

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

JOINT APPLICATION OF CENTERPOINT ENERGY)
RESOURCES CORP., SOUTHERN COL MIDCO, LLC,)
AND SUMMIT UTILITIES OKLAHOMA, INC. FOR) CAUSE NO. PUD 202100114
TRANSFER OF JURISDICTIONAL UTILITY ASSETS)
AND CUSTOMER ACCOUNTS PURSUANT TO OAC) ORDER NO. 719419
165:45-3-5)

HEARING: July 1, 2021, in Courtroom B (virtual teleconference)
2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105
Before Linda S. Foreman, Administrative Law Judge

APPEARANCES: Michael S. Ryan, Assistant General Counsel *representing* Public Utility
Division, Oklahoma Corporation Commission
Jared B. Haines and A. Chase Snodgrass, Assistant Attorneys General
representing Office of Attorney General, State of Oklahoma
Curtis M. Long, J. Dillon Curran, and Johanna F. Roberts, Attorneys
representing CenterPoint Energy Resources Corp., Southern
Col Midco, LLC, and Summit Utilities Oklahoma, Inc.

ORDER GRANTING JOINT MOTION TO ESTABLISH NOTICE REQUIREMENTS

The Corporation Commission (“Commission”) of the State of Oklahoma, being regularly in session and the undersigned Commissioners present and participating, there comes on for consideration and action the Joint Motion to Establish Notice Requirements (“Motion”) filed by Joint Applicants CenterPoint Energy Resources Corp. (“CERC”), Southern Col Midco, LLC (“SC MidCo”), and Summit Utilities Oklahoma, Inc. (“SUO”) (collectively, “Joint Applicants”). The Motion was filed on June 24, 2021, set for hearing on July 1, 2021, and heard on that date.

Joint Applicants initiated this Cause on June 24, 2021, by filing their Joint Application seeking approval for the transfer of certain jurisdictional natural gas utility assets and customer accounts, and if approved, SUO will acquire substantially all of the utility operating assets of CERC located in the State of Oklahoma. OAC 165:45-3-5, the applicable Commission Rule, specifies that notice of the hearing “shall be mailed to the Attorney General and to each customer of record of the transferring party who will be transferred to the acquiring party, and to any other person directed by the Commission to receive notice, at least twenty (20) calendar days prior to the date of the hearing.”

Notice by publication is not required by the Rules of the Commission for a Cause such as this.

At the hearing on the Motion, the Administrative Law Judge (“ALJ”) recommended that the Commission grant Joint Applicants’ Motion and direct CERC to serve the proposed notice of hearing at least twenty (20) days prior to the hearing, by U.S. Mail, to all of CERC’s customers of record whose service will be transferred to SUO if the relief requested by this Joint Application is granted, and with a copy of the notice so served to be served on the Attorney General by U.S. Mail.

There being no oral appeals taken to the recommendation of the ALJ, such recommendation becomes the order of the Commission upon the signature of a majority of the Commission.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

THE COMMISSION FINDS that it is vested with jurisdiction in this Cause pursuant to Article IX, § 18 of the Oklahoma Constitution, 17 O.S. §§ 151, 152.

THE COMMISSION FURTHER FINDS that CERC shall serve Notice substantially in the form set out in Exhibit "A" hereto, on each of its customers of record whose service will be transferred to SUO if this Joint Application is granted. Service shall be accomplished by U.S. Mail at least twenty (20) calendar days prior to the Hearing on the Merits. CERC shall also serve by U.S. Mail the Attorney General with a copy of the notice so served on customers, at least 20 days prior to the Hearing on the Merits.

THE COMMISSION FURTHER FINDS that service as provided herein is sufficient notice in the Cause and that notice by publication is not required.

ORDER

THE COMMISSION THEREFORE ORDERS that the Joint Motion to Establish Notice Requirements is hereby granted, that service of notice shall be accomplished as set out herein and that the form of notice attached hereto as Exhibit "A" is hereby approved for notice in accordance with the findings herein.

THE ORDER SHALL BE EFFECTIVE immediately.

CORPORATION COMMISSION OF OKLAHOMA

Dana L. Murphy
DANA L. MURPHY, CHAIRMAN

Bob Anthony
BOB ANTHONY, VICE CHAIRMAN

J. Todd Hiatt
J. TODD HIATT, COMMISSIONER

CERTIFICATION

DONE AND PERFORMED by the Commissioners participating in the making of this Order, as shown by their signatures above, this 13th day of July, 2021.

BY ORDER OF THE COMMISSION:



Peggy Mitchell
PEGGY MITCHELL, Commission Secretary

REPORT OF THE ADMINISTRATIVE LAW JUDGE

The foregoing findings, conclusions, and order are the report and recommendation of the undersigned Administrative Law Judge.

/s/ Linda S. Foreman
LINDA S. FOREMAN
Administrative Law Judge

July 7, 2021
Date

EXHIBIT “A”

NOTICE OF CAUSE NO. PUD 202100114
BEFORE THE OKLAHOMA CORPORATION COMMISSION

CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Oklahoma Gas (“CenterPoint Oklahoma”) and Summit Utilities Oklahoma, Inc. (“SUO”) have filed a Joint Application with the Oklahoma Corporation Commission (the “Commission”) requesting the Commission to approve the transfer of your natural gas utility service from CenterPoint Oklahoma to SUO.

Subject to approval from the Commission and other regulatory authorities, SUO will function as an Oklahoma public utility providing local distribution services to all the former Oklahoma customers of CenterPoint Oklahoma within the same Oklahoma service territory. SUO is a member of a corporate family of companies that have extensive experience successfully providing natural gas utility service to customers in Oklahoma, Arkansas, Missouri, Colorado, and Maine.

Following the completion of the transfer, SUO will acquire the utility facilities of CenterPoint Oklahoma and will continue to provide to you the same natural gas services performed currently by CenterPoint Oklahoma, at the same rates, and under the same terms and conditions of service, as may be revised and approved from time to time after review and approval by the Commission. All customers will continue to receive safe and reliable utility service.

The Commission will not approve the transfer until it confirms that SUO possesses the financial and managerial ability to provide safe and reliable natural gas utility service to the transferred customers and that SUO is aware of and will abide by all Commission rules applicable to the provision of such service.

The Commission will hold a public hearing to consider whether the transfer should be approved. The Joint Application has been set for Hearing on the Merits (“Hearing”) before an Administrative Law Judge, Courtroom B, 1st Floor, Jim Thorpe Bldg., 2101 N. Lincoln Blvd., Oklahoma City, OK, at 1:30 p.m. on the 17th day of August, 2021, and continuing daily until complete. Interested persons may appear at the Hearing and make public comment if they so desire. At any time prior to the Hearing, you may also send written comments addressed as follows: CenterPoint Oklahoma and SUO Joint Application to Transfer Utility Service, c/o Office of Judicial and Legislative Services, Oklahoma Corporation Commission, P.O. Box 52000, Oklahoma City, Oklahoma 73152-2000.

The Commission shall, after hearing, issue such orders and grant such relief as it deems fair, just and reasonable, and in the public interest, whether or not specifically requested in the Joint Application.

For information concerning this matter, contact Curtis M. Long or Dillon Curran, 1700 Leadership Square, Oklahoma City, Oklahoma 73102-7261, telephone 405-272-5711; or Michael Ryan, Assistant General Counsel, Oklahoma Corporation Commission, 4th Floor, Jim Thorpe Office Building, 2101 N. Lincoln Blvd, Oklahoma City, OK 73105-4994, (405) 522-5930, attorney for the Public Utility Division of the Oklahoma Corporation Commission.