrative Law Judge, General Counsel classification series is 27.7%. The turnover in the same classifications averaged 36.6% during FY 2019-2021.

In addition, there are organizational areas in the PUC that generate turnover due to the stressful nature of the work and limited career ladder movement. In prior fiscal years, the Customer Protection Division had difficulty retaining qualified employees due to the stressful nature of the jobs in the PUC call center. Customer Care Representatives in the call center assist customers who are often angry about their telephone or electric service. “Burnout” is associated with call center jobs, and the PUC is continually challenged to minimize the negative effects associated with complaints-related jobs (including employee stress and turnover). In an effort to decrease the stress and turnover, the Customer Protection Division utilizes continuous improvement processes to make changes to work procedures. As a result, there has been a significant improvement in employee morale and drop in turnover in this area in recent years.

#### Length of Service

Among terminating employees in fiscal year 2021, those with five to nine years of service had the highest turnover (33.3%), followed by 25% among employees with two to four years of service, and 22.2% among employees with less than two years of service. Six employees retired from the agency in fiscal year 2021 and two of the six had more than twenty years of service with the PUC.

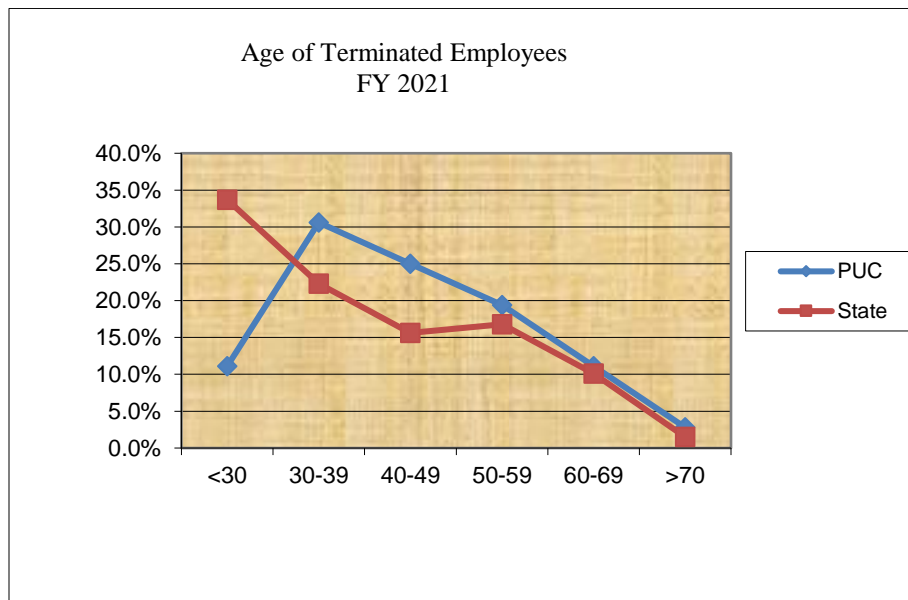
Efforts to decrease turnover and retain staff beyond the first five years should provide greater continuity for PUC operations and allow employees to develop critical agency knowledge for training entry-level personnel.

## PUC WORKFORCE PLAN

Tenure of Terminating Employees Compared To Tenure of All Employees FY 2021				
Tenure in Years	Terminating Employees	% Terminating Employees	All Employees	% All Employees
Less than 2	8	22.2%	44	25.4%
2 – 4	9	25%	37	21.4%
5 – 9	12	33.3%	44	25.4%
10 – 14	4	11.1%	18	10.4%
15 – 19	1	2.8%	9	5.2%
20 – 24	1	2.8%	14	8.1%
25 +	1	2.8%	7	4.1%
<b>Total</b>	<b>36</b>	<b>100%</b>	<b>173</b>	<b>100%</b>

### Age

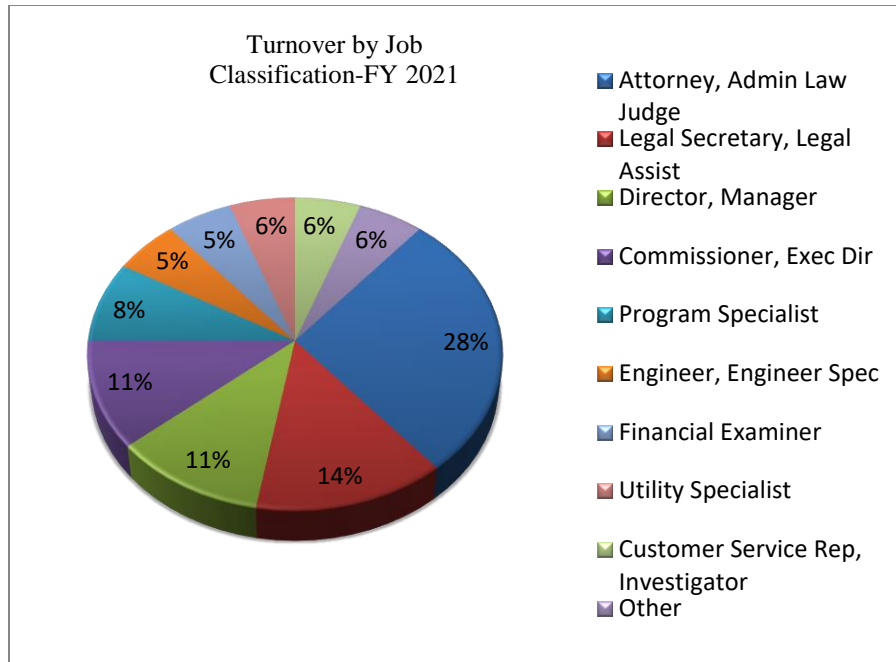
The highest percentage of turnover occurred among employees in the 30-39 years of age group. About 41.7% of the PUC's turnover in FY 2021 were under the age of 40 and 58.3% were over age 40.



### Occupations

During fiscal year 2021, a total of 36 employees separated from employment with the PUC. The table below provides detail for this turnover activity by classification. Of the 36 terminations, the Attorney classification reflected the single greatest turnover rate (27.8%), followed by the Legal Assistant and Legal Secretary (13.9%) classifications. The Director and Manager classification reflected a 11.1% turnover rate and the Program Specialist reflected 8.3%. Collectively, the total turnover rate for fiscal year 2021 was 20.5%.

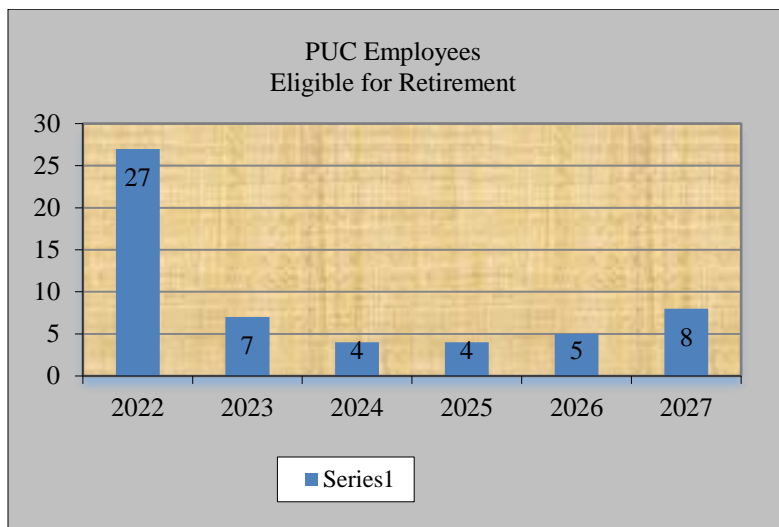
# PUC WORKFORCE PLAN



## D. Retirement Eligibility

Six employees retired in fiscal year 2021. Of the employees potentially eligible to retire prior to FY 2022, twenty-seven remain with the PUC. Based on PUC information, during FY 2022 – 2027, an additional twenty-eight employees (15%) may become eligible to retire from state service. Between now and 2027, a total of 55 employees (30.1%) could potentially leave the PUC based on retirement eligibility.

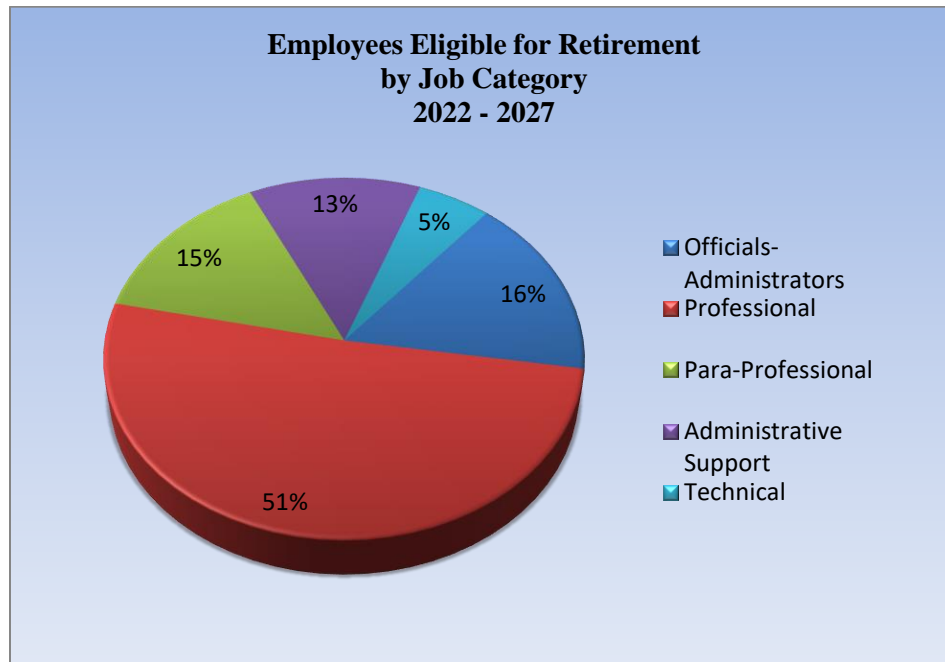
Turnover due to retirement is important to PUC operations because of the loss of institutional knowledge and expertise. It also affects the level of succession planning the organization should implement to attract new employees and train existing staff in key competencies to assume important functions and leadership roles.



# PUC WORKFORCE PLAN

## Retirees by Category

The largest percentages of employees who may become eligible to retire over the next five years are in the *professional* (50.9) category. The second largest percentage of employees potentially eligible to retire is in the *officials-administrative* (16.4%) and *para-professional* (14.5%) categories. Turnover as a result of retirement eligibility could have a significant impact on high-level key positions. Eight employees (14.5%) in key management positions could be eligible to retire over the next five years. All of the key management employees are in the *officials-administrative* category and 5.5% are currently eligible to retire due to the Rule of 80.



## Projected Attrition

In fiscal year 2021, the PUC had a 20.5% turnover rate which is a 1.2 percentage point decrease from fiscal year 2020. As of April 30, 2020, twenty-three (12.4%) employees have terminated their employment with the PUC.

As market conditions begin to improve in central Texas over the next five years and as the economy strengthens, the PUC anticipates that retaining high quality staff will continue to be a challenge. Additionally, energy and communications industries are also experiencing a well-publicized aging of their workforces, potentially leading to an increased demand in the private sector for the unique knowledge and skills that PUC employees possess. The decrease in state benefits provided to state employees also impacts the ability of state agencies to attract and keep qualified employees.

## **Demand Analysis: Future Workforce Profile**

### *A. Critical Functions*

- Economists and Market Analysts
- Regulatory Accountants and Financial Analysts
- Utility Infrastructure Analysts and Engineers
- Enforcement (Investigators and Attorneys)

### *B. Expected Workforce Changes*



# PUC WORKFORCE PLAN

The changing demands in the PUC’s oversight role in a market competition environment within the electric, telecommunication, water and sewer utility industries will create more emphasis on recruiting and retaining employees as economists, market analysts, enforcement investigators, attorneys and engineers. Historically, the PUC has had trouble in recruiting and retaining these professional positions because the labor market in Austin and in these industries has been strong and PUC has not been able to compete with private sector compensation.

## *C. Future Skills Needed*

The PUC will continue to maintain a highly educated professional workforce. Knowledge, skills and abilities central to the core functions of the PUC will remain an integral part of employee qualifications. The PUC does not anticipate significant changes in the critical workforce skills required of its workforce over the next five years.

## *D. Anticipated Employee Increases and Decreases*

The PUC anticipates operating below the agency’s FTE cap for the remainder of the biennium. The PUC plans to fill as many vacancies as possible by the end of August 2022. Depending on the Comptroller’s economic outlook for Texas in 2024-25, the PUC will seek additional funding to increase staff levels to address an increasing workload, particularly in the regulation of water utilities.

## *E. Future Critical Functions*

The changing demands in the PUC’s oversight role in a market competition environment within the electric and telecommunication industries will drive changes to the PUC’s future critical functions relating to those two industries. Fewer resources are allocated for traditional regulatory functions, such as ratemaking activities, than in the past. More resources are being allocated for market oversight, enforcement, and customer assistance.

Additionally, resources historically devoted to electric and telecommunications market activities are being reallocated to providing regulatory oversight of the water and wastewater industries. Ensuring that the PUC has adequate resources to fulfill its obligations to effectively regulate the water and wastewater industries is critical to the PUC achieving its goals in effectively overseeing all of the industries under its purview.

## **Gap Analysis**

An examination of the workforce data indicates the PUC may face the loss of its institutional knowledge and expertise through retirements and loss of employees to the private sector. The ability to offer a combination of salary and employee benefits that will attract and retain employees with the necessary education and experience will be a key factor in the success of the PUC’s workforce.

## **Strategy Development**

The PUC has developed workforce goals to address the potential deficit between the current workforce and future demands. The strategies will need to be assessed periodically to determine their effectiveness in achieving the PUC’s workforce goals.

**GOAL ONE:** Recruit professionals with the requisite skills to complement the PUC’s existing workforce and take steps to retain these professionals.

**Rationale:** The demand for educated, licensed or certified staff in the electric and telecommunication industries requires special agency efforts. Competition with the private sector for the same labor supply creates a disadvantage for state agencies due to salary differences.

**Action Steps:**

- Continue to market the “total” state compensation and benefits program to potential applicants and employees.

# PUC WORKFORCE PLAN

- Human Resources and division directors will participate in university sponsored career fairs, locate free advertising with associated and minority organizations, appropriate technical educational institutions, and Work In Texas (Texas Workforce Commission), DiversityJobs.com, Governmentjobs.com, the Texas State Bar Association, Simplicity, Handshake, HBCU Connect, LinkedIn, Indeed and other social media platforms to aggressively recruit qualified minority males, females, and people with disabilities.
- Expand the PUC's volunteer internship program to alert and encourage qualified minority males, females, and people with disabilities to apply.
- Improve recruiting techniques by streamlining application procedures and reviewing applicant flow data to target sources that will assist with hiring employees in underutilized job categories.
- Require managers to work with new employees to attempt to align PUC employment opportunities with the employee's individual career goals.

**GOAL TWO:** Retain qualified and experienced staff ensuring smooth business operations and excellent customer service.

**Rationale:** The PUC's experience with high turnover in a competitive market for certain skills supports the need for this goal.

- Action Steps:**
- Increase employee career planning assistance through training programs and participation in continuous professional development initiatives that enhance the employee's current job performance and future opportunities within the PUC.
  - Ensure that managers and supervisors, especially those new to these responsibilities, have adequate training in how to recruit, train and retain quality staff.
  - Manage available funds to award merit increases to provide a fair balance of rewarding employee performance and maximizing retention of key personnel.

**GOAL THREE:** Review FTE allocations to ensure conformance to current PUC priorities and workload.

**Rationale:** Varying workload demands and shifting priorities can change the appropriate allocation of PUC resources.

- Action Steps:**
- Continue to assess all vacancies created by employee departures to determine whether the position should be modified or relocated in the PUC.
  - When a need for additional staffing in a given area is identified and vacant positions are not available, offer current employees the opportunity to relocate within the agency.
  - Encourage employees to cross train in related skill areas to provide flexibility in staff assignments.

**GOAL FOUR:** Develop a formal PUC succession plan.

**Rationale:** It is critical that the PUC have a leadership development program and identify potential staff with leadership and other critical skills in the event the PUC experiences the loss of key staff members in leadership or critical positions (through retirement or otherwise).

- Action Steps:**
- Continue to concentrate on leadership development across the PUC.
  - Identify training programs that focus on development of needed critical skills and competencies.
  - Develop skills of staff level employees through training and mentoring to provide in-house candidates for management positions that become available.
  - Identify capable successor candidates interested in leadership and critical positions early and provide appropriate opportunities for growth.

## Conclusion

## **PUC WORKFORCE PLAN**

During the next five years, the PUC must ensure that it does not experience a deficit in leadership and knowledge talent. As the labor force segment age 25 to 34 years declines, there will be fewer younger workers to fill vacant positions. Also, Texas population is projected to grow from 30 million in 2022 to more than 54.4 million by 2050, increasing demands for state and local government services, as well as demands for utilities.

Available talent, as well as the state's ability to develop and retain a competent, qualified workforce will be a limiting or enabling factor for state government in general. An effective workforce plan will translate into successful strategic goal achievement, program initiatives and sustained momentum for efficient, well-run agencies. The PUC's strategies encompass a realigned workforce plan to meet future business objectives by developing an effective succession management and talent retention program.

## Biennial Report on Customer Service – 2020-2022

In accordance with Texas Government Code, Chapter 2114, the Public Utility Commission of Texas (PUC) has completed this report on customer service, including a survey to measure customer satisfaction with the PUC during the period of May 1, 2020, to April 30, 2022. In addition, this report includes statistics related to services provided by the PUC’s Customer Protection division which includes its Intake Center. During this reporting period, Texas experienced an unprecedented weather event that severely affected utility customers statewide, and the effects of Winter Storm Uri are reflected in this report.

Texans suffered through an extreme weather event in February 2021, and millions of Texas were affected by a loss in power during Winter Storm Uri. The PUC responded to this crisis, but customer satisfaction with the agency was severely affected in the weeks and months following the storm and continuing today. The PUC has been working to address issues and concerns with the electric grid, while continuing to address the needs of water and telecommunications customers and industry partners. Customer dissatisfaction with the agency during and after the storm is clearly reflected in the customer service survey results for this period, with significantly lower-than-normal customer satisfaction recorded.

Winter Storm Uri greatly increased the number of calls, emails, and online complaints received from customers beginning on February 12, 2021. To facilitate the increased volume, the PUC temporarily repurposed staff to assist with the intake of complaints. The increased volume then impacted the number of informal complaints closed.

The data tables below display PUC Intake Center statistics for the survey period as a whole, and a subset of statistics showing the high volume immediately after Winter Storm Uri.

### Data Tables – PUC Intake Center

<b>May 1, 2020 - April 30, 2022</b>	
<b>Category</b>	<b>Performance Output</b>
Number of Calls Answered	63,424
Average Time In Queue	24 seconds
Average Call Time	4 minutes 32 seconds
Total Number of Emails Received	19,122
Total Number of Closed Complaints	18,430
Total Refunds to Consumers	\$2,040,468.97

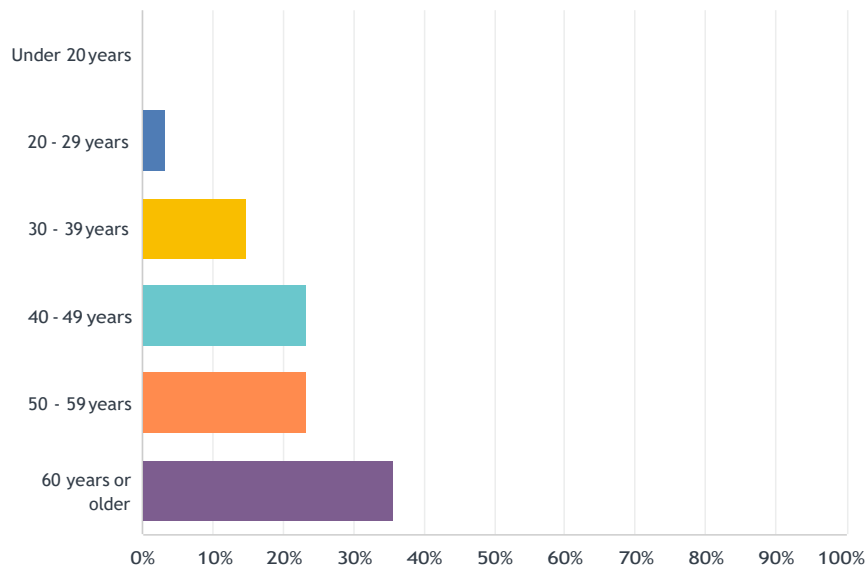
<b>February 1, 2021 - July 31, 2021 (Post-Uri)</b>	
<b>Category</b>	<b>Performance Output</b>
Number of Calls Answered	17,786
Average Time In Queue	37 seconds
Average Call Time	4 minutes 25 seconds
Total Number of Emails Received	7,224
Total Number of Closed Complaints	6,485
Total Refunds to Consumers	\$584,912.70

## Opportunities for Improvement

The PUC is undertaking a number of improvements to increase customer satisfaction. The PUC is in the planning stages of a complete website redesign, which will make information more easily accessible to the public and its industry partners. The website redesign will also consider how the customer service survey is made available and how the PUC might increase its response rate and actionable suggestions for improvement. Meanwhile, the PUC continues to address the underlying issues affecting customers' perceptions of the PUC and improve their ability to interact with the PUC efficiently and effectively. The PUC intends to request additional resources in the Legislative session to improve its service delivery to customers.

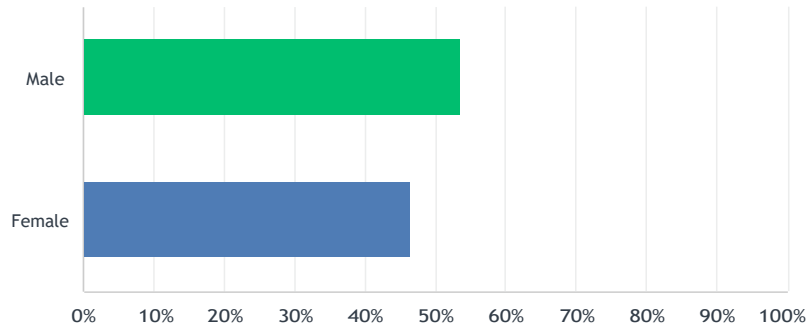
## Customer Service Survey Results and Analysis

### Q1 My Age:



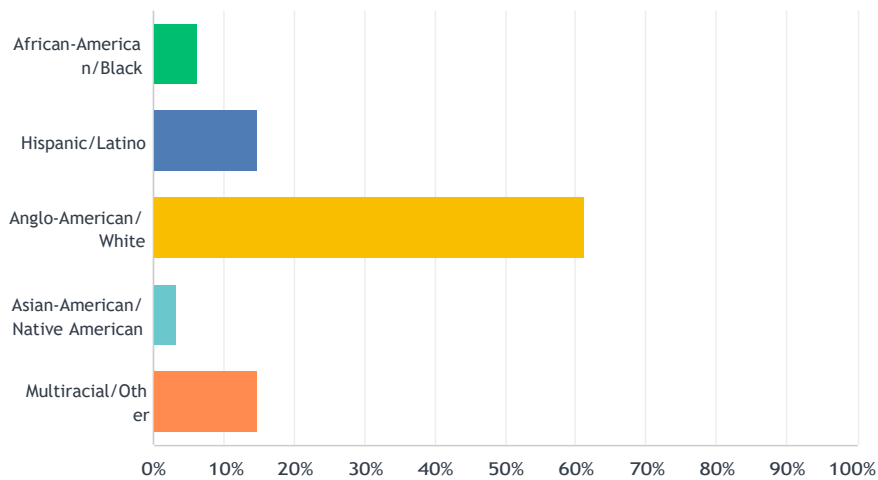
The average age of respondents is roughly equivalent to the past two survey periods, with the bulk of respondents over the age of 50.

### Q2 I am a:



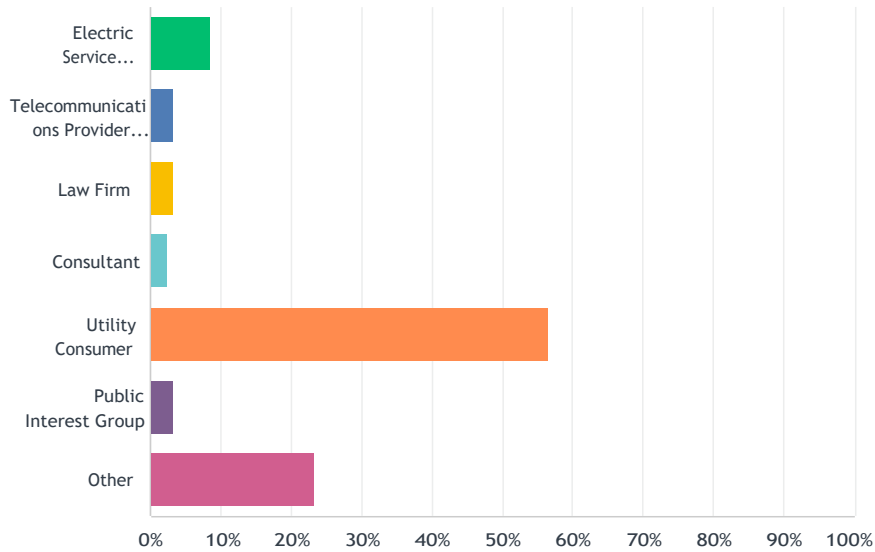
The gender breakdown of respondents for this period is approximately the same as it was during the 2020 survey period.

### Q3 My race/ethnicity is:



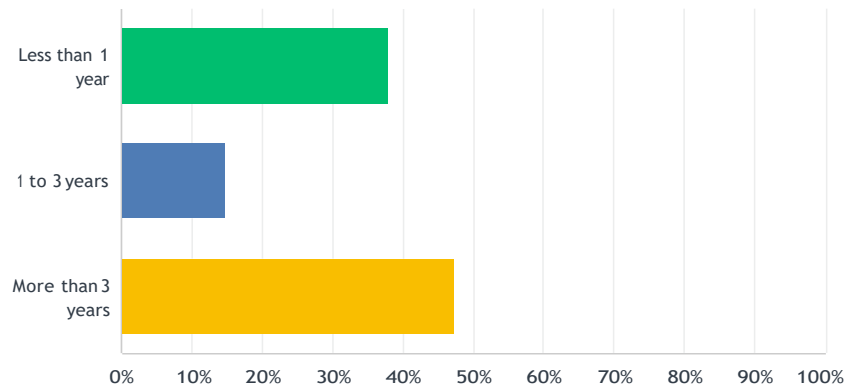
The percentage of non-Anglo, non-white survey respondents was 39%, compared to 43% in the 2020 report. Although slightly decreased in 2022, these statistics are still higher than in the past. For comparison purposes, the 2018 percentage of non-Anglo, non-white respondents was 27%.

#### Q4 Indicate the category which best describes you:



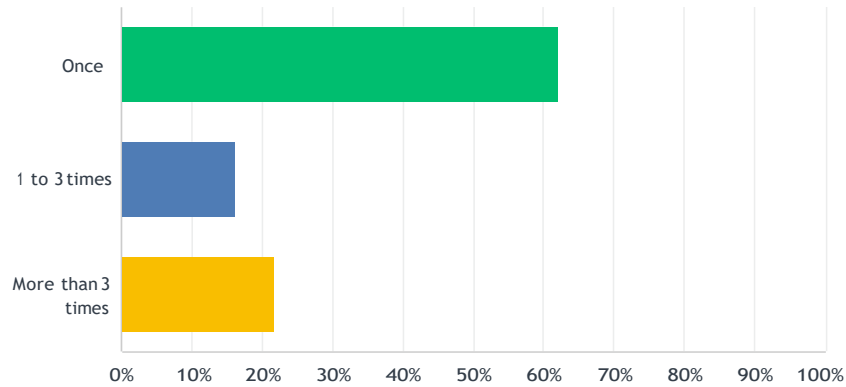
For the third consecutive reporting period, utility consumers represent over half the respondents to this survey. The PUC understands the importance of providing a positive experience for utility customers as they interact with the agency. The PUC is adding “Water Utility Provider” as a response category to this question to provide more insight into the “Other” category of respondents.

#### Q5 Number of years interacting with this agency:



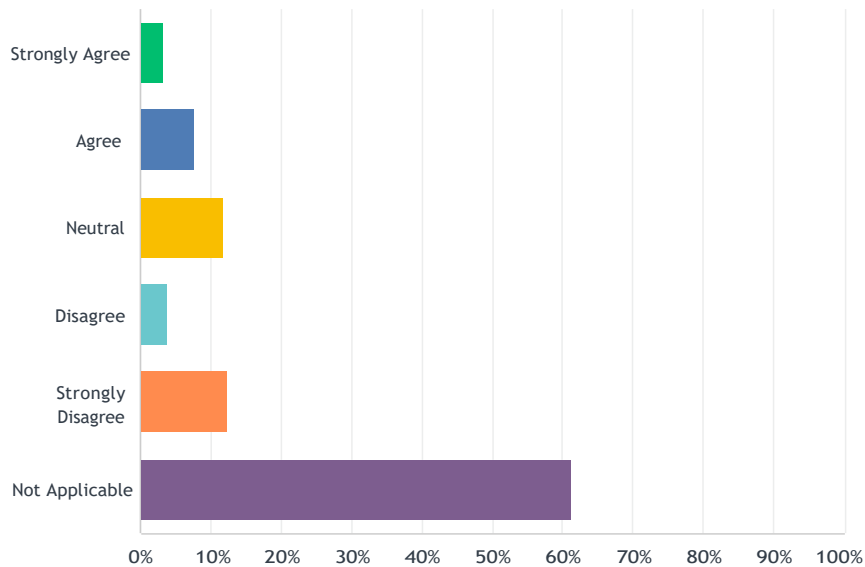
The percentage of customers interacting with the PUC in these categories has remained constant for the third consecutive reporting period.

### Q6 Times in contact with this agency in the last 12 months:



The percentage of customers with one interaction with PUC is significantly higher than in past years. This is not surprising given that a spike in survey responses was received in the immediate aftermath of Winter Storm Uri in February 2021.

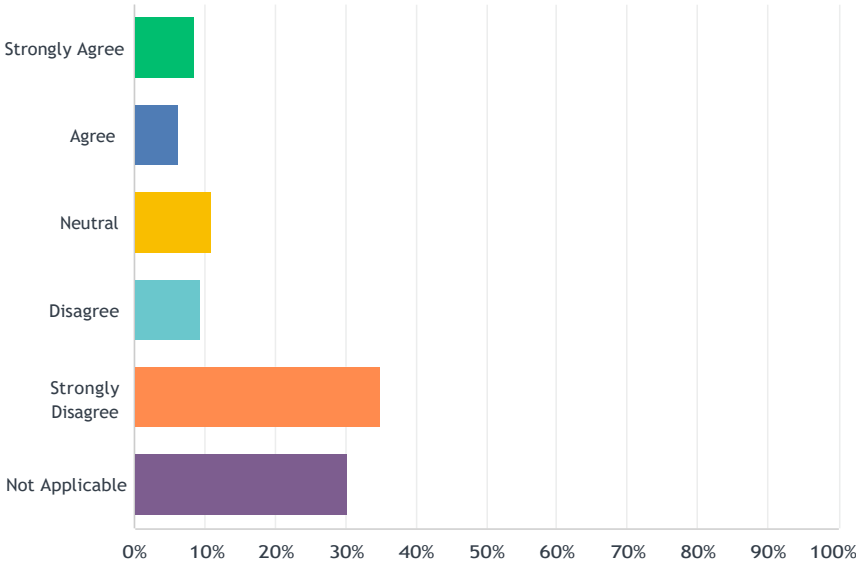
### Q7 The facility was clean, orderly and accessible.



Most respondents did not have an opinion of the PUC’s facility because interaction with customers was largely handled online or on the phone, rather than in person.

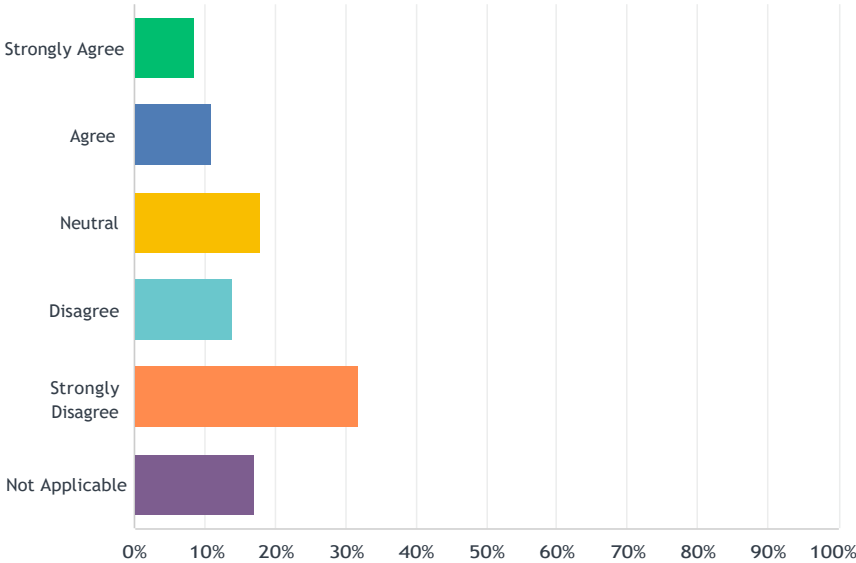


**Q8 Staff members were knowledgeable, helpful and readily identified themselves.**

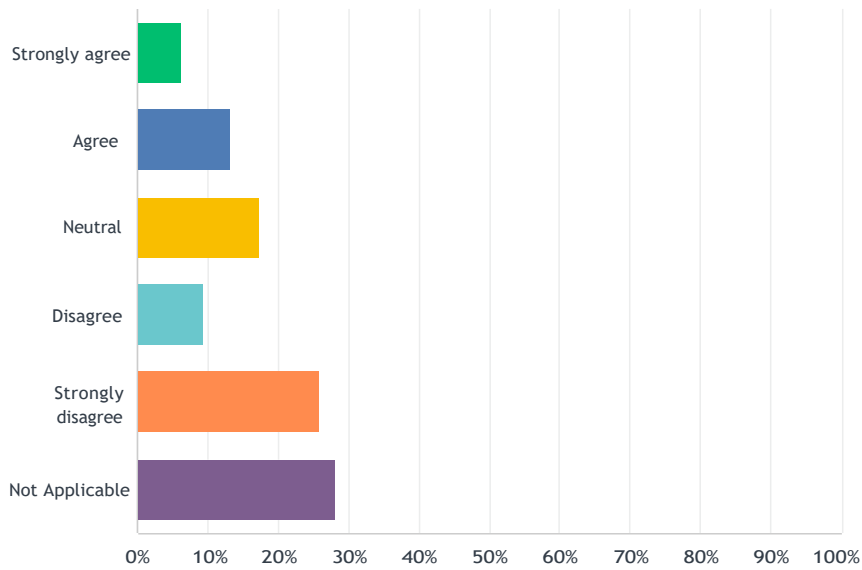


Satisfaction with customer service provided by staff members was significantly lower during this reporting period than in past years. The PUC will continue to review comments provided by survey respondents to see where customer concerns can be addressed. It should be noted that 41% of survey responses during this two-year reporting period were received in February-March 2021, in the immediate aftermath of Winter Storm Uri, and lower overall customer satisfaction due to the storm was anticipated.

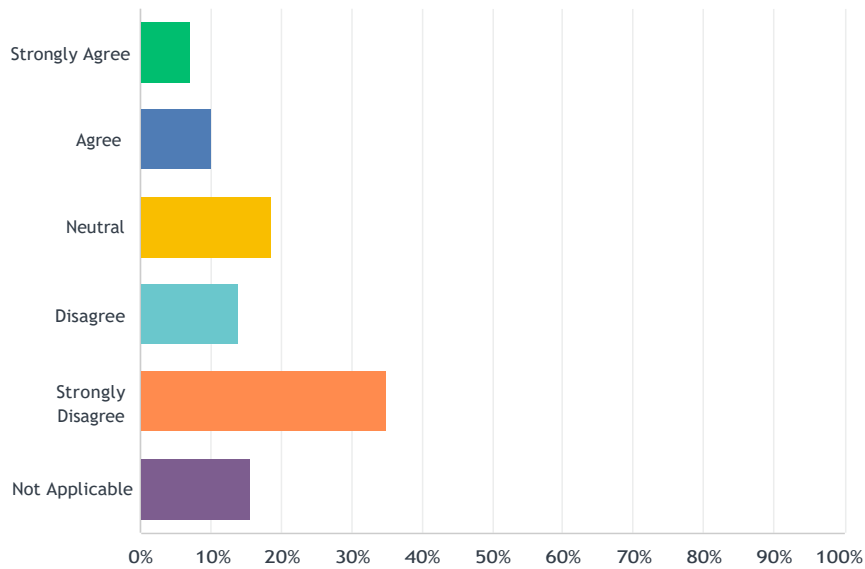
**Q9 The web site was easy to use and well organized.**



Q10 The web site was easy to access and use on my mobile device.

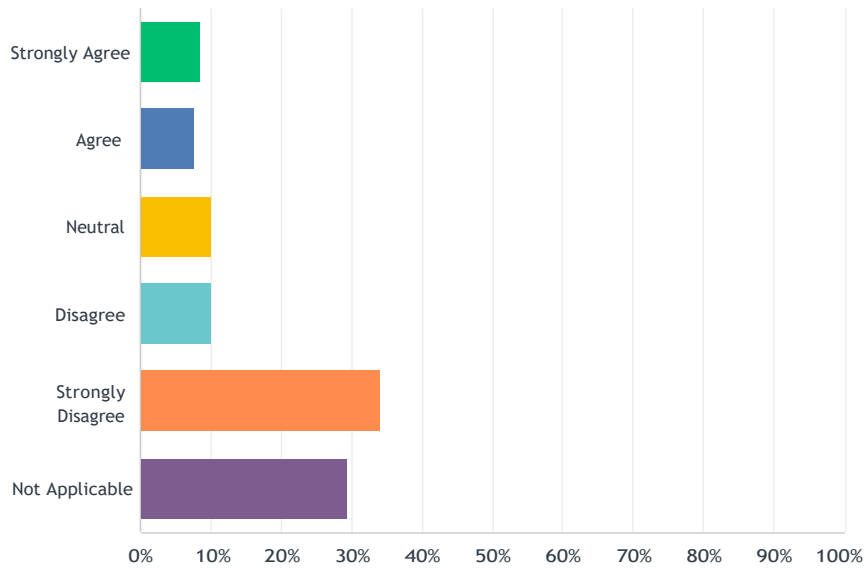


Q11 The web site contained clear and accurate information on events, services and contact information.

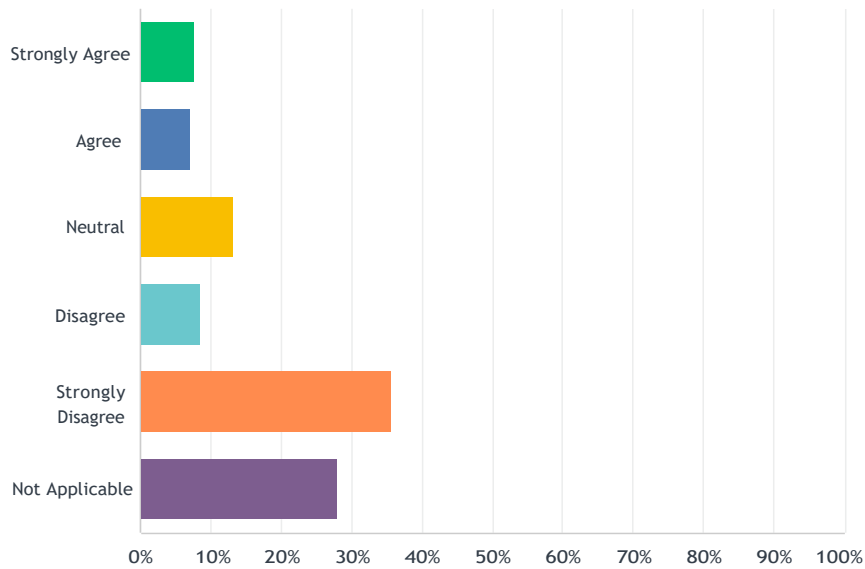


A significant increase in customer dissatisfaction with our website is reflected in this reporting period in questions 9-11 on the survey. The PUC is responding to these results, and a complete redesign of the PUC's public-facing web presence is planned for FY2023.

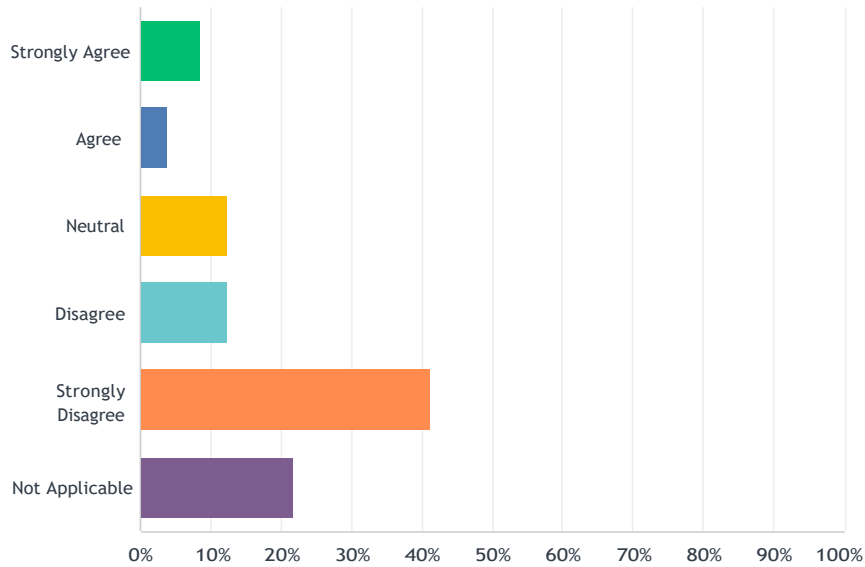
Q12 My telephone call, e-mail or letter inquiry was routed to the proper person.



Q13 My telephone call, letter or e-mail inquiry was answered in a reasonable amount of time.

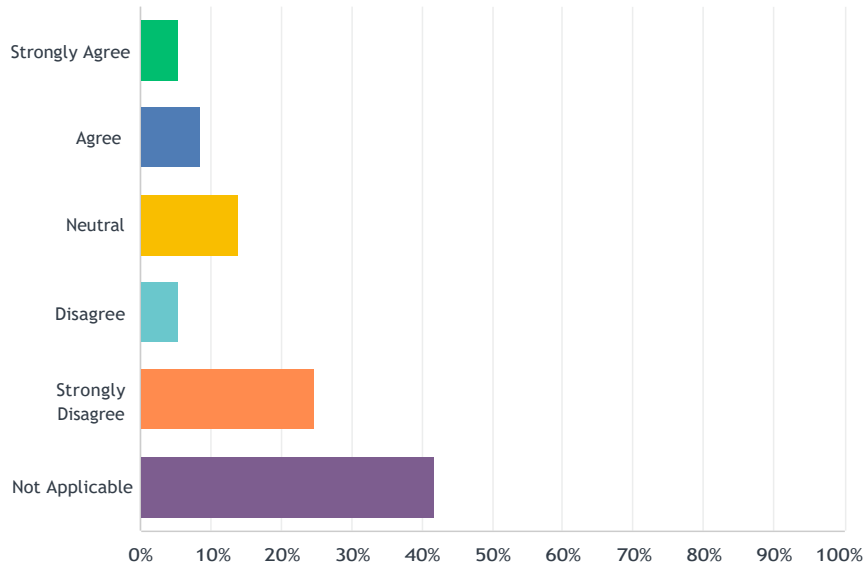


### Q15 My inquiry to the agency was addressed in a reasonable manner.



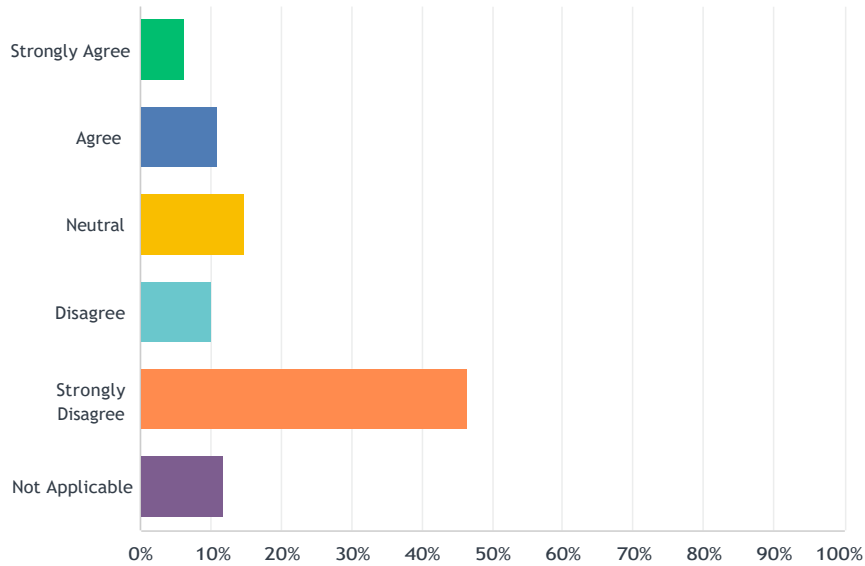
As noted above, 41% of survey responses for the 2020-2022 reporting period were received in February and March of 2021, immediately after Winter Storm Uri. Customers indicate a sharp decline in overall satisfaction with PUC’s customer service in questions 12, 13, and 15. The PUC is reviewing customer comments associated with these survey responses, as well as addressing customer concerns received via its Intake Center, and the agency is hopeful that survey results in the next reporting period will positively reflect these efforts.

Q14 Printed brochures or written material provided thorough and accurate information.



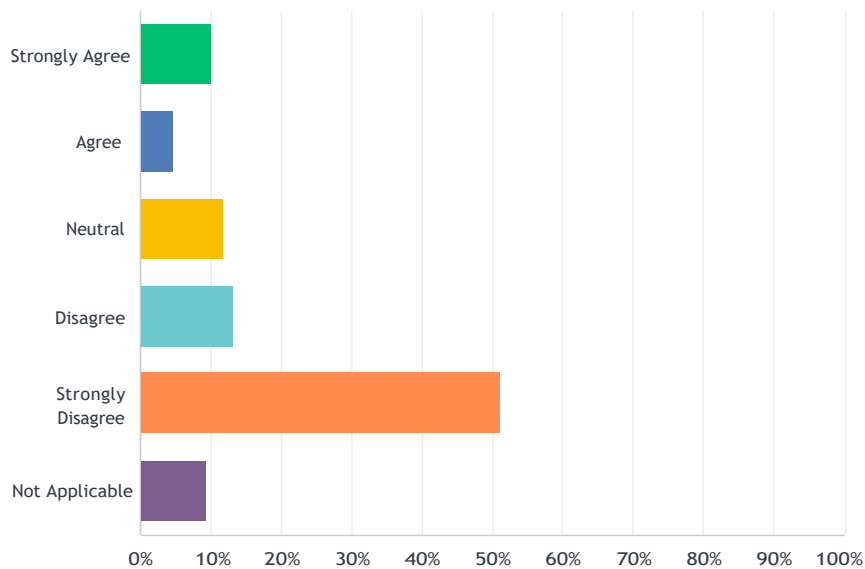
Responses to this question continue the trend of decreased customer satisfaction with the agency, but it should be noted that during this reporting period, which encompassed the COVID quarantine restricted period, very few printed materials were provided to customers, compared to the volume of information provided electronically. PUC will update this question for the next reporting period to include information provided electronically.

Q16 This organization makes it easy to give suggestions or to make a complaint.



The overall trend of greater customer dissatisfaction continues with this question, with a significantly larger percentage of negative responses than positive ones. The PUC is reviewing the associated customer comments for items that can be addressed, and PUC will assess the ease of making complaints and providing feedback with the redesign of the public-facing website.

Q17 Overall, I am satisfied with my experience.



The overall trend of sharply decreased customer satisfaction is reflected in this summary question. As noted, 41% of total survey responses within the current two-year reporting period were received in February-March 2021, immediately after Winter Storm Uri. The agency is continuing to monitor this survey and route responses to the appropriate leadership teams for consideration. Improving customer satisfaction with the PUC is a top agency priority, which the agency is tackling in multiple avenues. The PUC is hopeful that the next survey will reflect improvement.