

Public Utility Commission of Texas

1701 N. Congress, P.O. Box 13326, Austin, TX 78711-3326

News Release
Thursday, Jan. 14, 2010

Contact: Terry Hadley 512-936-7135

PUC orders \$3.7 million in penalties **Two former retail electric providers fined millions**

The Public Utility Commission approved two enforcement orders against former retail electric providers totaling \$3,690,000 in penalties on Thursday.

“Today’s enforcement action emphasizes our policy of full accountability for companies operating in the Texas electric market,” said Chairman Barry Smitherman. “We want to make sure all entities follow state law and PUC regulations as we strengthen rules to prevent future bad behavior.”

The cases are against two former retail electric providers for failure to report information, failure to refund customer deposits and failure to provide information needed to transfer customers to other providers.

National Power Company, Inc., of Houston is ordered to pay a \$1,824,000 fine for violations that happened when the company abruptly left the retail electric market in 2008. The Commission also orders National Power to refund all customer deposits and prepayments. Filings in this case are available on the PUC Website under control number 36926.

Pre-Buy Electric, LLC of Grapevine is ordered to pay \$1,866,000 for violations stemming from company actions when it left the retail electric market in 2008. Pre-Buy also is required to refund all customers deposits and prepayments. Filings in this case are available under control number 36927.

Companies are required to pay penalties within 30 days after an order is signed and filed.

In a similar case, the Commission approved a preliminary order against HWY 3 MHOP also known as eTricity, of Denton. PUC staff has recommended a penalty of \$1,440,000 against the company for failing to notify the Commission and customers of its intention to cease operations, failing to refund customer deposits and/or prepayments, and failure to file proof with the Commission of the refund of any monies owed to customers. The case (control number 37152) has been referred to the State Office of Administrative Hearings. A pre-hearing conference is scheduled for Jan. 21.

Thursday’s action represents the first PUC enforcement orders for 2010. The Commission issued 16 enforcement orders with a total of \$4,301,500 in penalties during the 2009 calendar year.

All PUC News Releases are available at www.puc.state.tx.us