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WAYNE CHRISTIAN, *COMMISSIONER*
JIM WRIGHT, *COMMISSIONER*



DANA AVANT LEWIS, *DIRECTOR*

RAILROAD COMMISSION OF TEXAS

HEARINGS DIVISION

August 24, 2021

TO: All Parties of Record

Re: **OS-21-00007061**, *Consolidated Applications for Customer Rate Relief and Related Regulatory Asset Determinations in Connection with the February 2021 Winter Storm*

HEARINGS LETTER NO. 05

Customer Notice

Attached is the Ruling Requiring Special Customer Notice, issued today.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Dodson", with a long horizontal flourish extending to the right.

John Dodson
Administrative Law Judge

Attachment

cc: Service List

Service List

OS-21-00007061,

Consolidated Applications for Customer Rate Relief and Related Regulatory Asset Determinations in Connection with the February 2021 Winter Storm

Administrative Law Judge John Dodson
Technical Examiners: James Carrier, Rose Ruiz

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16 TEX. ADMIN. CODE § 1.7 (Ex Parte Communications):

- (a) *Ex parte communications are prohibited in contested cases as provided in the APA and other applicable rules including the Texas Disciplinary Rules of Professional Conduct.*
- (b) *Each party shall provide all other parties with a copy of all documents submitted to an examiner.*
 - (1) *The attachment of a certificate of service stating that a document was served on a party creates a rebuttable presumption that the named party was provided a copy.*
 - (2) *Failure to provide a copy to all other parties may result in rejection and return of the document without consideration.*

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**CONSOLIDATED APPLICATIONS FOR
CUSTOMER RATE RELIEF AND RELATED
REGULATORY ASSET DETERMINATIONS
IN CONNECTION WITH THE
FEBRUARY 2021 WINTER STORM**

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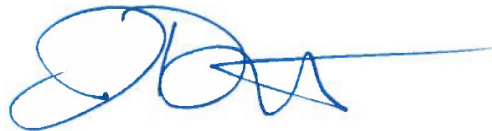
OS-21-00007061

RULING REQUIRING SPECIAL CUSTOMER NOTICE

Pursuant to Commission Rule § 7.235 (Publication and Service of Notice),¹ all utility applicants are hereby directed to provide their customers the Special Notice to Utility Customers (appended to this ruling)² in a manner consistent with GURA Section 104.103(b) (mail or email) and Commission Rule § 7.230(d).³ The Special Notice to Utility Customers shall be the only information contained on the piece of paper on which it is written and may be provide along with normal billing statements. Utilities are directed to accomplish this notice promptly and not later than Friday, September 24th, and shall file a certification of compliance the next week. By this same deadline, applicant utilities also are directed to publish the Special Notice to Utility Customers, along with their non-confidential application materials, on their respective websites, in conspicuous form, such that customers or other members of the public can locate and view these materials easily.

Compliance with this Order ensures transparency and timely dissemination of case information to affected utility customers, and so expenses associated with compliance are reasonable and necessary.

Signed on August 24, 2021.



**JOHN B. DODSON
ADMINISTRATIVE LAW JUDGE**

¹ See Commission Rule § 7.235(b)(2) (in proceedings other than rate setting, the Commission “may require the applicant to mail or deliver notice to other affected persons or agencies.”).

² Each of the utility applicants provided a draft proposed customer notice in its initial application filing. This uniform notice avoids 11 different versions of customer notice in circulation for a proceeding now consolidated.

³ Commission Rule § 7.230(d) (“In the event that the utility becomes aware that notice by e-mail has failed, the utility must provide notice to the affected customer by mail within 30 days of the date notice ... is issued.”).

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**CONSOLIDATED APPLICATIONS FOR
CUSTOMER RATE RELIEF AND RELATED
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IN CONNECTION WITH THE
FEBRUARY 2021 WINTER STORM**

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OS-21-00007061

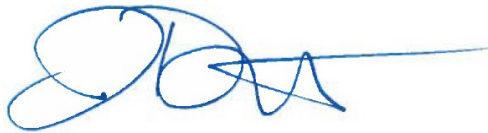
SPECIAL NOTICE TO UTILITY CUSTOMERS

No action is required on your part. You are receiving this notice because your gas utility service provider has filed an application with the Texas Railroad Commission (the state agency with regulatory oversight authority over Texas gas utilities) to recover certain extraordinary costs incurred in connection with the February 2021 Winter Storm Uri.

After the winter storm, the Texas Legislature enacted and Governor Abbott signed into law H.B. 1520, which created new rate relief measures designed to reduce bill impacts for customers. This law allows affected utilities to recover through securitization financing their qualifying extraordinary costs incurred to provide service during Winter Storm Uri. A total of 11 gas utilities timely filed applications for such relief: AgriTexGas, Atmos, Bluebonnet, CenterPoint, Corix, CoServ, EPCOR, NatGas, SiEnergy, TGS, and UniGas. These applications, initially docketed individually, later were consolidated into a single docket, captioned above, for administrative efficiency and because they involved common questions of fact and law. As alleged in their respective applications, these utilities expect that the use of securitization financing will provide the most cost effective and affordable method of recovering these costs from customers.

Procedurally, these applications have not yet been adjudicated and are pending before the Railroad Commission, with a merits hearing scheduled to occur in Austin from November 2-3, 2021. This docket already is heavily contested, with formal participation by numerous intervening parties, each represented by legal counsel, including the Railroad Commission's own staff and several coalitions of cities comprised, in total, of over 200 member cities located throughout Texas. Additionally, all 11 utilities have been ordered to provide this Special Notice to customers likely to be affected by their respective applications and requested relief, if approved. You can find information on practice and procedures on the Hearings Division's website (<https://www.rrc.state.tx.us/hearings/>), as well as view all the public filings made in this case by following the CASES links and searching for this docket's number ("7061"). I have also directed these utilities to publish their non-confidential application materials on their respective websites.

Sincerely,



**JOHN B. DODSON
ADMINISTRATIVE LAW JUDGE**