

Public Utility Commission

ANNUAL PERFORMANCE MEASURES REPORT

Fiscal Year 2006



Performance Measures Reported In LBB ABEST

ACTUAL PERFORMANCE FOR OUTCOME MEASURES
473 - PUBLIC UTILITY COMM
FISCAL YEAR 2006
11/2/2006

Actual Performance for Outcome Measures with Updates
 79th Regular Session, Performance Reporting
 Automated Budget and Evaluation System of Texas (ABEST)

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Agency code: 473

Agency name: PUBLIC UTILITY COMM

Type/Objective/Measure	2006 Target	2006 YTD	Percent of Annual Target	Target Range
<u>1-1 MAINTAIN COMPETITION</u>				
1 RELATIVE ELEC PRICE: RESIDENTIAL	104.10 %	137.10 %	131.70 % *	98.90 - 109.31
<u>Explanation of Variance:</u> The ERCOT territory uses natural gas for approximately 50% of its generation, as compared to 15-20% nationally. Therefore, significant natural gas price increases in late 2005 affected rates in the competitive area of Texas to a far greater extent than gas price increases on a national level.				
<u>Prior YTD:</u>				
5 % OF NAT'L AVG RESIDENTIAL E-BILL	140.70 %	186.10 %	132.27 % *	133.67 - 147.74
<u>Explanation of Variance:</u> The ERCOT territory uses natural gas for approximately 50% of its generation, as compared to 15-20% nationally. Therefore, significant natural gas price increases in late 2005 affected rates in the competitive area of Texas to a far greater extent than gas price increases on a national level. In addition, Texas temperatures throughout the year are hotter longer than other parts of the country which results in higher electricity usage.				
<u>Prior YTD:</u>				
6 % SERVED BY CITIES CERTIFIED	86.00 %	82.24 %	95.63 %	81.70 - 90.30
<u>Prior YTD:</u>				
<u>1-2 REGULATE SERVICE PROVIDERS</u>				
1 % OF NAT'L AVG RESIDENTIAL PH BILL	65.00 %	68.81 %	105.86 % *	61.75 - 68.25
<u>Explanation of Variance:</u> The average residential telephone bill in Texas for basic service has remained lower than the national average. The FCC reported that the national average single-line residential telephone rate increased to \$14.75, from \$14.53. While the Texas single-line residential rate increased this year from \$9.29 to \$10.15, Texas residential bills continue to remain lower.				
<u>Prior YTD:</u>				
<u>2-2 RESOLVE COMPLAINTS</u>				

* Varies by 5% or more from target.

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Type/Objective/Measure	2006 Target	2006 YTD	Percent of Annual Target	Target Range
1 % CUST COMPLAINTS RESOLVED (IRP)	99.00 %	89.00 %	89.90 % *	94.05 - 103.95

Explanation of Variance: This performance measure is based on a comparison of the number of complaints handled through the informal process to the number of formal complaints filed. This year, more customers than projected pursued formal complaints after conclusion of the informal process.

Prior YTD:

* Varies by 5% or more from target.

ACTUAL PERFORMANCE FOR OUTPUT/EFFICIENCY MEASURES
473 - PUBLIC UTILITY COMM
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Agency name: PUBLIC UTILITY COMM

Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
Output Measures					
<u>1-1-1 MARKET COMPETITION</u>					
3 # INVESTIGATIONS FOR MKT POWER ELEC					
Quarter 1	8.00	3.00	3.00	37.50 % *	1.60 - 2.40
<u>Explanation of Variance:</u> Three investigations have been finalized during this quarter: an investigation of market manipulation by a Qualifying Scheduling Entity (QSE), an investigation of non-compliance with ERCOT Protocols (P-25937); and a QSE Resource Plan performance evaluation (P-29592).					
Quarter 2	8.00	2.00	5.00	62.50 % *	3.60 - 4.40
<u>Explanation of Variance:</u> Two investigations have been finalized this quarter: one into possible energy withholding by a market participant, and the other into high congestion cost in the Houston area.					
Quarter 3	8.00	1.00	6.00	75.00 %	5.60 - 6.40
Quarter 4	8.00	2.00	8.00	100.00 %	7.60 - 8.40
4 # INVESTIGATIONS MKT POWER PHONE					
Quarter 1	3.00	0.00	0.00	0.00 % *	0.60 - 0.90
<u>Explanation of Variance:</u> During the first quarter of FY 2006, of the pending investigations related to market power, market design or anti-competitive conduct in the telephone market none were completed. Currently, there is one investigation that is ongoing related to the impact of provisioning certain wholesale network elements to competitors. It is anticipated that this open investigation will be closed this fiscal year.					
Quarter 2	3.00	0.00	0.00	0.00 % *	1.35 - 1.65
<u>Explanation of Variance:</u> During the second quarter of FY 2006, no investigations were completed. Currently, there are three ongoing investigations, one related to the impact of provisioning certain wholesale network elements to competitors, and two related to enforcement in the telecommunications industry. It is anticipated that all three open investigations will be closed this fiscal year.					

* Varies by 5% or more from target.

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Output Measures

4 # INVESTIGATIONS MKT POWER PHONE

Quarter 3	3.00	0.00	0.00	0.00 % *	2.10 - 2.40
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Explanation of Variance: During the third quarter of FY 2006, of the pending investigations related to market power, market design or anti-competitive conduct in the telephone market, none were completed. Currently, there are three ongoing investigations, one related to the impact of provisioning certain wholesale network elements to competitors, and two related to enforcement activities regarding regulated and competitive issues in the telecommunications industry. It is anticipated that all three open investigations will be closed this fiscal year.

Quarter 4	3.00	1.00	1.00	33.33 % *	2.85 - 3.15
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Explanation of Variance: During the fourth quarter of FY 2006, one investigation was completed, relating to provisioning certain wholesale network elements to competitors. Two related enforcement activities regarding telecommunications competitive issues in are anticipated to be completed in FY 2007.

5 # OF CASES COMPLETED RELATED COMP

Quarter 1	900.00	227.00	227.00	25.22 %	180.00 - 270.00
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Explanation of Update: Total cases completed should have been 227 but was originally reported as 223. A detailed review of open control numbers resulted in 4 additional cases appropriate for closure in the first quarter.

Prior Amount: 223.00

Prior YTD: 223.00

Prior Amount: 227.00

Prior YTD: 227.00

Prior Explanation of Update: Total cases completed should have been 227 but was originally reported as 223. A detailed review of open control numbers resulted in 4 additional cases appropriate for closure in the first quarter.

* Varies by 5% or more from target.

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5 # OF CASES COMPLETED RELATED COMP

Quarter 2	900.00	112.00	339.00	37.67 % *	405.00 - 495.00
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Explanation of Variance: Of the total 108 cases completed during the second quarter of FY 2006, 97 related to the telecommunications industry, and 15 related to electric complaints, certification and wholesale competition. Interconnection Agreements (ICAs) constituted 44 (39%) of the total docketed cases. The number of ICAs fluctuates in part due to consolidation in the telecommunications industry. This measure is difficult to predict because of unpredictable changes in federal regulation, and because it is dependent on applications and complaints initiated by the providers.

Explanation of Update: Total cases reported in the second quarter was reported as 108 and should have been 112. A detailed review of open control numbers resulted in 4 additional cases closed in the second quarter.

Prior Amount: 108.00

Prior YTD: 331.00

Prior Amount: 112.00

Prior YTD: 339.00

Prior Explanation of Update: Total cases reported in the second quarter was reported as 108 and should have been 112. A detailed review of open control numbers resulted in 4 additional cases closed in the second quarter.

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Output Measures

5 # OF CASES COMPLETED RELATED COMP

Quarter 3	900.00	117.00	456.00	50.67 % *	630.00 - 720.00
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Explanation of Variance: Of the total 113 cases completed during the third quarter of FY 2006,84 related to the telecommunications industry, and 33 related to electric complaints,relating to certification and wholesale competition. Interconnection Agreements (ICAs) constituted 41(35%) of the total docketed cases. The number of ICAs fluctuates in part due to consolidation in the telecommunications industry. This measure is difficult to predict because of unpredictable changes in federal regulation, and because it is dependent on applications and complaints initiated by the providers.

Explanation of Update: Total cases reported in the third quarter was reported as 113 cases and should have been 117. A detailed review of open control numbers resulted in 4 additional cases closed in the third quarter.

Prior Amount: 113.00

Prior YTD: 444.00

Quarter 4	900.00	131.00	587.00	65.22 % *	855.00 - 945.00
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Explanation of Variance: Of the total 131 cases completed during the fourth quarter,100 related to telecommunications and 31 related to electric certification and wholesale competition. Of the total of 131, 43 were Interconnection Agreement (ICA). cases. The number of ICAs fluctuates in part due to consolidation in the telecommunications industry. This measure is difficult to predict because of unpredictable changes in federal regulation, and because it is dependent on applications and complaints initiated by the providers.

Prior Amount: 131.00

Prior YTD: 575.00

1-2-1 UTILITY REGULATION

1 # OF RATE CASES COMPLETED ELECTRIC

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Output Measures					
1 # OF RATE CASES COMPLETED ELECTRIC					
Quarter 1	35.00	3.00	3.00	8.57 % *	7.00 - 10.50
<u>Explanation of Variance:</u> This measure counts a broad array of minor and major electric rate cases. The Commission completed three electric rate cases in the 1st quarter of FY 2006, all classified as minor. One proceeding was an application by Rio Grande Electric Cooperative, Inc. to change wholesale transmission service rates for wholesale transmission service. The second and third proceedings involved applications by LCRA Transmission Services Corporation and the City of Garland, respectively, for interim updates to their wholesale transmission rates.					
Quarter 2	35.00	10.00	13.00	37.14 % *	15.75 - 19.25
<u>Explanation of Variance:</u> This measure counts a broad array of minor and major electric rate cases. The Commission completed ten electric rate cases in the 2nd quarter of FY 2006, all classified as minor. Of the 10 minor rate cases completed 6 were applications for approval of transmission cost recovery factor, 2 miscellaneous cases, 1 application for interim update to wholesale transmission rates, and 1 case related to HB 11 tax adjustments.					
Quarter 3	35.00	4.00	17.00	48.57 % *	24.50 - 28.00
<u>Explanation of Variance:</u> The Commission completed four electric rate cases, three minor and one major, in the 3rd quarter of FY 2006. Of the 4 rate cases completed, 1 was an application for approval of rate case expenses, 2 were applications for interim update to wholesale transmission rates, and 1 case related to HB 11 tax adjustments. The measure is difficult to predict because it is dependent, in part, on applications initiated by electric providers for changes in rates.					
Quarter 4	35.00	10.00	27.00	77.14 % *	33.25 - 36.75
<u>Explanation of Variance:</u> The Commission completed 10 electric rate cases including an application by the City of Austin to change rates for wholesale transmission service, an application by Entergy Gulf States, Inc. for recovery of transition to competition costs, 16 applications for approval of transmission cost recovery factors and 2 other miscellaneous cases. This measure is difficult to predict because it is dependent, in part, on applications initiated by electric providers for changes in rates					

2 # OF RATE CASES COMPLETED TELECOM

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2 # OF RATE CASES COMPLETED TELECOM

Quarter 1	6.00	2.00	2.00	33.33 % *	1.20 - 1.80
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Explanation of Variance: During the first quarter of FY 2005, two rate cases for regulated telecommunications providers were completed. These cases involved applications from two rural incumbent local exchange carriers, one for revised depreciation rates, and the other for a surcharge to recover the cost of implementing expanded local calling service. This measure is difficult to predict because it is dependent, in part, on applications initiated by regulated telecommunications providers for changes in rates.

Quarter 2	6.00	0.00	2.00	33.33 % *	2.70 - 3.30
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Explanation of Variance: During the second quarter of FY 2006, no rate cases for regulated telecommunications providers were completed. Four pending cases related to HB11 tax adjustments are expected to be completed this fiscal year. This measure is difficult to predict because it is dependent, in part, on applications initiated by regulated telecommunications providers for changes in rates.

Quarter 3	6.00	0.00	2.00	33.33 % *	4.20 - 4.80
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Explanation of Variance: During the third quarter of FY 2006, no rate cases for regulated telecommunications providers were completed. Four pending cases related to HB11 tax adjustments are expected to be completed this fiscal year, and one pending case related to a change in pay telephone rates is expected to be completed next fiscal year. This measure is difficult to predict because it is dependent, in part, on applications initiated by regulated telecommunications providers for changes in rates.

Quarter 4	6.00	4.00	6.00	100.00 %	5.70 - 6.30
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2-1-1 PROVIDE FACTS ABOUT CHANGES

2 INFO REQUEST RESPONSES

* Varies by 5% or more from target.

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2 INFO REQUEST RESPONSES

Quarter 1	130,000.00	24,497.00	24,497.00	18.84 % *	26,000.00 - 39,000.00
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Explanation of Variance: This measure reports the number of information requests responded to by five separate groups; Customer Protection Division (CPD) 18,625, Central Records 313, the Library 188, Governmental Relations 250 and General Law 125. Customer Protection, Governmental Relations and the Library exceeded their quarterly target by approximately 5,100, while Central Records and General Law were slightly below target. The Commission is posting more information on its website to encourage customers to find answers to their questions without the need to physically visit, call or write to the Commission.

Quarter 2	130,000.00	21,137.00	45,634.00	35.10 % *	58,500.00 - 71,500.00
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Explanation of Variance: The number of requests is lower than projected. The Commission is posting more information on its website to encourage customers to find answers to their questions without the need to physically visit, call or write to the Commission.

Quarter 3	130,000.00	21,869.00	67,503.00	51.93 % *	91,000.00 - 104,000.00
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Explanation of Variance: Requests for information are handled by five separate groups; Customer Protection Division (CPD) 18,625, Central Records 313, the Library 188, Governmental Relations 250 and General Law 125. Customer Protection, Governmental Relations and the Library exceeded their quarterly target by 2,117, 289 and 85 respectively, while Central Records and General Law were slightly below target. The Commission is posting more information on its website to encourage customers to find answers to their questions without the need to physically visit, call or write to the Commission.

Quarter 4	130,000.00	25,600.00	93,103.00	71.62 % *	123,500.00 - 136,500.00
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Explanation of Variance:
 The number of requests is lower than projected due to the Commission posting more information on its website. The Commission encourages customers to find answers to their questions without the need to physically visit, call or write.

2-2-1 INVESTIGATIONS AND ENFORCEMENT

1 # OF EARNING REVIEWS

* Varies by 5% or more from target.

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Output Measures					
1 # OF EARNING REVIEWS					
Quarter 1	5.00	0.00	0.00	0.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u> Detailed earnings reviews are conducted after the earnings reports are filed in May. Agency performance on this measure will be reflected in the annual report.					
Quarter 2	5.00	0.00	0.00	0.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u> Detailed earnings reviews are conducted after the earnings reports are filed in May. Agency performance on this measure will be reflected in the annual report.					
Quarter 3	5.00	0.00	0.00	0.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u> Detailed earnings reviews are conducted after the earnings reports are filed in May. Agency performance on this measure will be reflected in the annual report.					
Quarter 4	5.00	3.00	3.00	60.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u> The number of reviews was less than targeted because the majority of investor-owned electric utility companies either 1) had just completed a rate proceeding or currently have an active rate proceeding, 2) will file for a rate proceeding by the end of 2006, 3) are under a statutory rate freeze, or 4) have had actual returns on equity during the last few years that did not warrant a detailed review. Under these circumstances, detailed earnings reviews are not necessary.					
2 # ENFORCEMENT INVESTIGTN CONDUCTED					

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Output Measures

2 # ENFORCEMENT INVESTIGTN CONDUCTED

Quarter 1	140.00	71.00	71.00	50.71 % *	28.00 - 42.00
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Explanation of Variance: Of the 71 investigations conducted during this quarter, 15 were municipal access line report (MARS) investigations, 4 were notices of violation (PUC Docket Nos. 31887, 31888, 31889 and 32018) and 52 were consumer complaint investigations that were closed. The 52 consumer complaints had been identified for possible complaint-based enforcement. Staff is developing new criteria and procedures for complaint-based enforcement. As such, Staff decided to close these 52 consumer complaint investigations. The total the number of investigations for each quarter is expected to vary considerably from quarter to quarter because the number of investigations depends upon the degree to which market participants comply with applicable laws enforced by the Commission.

Quarter 2	140.00	44.00	115.00	82.14 % *	63.00 - 77.00
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Explanation of Variance: Of the 44 investigations conducted during this quarter, 4 were settlement agreements, 1 was withdrawn after the utility demonstrated that the violation had been cured, 1 resulted in issuance of an official warning, and 38 were consumer complaint investigations that were closed. The consumer complaints had been identified for possible complaint-based enforcement. Staff is developing new criteria and procedures for complaint-based enforcement. As such, Staff decided to close these 38 consumer complaint investigations. The total the number of investigations for each quarter is expected to vary considerably from quarter to quarter because the number of investigations depends upon the degree to which market participants comply with applicable laws enforced by the Commission

Quarter 3	140.00	7.00	122.00	87.14 % *	98.00 - 112.00
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Explanation of Variance: Of the 7 investigations conducted this quarter, 2 resulted in the issuance of a combined notice of violation, 2 resulted in agreed settlements, 1 resulted in the issuance of an official warning, 1 was withdrawn, and 1 was closed on Staff's determination a violation did not occur. In the combined notice of violation case, a utility was ordered to pay \$1.2 million in customer refunds for unauthorized charges, plus \$340,000 for administrative penalties. The total number of investigations for each quarter is expected to vary considerably from quarter to quarter because the number of investigations depends upon the degree to which market participants comply with applicable laws enforced by the Commission.

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Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
Output Measures					
2 # ENFORCEMENT INVESTIGTN CONDUCTED					
Quarter 4	140.00	131.00	253.00	180.71 % *	133.00 - 147.00
<u>Explanation of Variance:</u> Of the 131 investigations completed this quarter; 117 were municipal access line report (MARS) investigations, 5 were agreed settlements of notices of violation (NOV) and 9 were consumer complaint investigations. Staff is no longer using an automated system to notify companies of penalties for late-filed reports and is instead reviewing compliance with filing deadlines on a case by case basis. All 5 NOV cases involved electric utility service quality issues.					
3 # OF COMPLAINTS CONCLUDED					
Quarter 1	20,700.00	3,139.00	3,139.00	15.16 % *	4,140.00 - 6,210.00
<u>Explanation of Variance:</u> This measure reports the number of customer complaint investigations completed by the Commission. As reflected in the definition of this measure, the investigation of a complaint is concluded when the Commission notifies the complainant with an explanation of the investigation and the final disposition of the complaint. The agency is processing complaints well within the goal of 30 days (EF 2-2-1.02). This measure is difficult to project because it is based on complaints filed by utility customers.					
Quarter 2	20,700.00	3,127.00	6,266.00	30.27 % *	9,315.00 - 11,385.00
<u>Explanation of Variance:</u> This measure reports the number of customer complaint investigations completed by the Commission. As reflected in the definition of this measure, the investigation of a complaint is concluded when the Commission notifies the complainant with an explanation of the investigation and the final disposition of the complaint. The agency is processing complaints well within the goal of 30 days (EF 2-2-1.02). This measure is difficult to project because it is based on complaints filed by utility customers.					
Quarter 3	20,700.00	3,470.00	9,736.00	47.03 % *	14,490.00 - 16,560.00
<u>Explanation of Variance:</u> This measure reports the number of customer complaint investigations completed by the Commission. As reflected in the definition of this measure, the investigation of a complaint is concluded when the Commission notifies the complainant with an explanation of the investigation and the final disposition of the complaint. The agency is processing complaints well within the goal of 30 days (EF 2-2-1.02). This measure is difficult to project because it is based on complaints filed by utility customers					

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3 # OF COMPLAINTS CONCLUDED

Quarter 4	20,700.00	3,107.00	12,843.00	62.04 % *	19,665.00 - 21,735.00
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Explanation of Variance: The projection for this measure was based on historical periods when complaint volumes were high due to the opening of retail electric markets in Texas. Complaint volumes have decreased as providers and customers have gained experience operating in competitive markets. This measure is difficult to project because it is based on complaints filed by utility customers.

Efficiency Measures

1-1-1 MARKET COMPETITION

1 AVERAGE DAYS/COA & SPCOA

Quarter 1	60.00	38.00	38.00	63.33 % *	57.00 - 63.00
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Explanation of Variance: The Commission processed 18 applications for a SPCOA, and 1 application for a COA. All of the applications were processed in less than the targeted number of 60 days,

Prior Amount: 38.00

Prior YTD: 38.00

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1 AVERAGE DAYS/COA & SPCOA

Quarter 2	60.00	37.00	37.50	62.50 % *	57.00 - 63.00
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Explanation of Variance: During the 2nd quarter of 2006, the Commission processed 20 SPCOA applications. These applications were processed within the targeted 60 days or less.

Explanation of Update: Previous results 38, Updated 9/27/06. Throughout the year, detailed review of all remaining open control numbers resulted in 1 case inappropriately classified resulting in one less application processed in the second quarter.

Prior Amount: 37.00

Prior YTD: 37.50

Prior Explanation of Update: Previous results 38, Updated 9/27/06. Throughout the year, detailed review of all remaining open control numbers resulted in 1 case inappropriately classified resulting in one less application processed in the second quarter.

Prior Amount: 37.00

Prior YTD: 38.00

Prior Explanation of Update: Previous results 38, Updated 9/27/06 Throughout the year, detailed review of all remaining open control numbers resulted in 1 case inappropriately classified resulting in one less application processed in the second quarter

Prior Amount: 37.00

Prior YTD: 38.00

Prior Explanation of Update: Previous results 38, Updated 9/27/06. Throughout the year, detailed review of all remaining open control numbers resulted in 1 case inappropriately classified resulting in one less application processed in the second quarter

Prior Amount: 38.00

Prior YTD: 38.00

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Efficiency Measures

1 AVERAGE DAYS/COA & SPCOA

Quarter 3	60.00	38.00	37.66	62.77 % *	57.00 - 63.00
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Explanation of Variance: The Commission processed 14 applications for a SPCOA this quarter. All 14 were processed under the targeted number of 60 days.

Explanation of Update: Error made in calculating the average number of days in the third quarter.

Prior Amount: 38.00

Prior YTD: 38.00

Quarter 4	60.00	40.00	38.25	63.75 % *	57.00 - 63.00
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Explanation of Variance: The Commission processed 26 applications for a SPCOA. Twenty-two of those applications were processed well under the targeted number of 60 days. The remaining 4 lacked insufficient information from applicants.

Prior Amount: 40.00

Prior YTD: 38.00

1-2-1 UTILITY REGULATION

1 AVG DAYS PROCESS RATE CASE FOR TDU

Quarter 1	220.00	0.00	0.00	0.00 % *	209.00 - 231.00
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Explanation of Variance: This measure counts the average number of days to complete major electric rate cases for transmission and distribution utilities, which include proceedings that may result in a "major change" in rates as defined by PURA § 36.101. During the first quarter, no cases that fit this definition were completed.

Prior Amount: 0.00

Prior YTD: 0.00

* Varies by 5% or more from target.

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Agency name: PUBLIC UTILITY COMM

Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
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Efficiency Measures

1 AVG DAYS PROCESS RATE CASE FOR TDU

Quarter 2	220.00	0.00	0.00	0.00 % *	209.00 - 231.00
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Explanation of Variance: This measure counts the average number of days to complete major electric rate cases for transmission and distribution utilities, which include proceedings that may result in a "major change" in rates as defined by PURA § 36.101. During the second quarter, no cases that fit this definition were completed.

Prior Amount: 0.00

Prior YTD: 0.00

Quarter 3	220.00	217.00	217.00	98.64 %	209.00 - 231.00
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Prior Amount: 217.00

Prior YTD: 72.33

Prior Amount: 217.00

Prior YTD: 217.00

Prior Explanation of Update:

Quarter 4	220.00	300.00	272.00	123.64 % *	209.00 - 231.00
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Explanation of Variance: This measure counts the average number of days to complete major electric rate cases that may result in a "major change" in rates as defined by PURA § 36.101. During the fourth quarter, two cases were completed within an average of 300 days. One involved an application by the City of Austin to change rates for wholesale transmission service and the other was a filing by Entergy Gulf States for recovery of transition to competition costs. Each required 308 and 292 days respectively, which is over the target projection of 220 days due to the complicated nature of the cases

Prior Amount: 300.00

Prior YTD: 272.00

* Varies by 5% or more from target.

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Agency name: PUBLIC UTILITY COMM

Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
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Efficiency Measures

2-1-1 PROVIDE FACTS ABOUT CHANGES

1 AVERAGE COST: INFO PRODUCT

Quarter 1	0.90	0.13	0.13	14.44 % *	0.86 - 0.95
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Explanation of Variance: The target for FY2006 is approximately one half that of FY 2005,, largely due to increased reliance on the PUC's Web site to provide information to customers. This quarter information was distributed primarily in response to the suspension of funding for LITE-UP TEXAS, rate increases announced by the Retail Electric Providers and a successful public service announcement campaign.

Quarter 2	0.90	0.16	0.15	16.67 % *	0.86 - 0.95
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Explanation of Variance: The commission is placing a greater reliance on the PUC Website to provide information. The number of information products distributed via download was significantly lower than downloads during the previous quarter, which were unusually high because of REP rate increases and the suspension of funding for LITE-UP Texas.

Quarter 3	0.90	0.09	0.13	14.44 % *	0.86 - 0.95
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Explanation of Variance: Cost per information product distributed continues to decrease as more customers get their information from the PUC Web sites. 62% of the 176,802 info products distributed during the quarter were downloaded.

Quarter 4	0.90	0.13	0.13	14.44 % *	0.86 - 0.95
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Explanation of Variance:

2-2-1 INVESTIGATIONS AND ENFORCEMENT

1 AVG COST/ENFORCEMENT INVESTIGTN

* Varies by 5% or more from target.

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Agency name: PUBLIC UTILITY COMM

Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
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Efficiency Measures

1 AVG COST/ENFORCEMENT INVESTIGTN

Quarter 1	305.00	351.59	351.59	115.28 % *	289.75 - 320.25
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Explanation of Variance: New criteria and procedures are being developed for compliance-based enforcement actions made possible as the result of staff turnover. Staff open positions have been filled bringing investigations back to higher levels. The total number of compliance investigations will vary considerably from quarter to quarter because the number of investigations depends upon the degree to which market participants comply with applicable laws enforced by the Commission

Prior Amount: 351.59

Prior YTD: 351.59

Quarter 2	305.00	472.96	412.18	135.14 % *	289.75 - 320.25
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Explanation of Variance: Several enforcement employees left the agency during the latter part of FY 2005. Since their departure, high level staff have wrapped up some cases they left behind and have been conducting an on-going review of those individuals' remaining cases and closing investigations that cannot be pursued effectively, resulting in a higher-than-average cost per investigation. Legal will continue to monitor companies involved in the closed investigations for violations and possible future enforcement. Staff open positions at mid and lower salary levels remain to be filled. Filling those positions will bring investigations back to higher levels and cost per investigation closer to the target dollar amount. The total number of compliance investigations will vary considerably from quarter to quarter because the number of investigations depends upon the degree to which market participants comply with applicable laws enforced by the Commission

Prior Amount: 472.96

Prior YTD: 412.18

* Varies by 5% or more from target.

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Agency name: PUBLIC UTILITY COMM

Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
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Efficiency Measures

1 AVG COST/ENFORCEMENT INVESTIGTN

Quarter 3	305.00	720.87	515.07	168.88 % *	289.75 - 320.25
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Explanation of Variance: The average cost per compliance investigation spiked this quarter, due to the high cost of prosecuting two complex investigations against one utility. The cost of investigation includes costs to both investigate cases and prosecute them. This quarter, two investigations resulted in a combined Notice of Violation that was challenged by a utility in an evidentiary hearing. When a utility requests an evidentiary hearing in a complex case, significant legal staff resources must be expended prosecuting the case. Staff successfully litigated the case and the utility was ordered to pay \$1.2 million in customer refunds for unauthorized charges, plus \$340,000 for administrative penalties. The average cost per compliance investigation will vary considerably from quarter to quarter because it depends upon the number and complexity of cases investigated and prosecuted. In the past, Staff issued a significant number of automated Notices of Violations for late-filed reports, most resulting in administrative penalties of \$500 or less. In the future, Staff expects to concentrate resources on conducting fewer but more complex investigations resulting in larger administrative penalties with increased Staff costs per investigation.

Explanation of Update: The utility in the combined Notice of Violation case mentioned above appealed the Commission's Order in those cases (Docket Nos. 30215 and 30216), but later agreed to settle the appeals by paying \$1.4 million in customer refunds and \$234,000 in administrative penalties.

Prior Amount: 240.79

Prior YTD: 355.05

Quarter 4	305.00	141.50	421.68	138.26 % *	289.75 - 320.25
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Explanation of Variance: The average cost per compliance investigation dropped this quarter due to a temporary increase in the number of compliance cases investigated, the complexity of the cases and the time required to conclude the case. The average cost per compliance investigation will vary considerably from quarter to quarter because it depends upon the number and complexity of cases investigated and prosecuted.

2 AVERAGE DAYS: CONCLUDE COMPLAINTS

* Varies by 5% or more from target.

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Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
Efficiency Measures					
2 AVERAGE DAYS: CONCLUDE COMPLAINTS					
Quarter 1	30.00	20.47	20.47	68.23 % *	28.50 - 31.50
<u>Explanation of Variance:</u> The agency's performance for this measure is dependent, in part, on how quickly service providers respond to complaints that are forwarded to them. The PUC continues to work with the service providers to improve their understanding of the process and to develop good working relationships. Complaints are current and are being resolved timely, within the 30 days.					
Quarter 2	30.00	21.58	21.03	70.10 % *	28.50 - 31.50
<u>Explanation of Variance:</u> The agency's performance for this measure is dependent, in part, on how quickly service providers respond to complaints that are forwarded to them. The PUC continues to work with the service providers to improve their understanding of the process and to develop good working relationships. Complaints are current and are being resolved timely, within the 30 days.					
Quarter 3	30.00	21.63	21.23	70.77 % *	28.50 - 31.50
<u>Explanation of Variance:</u> The agency's performance for this measure is dependent, in part, on how quickly service providers respond to complaints that are forwarded to them. The PUC continues to work with the service providers to improve their understanding of the process and to develop good working relationships. Complaints are current and are being resolved timely, within the 30 days.					
Quarter 4	30.00	20.37	21.01	70.03 % *	28.50 - 31.50
<u>Explanation of Variance:</u> The agency's performance for this measure is dependent, in part, on how quickly service providers respond to complaints that are forwarded to them. The PUC has worked with the service providers to improve their understanding of the process and to develop good working relationships. Complaints are current and are being resolved timely well within the 30 days.					

3-1-1 ENERGY ASSISTANCE

1 AVG # DAYS RETAIL PROVIDER REIMBUR

* Varies by 5% or more from target.

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Type/Strategy/Measure	2006 Target	2006 Actual	2006 YTD	Percent of Annual Target	Target Range
Efficiency Measures					
1 AVG # DAYS RETAIL PROVIDER REIMBUR					
Quarter 1	5.00	0.00	0.00	0.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u> The Low Income Discount Program of the System Benefit Fund was not funded for FY 2006 and therefore there were no payments to Retail Electric Providers.					
Quarter 2	5.00	0.00	0.00	0.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u> The Low Income Discount Program of the System Benefit Fund was not funded for FY 2006 and therefore there were no payments to Retail Electric Providers					
Quarter 3	5.00	0.00	0.00	0.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u>					
Quarter 4	5.00	0.00	0.00	0.00 % *	4.75 - 5.25
<u>Explanation of Variance:</u> The Low Income Discount Program of the System Benefit Fund was not funded for FY 2006 and therefore there were no payments to Retail Electric Providers.					

* Varies by 5% or more from target.

**ACTUAL PERFORMANCE FOR EXPLANATORY MEASURES
473 - PUBLIC UTILITY COMM
FISCAL YEAR 2006
11/2/2006**

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Type/Strategy/Measure	2006 Target	2006 YTD	Percent of Annual Target	Target Range
Explanatory/Input Measures				
<u>2-1-1 PROVIDE FACTS ABOUT CHANGES</u>				
1 # OF CALLS: RELAY TEXAS				
Quarter 1	5,040,000.00	2,750,152.00	54.57 % *	4,788,000.00 - 5,292,000.00

Explanation of Variance: The projected call volume was not achieved because of the explosive growth of Video Relay Service (VRS) and Internet Relay, which are alternatives to Relay Texas service. Neither of these new technological advances was anticipated to have the impact it did.

* Varies by 5% or more from target.