

Paul Hudson
Chairman

Julie Caruthers Parsley
Commissioner

Barry T. Smitherman
Commissioner

W. Lane Lanford
Executive Director



Public Utility Commission of Texas

May 8, 2007

Electric Reliability Council of Texas
Executive and Administration Center
Attn: James Thorne, General Counsel
7620 Metro Center Drive
Austin, Texas 78744

RE: Appeal of TAC Failure to Approve PRR 716

Mr. Thorne:

Pursuant to the Electric Reliability Council of Texas (ERCOT) Protocol 21.4.11, please accept this letter as Commission Staff's (Staff) appeal of the Technical Advisory Committee's (TAC) failure to approve Protocol Revision Request (PRR) 716 on May 4, 2007.

P.U.C. SUBST. R. 25.507(i) states, "ERCOT shall develop procedures for NOIE self-provision as soon as possible. If no procedures for NOIE self-provision are developed by the effective date of this rule, ERCOT shall implement procedures no later than the beginning of the following contract period." The contract period referenced begins June 1, 2007.

PRR 716 complies with P.U.C. SUBST. R. 25.507. Approval of PRR 716 would allow ERCOT to move forward with Emergency Interruptible Load Service (EILS) procurement with self-provision protocols in place.

If you have any questions, please feel free to contact me at 512-936-7293.

Sincerely,

A handwritten signature in black ink, appearing to read "SB", written over a faint circular stamp.

Sonya Batchelor
Attorney – Legal Division