



## Public Utility Commission of Texas

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Jo Campbell  
Commissioner

Marta Greytok  
Commissioner

Paul D. Meek  
Chairman

August 15, 1990

Mr. Satya P. Garg  
SM Engineering Company  
33 - 10th Avenue South, Suite # 120  
Hopkins, Minnesota 55343

Dear Mr. Garg:

Reference is made to your letter of August 8 asking our commissioners if they are required to ask the utility companies to give their customers the best possible rates available. I have been asked to respond to your letter and I hope the following information provides the guidance you seek.

The basic answer to your question is **NO!** Our commissioners are not involved in consumer transactions except through the approval of Public Utility Commission Substantive Rules. The only reference I could find in our current rules is PUC Sub Rule 23.41 (a) (2). Basically it requires a utility to provide a residential applicant or a residential transfer customer the lowest-priced options available at their location. A copy of that specific rule is enclosed for your review.

Sometimes we have a situation whereby commercial and industrial customers decrease their load demand but do not notify the utility for a period of time while still paying the old rate. When they finally do notify the utility and find they now qualify for a lower-cost rate, they want a refund for the period of time they have been "overcharged". Our General Counsel has ruled that it is the responsibility of the customer to notify the utility of any change in load demand. Only when that notification is made is the utility responsible for charging the lower rate, if applicable.

Your question was very generic so if I have not provided the information you seek, please write back to me with specific questions that I can provide specific answers to. Also, your question concerned "utility companies". Please be aware, as noted in the enclosed pamphlet, this commission regulates local telephone companies, AT&T and all investor-owned electric companies and electric cooperatives. So if your concern is with gas or water utilities, or a city-owned utility, you must contact the appropriate agency.

Sincerely,

Paul G. Irish  
Information Specialist