

**CAUSE NO. D-1-GN-12-003059**

**DEVVY KIDD et al.,  
Plaintiffs,**

**v.**

**TEXAS PUBLIC UTILITIES  
COMMISSION,  
Defendant.**

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**IN THE DISTRICT COURT OF**

**TRAVIS COUNTY, TEXAS**

**419th JUDICIAL DISTRICT**

**CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S  
PLEA IN INTERVENTION**

Pursuant to Rule 60 of the Texas Rules of Civil Procedure, CenterPoint Energy Houston Electric, LLC (“CenterPoint Houston”) files this plea in intervention.

**INTERVENOR**

1. CenterPoint Houston is a Texas limited liability company with its principal place of business at 1111 Louisiana Street, Houston, Texas 77002.

**GROUND FOR INTERVENTION**

2. CenterPoint Houston is the electric transmission and distribution utility in the greater Houston area and, among other things, owns the meters used to measure electric consumption by customers. In 2008, the Public Utility Commission of Texas (“Commission”) issued an order approving a plan for deployment of digital electric meters in the CenterPoint Houston service territory. Since receiving that Commission approval, CenterPoint Houston has installed nearly 2.3 million digital meters in the Houston area.

3. The plaintiffs filed several petitions at the Commission concerning the deployment of digital meters. This is an administrative appeal of the Commission’s order in Project No. 40404, which denied the second petition filed by plaintiffs concerning digital meters.

4. CenterPoint Houston participated at the Commission in Project No. 40404.

5. The petition expressly complains about CenterPoint Houston's deployment of digital electric meters. And certain of the plaintiffs are electric customers in the CenterPoint Houston service territory.

6. As a utility with a Commission-approved order authorizing the deployment of digital electric meters, CenterPoint Houston has a direct and substantial justiciable interest in the subject matter of this proceeding and asserts that no other party can adequately represent that interest.

7. For the foregoing reasons, intervention by CenterPoint Houston is proper in this cause pursuant to Rule 60 of the Texas Rules of Civil Procedure, and CenterPoint Houston respectfully requests that it be permitted to participate in this proceeding as an intervenor.

#### **GENERAL DENIAL**

8. For its answer to the plaintiffs' claims, pursuant to Rule 92 of the Texas Rules of Civil Procedure, CenterPoint Houston generally denies each and every allegation in the Original Petition, as well as to any subsequent or amended petition that may be filed by the plaintiffs in this cause, and demands strict proof thereof in accordance with applicable laws.

9. CenterPoint Houston reserves the right to amend and/or to supplement this answer at a future time and in conformity with the Texas Rules of Civil Procedure.

#### **PRAYER**

CenterPoint Houston requests that the court and the parties take notice of its plea in intervention, that CenterPoint Houston be permitted to participate as a party in this proceeding, that the court deny all relief requested by the plaintiffs, and that CenterPoint Houston be granted such other and further relief to which it may show itself to be justly entitled.

Respectfully submitted,

By: 

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COUNSEL FOR CENTERPIONT ENERGY  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this, the 1st day of October, 2012, a true and correct copy of the foregoing was sent by the means noted to the following counsel:

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Jason M. Ryan