

## Duplicative PUC Report on Electric Customer Complaints

**AECT Position: Oppose as Filed**

**HB 1092 by Syl. Turner**

### Proposal

- HB 1092 would require the Public Utility Commission (PUC) to annually report on categories of complaints made by residential customers. The report would list complaint data by retail electric provider (REP), list complaints specific to pre-paid payment options, analyze complaint data compared to previous years and make recommendations related to the findings.

### Discussion

- **Complaint information is readily available today.** Both the PUC's agency website and [www.PowertoChoose.org](http://www.PowertoChoose.org), the PUC's electric choice portal, already post overviews of complaint information, including a monthly "complaint scorecard," and a history of complaints and types of complaints over time. The PUC also provides an update on customer complaint information in its biennial "Scope of Competition in Electric Markets in Texas" report.
- **Further highlighting complaints regardless of merit makes REPs "guilty until proven innocent" and deprives them of due process.** PUC informal complaints are categorized based on an initial concern raised with the PUC, not the ultimate resolution. In fact, less than 1/5<sup>th</sup> of 2014 customer complaints initiated with the PUC were even referred to its Enforcement Division for further review. The "guilty until proven innocent" tactic of publicizing initiated complaints could drive customers away and damage a REP's business.
- While much of the proposed data is already available, the analysis and legislative recommendations described in HB 1092 **would create new administrative and fiscal burdens on the PUC.**

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## Example of Complaint Information Available Today: Power to Choose “Complaint Score”

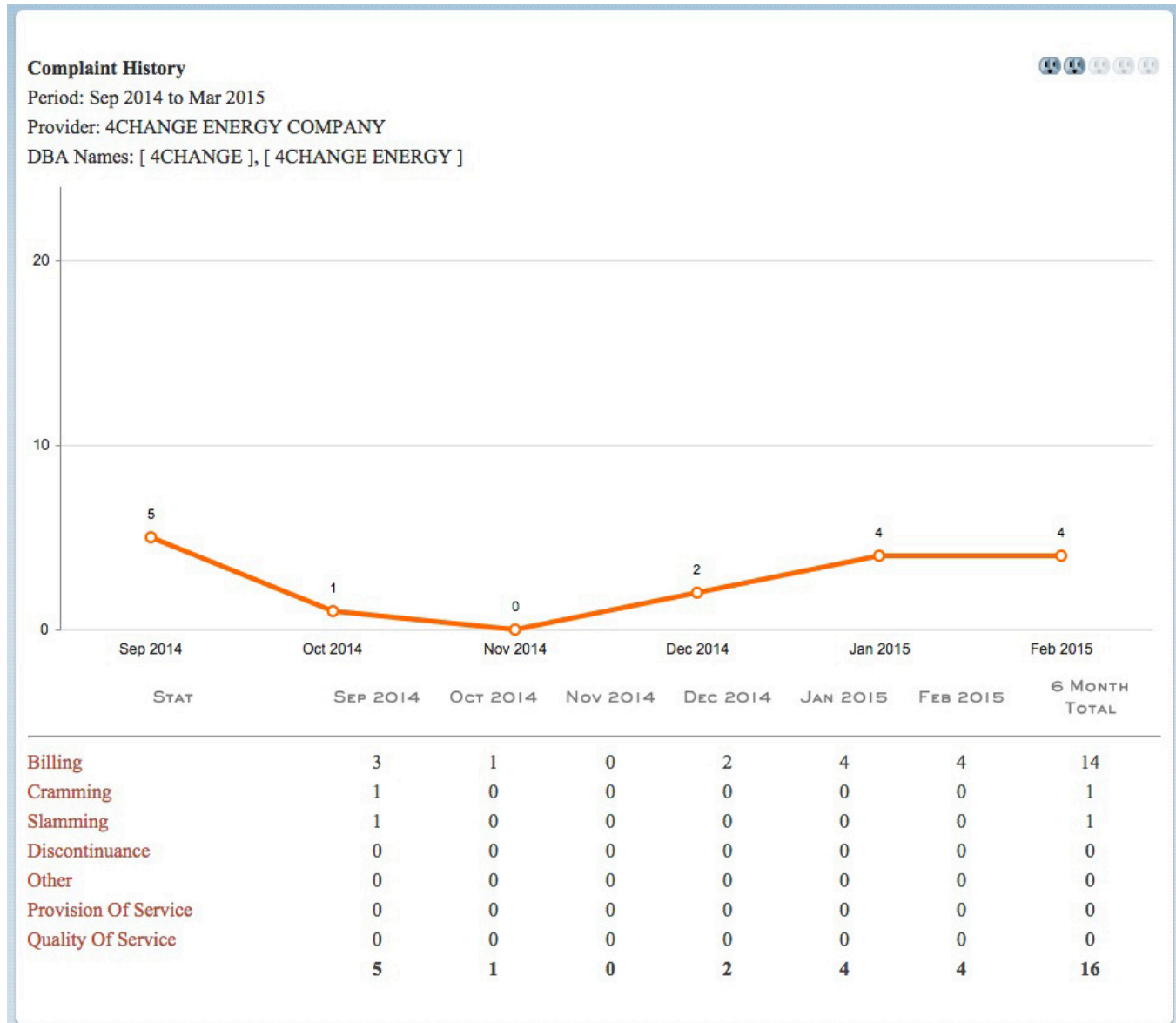
On Power to Choose, the PUC includes a “Complaint Score,” which is the REP’s complaint ratio with the complaint ratios of other REPs.

COMPARE	Company	Plan Details	Price/kWh	Pricing Details	Ordering Info
<input type="checkbox"/>	Gexa ENERGY	<ul style="list-style-type: none"><li>Gexa Choice Conserve 8</li><li>Fixed Rate</li><li>8 Months</li><li>6% Renewable</li></ul>	1,000 kWh <b>5.4¢</b> 500 kWh 2000 kWh 0.4¢ 10.7¢	Minimum Usage Fees / Credits Cancellation Fee: \$150.00 Fact Sheet Terms of Service	Special Terms (866) 329-4392 OR SIGN UP
<input type="checkbox"/>	Starflex POWER	<ul style="list-style-type: none"><li>Star "Secure" 3 month plan</li><li>Fixed Rate</li><li>3 Months</li><li>10% Renewable</li></ul>	1,000 kWh <b>5.6¢</b> 500 kWh 2000 kWh 8.1¢ 5.3¢	Minimum Usage Fees / Credits Cancellation Fee: \$100.00 Fact Sheet Terms of Service	Special Terms (877) 890-9758 OR SIGN UP
<input type="checkbox"/>	pennywise POWER	<ul style="list-style-type: none"><li>Wise Buy 4</li><li>Fixed Rate</li><li>4 Months</li><li>6% Renewable</li></ul>	1,000 kWh <b>5.7¢</b> 500 kWh 2000 kWh 8.2¢ 5.4¢	Minimum Usage Fees / Credits Cancellation Fee: \$75.00 Fact Sheet Terms of Service	Special Terms (855) 265-9153 OR SIGN UP

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## Example of Complaint Information Available Today: Power to Choose Chart of Complaints Over the Past Six Months



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## Example of Complaint Information Available Today: PUC's "Scope of Competition in Electric Markets in Texas"

Figure 3. Total Complaints Received - September 2005 through August 2014

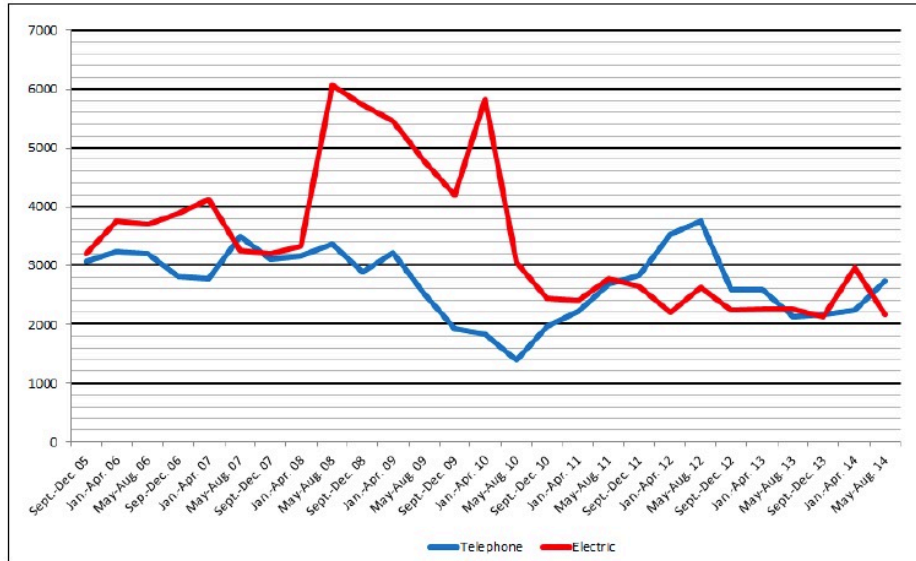
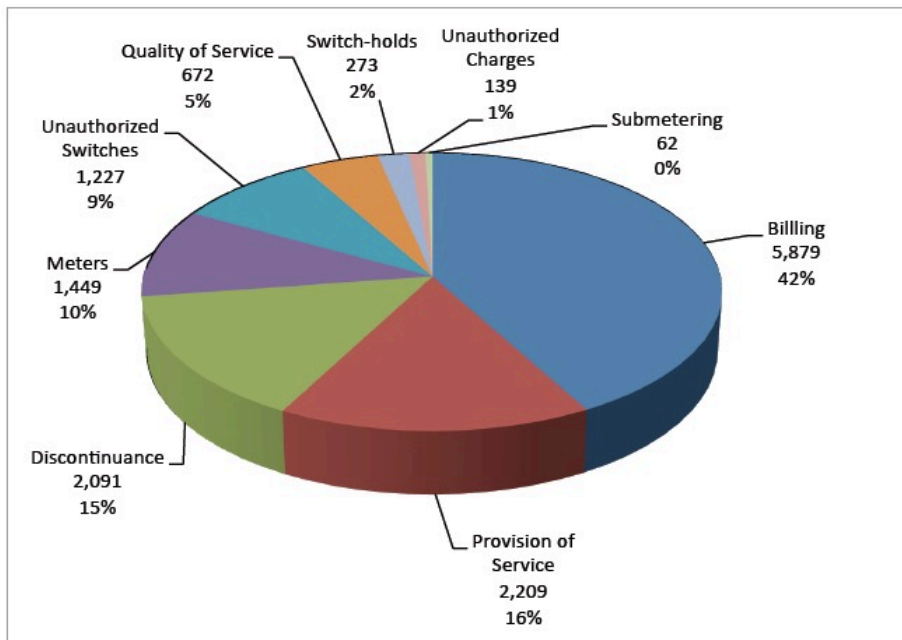


Figure 4. Types of Complaints Received - September 2012 through August 2014



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# Example of the Complaint Information Available Today: PUC's Complaint Scorecard Available on Power to Choose



## Retail Electric Provider Complaint Scorecard

Complaint Rates for August 1, 2014 through January 31, 2015

February 2015 Complaint Score (5 circles indicate lowest complaint rate)	Retail Electric Provider (REP)	Date Licensed
*****	MP2 Energy Texas	October 10, 2008
*****	Nuacea Electric Coop (NEC Retail)	August 1, 2004
*****	Hudson Energy Services	September 14, 2004
*****	Lumina Energy (Conservic Energy)	February 20, 2009
*****	TXU Energy	January 2, 2001
*****	Tecop Energy (Y.E.P. / Southwest P&L)	June 13, 2006
*****	Reliant Energy	January 3, 2001
*****	Source Power and Gas (Beyond Power)	October 25, 2011
*****	Infinite Energy	January 19, 2010
*****	Brilliant Energy	July 13, 2007
*****	Tara Energy	March 12, 2002
*****	Andelar	July 8, 2002
*****	Champion Energy	September 16, 2004
*****	Alliance Power (APC Electric)	October 10, 2003
*****	Ambli Energy	October 28, 2005
*****	Accent Energy (Dynamati / IGS Energy)	January 15, 2004
*****	Stream Energy	January 21, 2003
*****	LPT	January 17, 2006
*****	CPL Retail Energy	May 13, 2001
*****	V247 Power	August 1, 2012
*****	Geac Energy	August 2, 2001
*****	Our Energy	October 8, 2008
*****	Fulcrum Energy (Amigo)	January 30, 2004
*****	American Light & Power	October 16, 2007
*****	Just Energy	August 14, 2002
*****	WTU Retail	May 30, 2001
*****	First Choice Power	January 16, 2001
*****	Green Mountain Energy	January 29, 2001
*****	US Retailers (Pennywise / Cimr)	October 27, 2008
*****	Ameripower	December 2, 2003
*****	Young Energy (Payless Power)	April 25, 2005
*****	Nooruddin Investments (Discount Power)	June 12, 2008
*****	4 Change	December 3, 2001
*****	Triagle Energy	January 27, 2003
*****	Direct Energy	December 4, 2001
*****	Bounce Energy	June 18, 2008
*****	StarTex Power (Star Electricity)	August 23, 2004
*****	Summer Energy	September 29, 2011
*****	Xoom Energy	July 25, 2011
*****	Frontier	October 8, 2008
*****	PenStar Power (formerly Freedom)	May 6, 2004
*****	Spark Energy	April 22, 2002
*****	AP Gas & Electric (Zip Energy)	April 25, 2005
*****	Enthusi Energy	December 1, 2010
*****	Hino Electric	January 21, 2003
*****	Everything Energy	October 27, 2008
*****	TruSmart Energy (DPI Energy)	October 27, 2006
*****	Acacia Energy	March 28, 2007
*****	Potentia Energy	February 8, 2008

*****	Lowest Complaint Rate
*****	Lower than Average Rate of Complaints
****	Average Complaint Rate
***	Higher than Average Rate of Complaints
**	Highest Complaint Rate

**Disclaimer:** REPs are scored into five groupings of approximately equal size based on a 6-month rolling average of complaint rates per 1,000 customer relative to other companies. Significant changes in the complaint score may occur from month-to-month for smaller REPs based on only a few complaints. This complaint scorecard should be viewed as only one measure of the customer service provided by REPs. Please note the complaint score is based on a rolling 6-month average of the total number of informal complaints investigated, irrespective of whether or not the company was determined to be at fault or adequately resolved the customer's complaint. In many cases, the PUC's informal complaint process adequately addresses the customer complaints with quick resolution by the REP. You may wish to also review other resources regarding a REP's customer service such as your local Better Business Bureau.

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