

## Attachment A: Proposed Revisions to PRR753, PRR Appeals Process

### 21.4.11 Appeal of Decision

The following processes are to be used to appeal a decision related to a PRR by either PRS or TAC-related to a PRR decision. In either case, these processes provide a framework to ensure that key arguments and information relating to the appeal are available to the decision-making body far enough in advance to enable informed decisions on appeals. The decision-making body, and its individual members, have discretion to ignore or discount arguments and information that are provided after the deadlines in these processes and/or that were not provided to the body whose decision is being appealed. this is the method by which Market Participants or other interested parties may communicate issues and/or concerns related to the decision pertaining to a PRR that has been appealed by another party. The documentation submitted in these processes may be used by any party in a subsequent appeal to the PUCT.

#### 21.4.11.1 Appeal of PRS Action

If PRS rejects the PRR, aAny ERCOT Member, Market Participant, the PUCT Staff or ERCOT StaffEntity as described in Section 21.2, Submission of a Protocol Revision Request, may appeal directly to the TAC any PRS action regarding a PRR. Such appeal to the TAC must be submitted to ERCOT's General Counsel and the TAC Chair or Vice-Chair within ten (10) Business Days after the date of the relevant PRS actiondecision. ERCOT shall reject aAppeals made after thatis time-shall be rejected. ERCOT shall post the appeal on the ERCOT web page dedicated to the TAC and the specific PRR within three (3) Business Days of receiving the appeal. If the appeal is submitted to ERCOT at least eleven (11) days before the next regularly scheduled TAC meeting, ERCOT shall Appeals to the TAC shall be posted on the MIS within three (3) Business Days and placed on the appeal on the agenda efor the next available-regularly scheduled TAC meeting. If the appeal is submitted to ERCOT less than eleven (11) days before the next regularly scheduled TAC meeting, provided that the appeal is provided to ERCOT at least eleven (11) days in advance of the TAC meeting; otherwise, the TAC will hear the appeal will be heard by the TAC at the its next nextsubsequent regularly scheduled TAC meeting.

#### 21.4.11.2 Appeal of TAC Action

(1) If TAC rejects the PRR, aAny ERCOT Member, Market Participant, the PUCT Staff or ERCOT StaffEntity as described in Section 21.2 may appeal directly to the ERCOT ERCOT Board any TAC the action of the TAC regarding a PRR. Upon appeal of a TAC action on a PRR, the TAC Chair or Vice-Chair shall designate a representative ("TAC Advocate") to support the TAC action. The TAC Advocate shall coordinate with any ERCOT Member, Market Participant, PUCT Staff or ERCOT Staff supporting the TAC action, as necessary, to provide relevant information to the ERCOT Board. When the ERCOT Board considers an appeal of a TAC action on a PRR, the ERCOT Board may take one of the actions set forth in Section 21.4.9, ERCOT Board Vote, or postpone consideration of the PRR until a subsequent regularly scheduled meeting. At its discretion, ifThe ERCOT Board may decline to will not consider any data, information or arguments not included in a timely submitted position statement as described in item (5e) of Section 21.4.11.2.1, Appeal of TAC Action – Normal Timeline.

~~(2) The ERCOT Board Chair or Vice-Chair shall determine the total time designated on the ERCOT Board agenda for the appeal with time evenly allocated between those appealing and advocating the TAC action. Questions from ERCOT Board members shall not diminish a party's time allocation. The ERCOT Board shall also provide notice of other ERCOT Board meetings where the appeal may be discussed.~~

#### 21.4.11.2.1 Appeal of TAC Action – Normal Timeline

~~An appeal of the TAC action on a PRR must be submitted to ERCOT's General Counsel and the TAC Chair or Vice-Chair within ten (10) Business Days after the date of the relevant TAC action. ERCOT shall reject appeals made after that time. An appeal submitted to ERCOT more than ten (10) Business Days~~eleven (11) days before the next regularly scheduled ERCOT Board meeting shall be considered at that next regularly scheduled ERCOT Board meeting and shall proceed on the following timeline, (unless the appeal satisfies one of the criteriaing party requests expedited treatment of an appeal as described- listed in 21.4.11.2.2(2),  
Appeal of TAC Action – Expedited Timeline:

- ~~(a) The Such appeal of the TAC action to the ERCOT Board must be submitted to ERCOT's General Counsel and the TAC Chair within ten (10) Business Days after the date of the relevant TAC decision action. ERCOT shall reject a Appeals made after thatis time shall be rejected.~~
- ~~(b) Within two (2) Business Days of receiving notice of an appeal, the TAC Chair or Vice-Chair shall appoint the TAC Advocate and provide to ERCOT's General Counsel the TAC Advocate's name and contact information.~~
- ~~(e)(b) Within three (3) Business Days of receiving notice of an appeal of a TAC action, ERCOT shall post the appeal on the ERCOT web page dedicated to the ERCOT Board and the specific PRR, and shall provide Notice of the appeal to the TAC.~~
- ~~(c)(d) ERCOT shall, within two (2) Business Days of the date on which the TAC Chair or Vice-Chair supplies the TAC Advocate's name and contact information to ERCOT's General Counsel:~~
  - ~~(i) Post on its web page dedicated to the ERCOT Board, the name and contact information of the TAC Advocate, and~~
  - ~~(ii) Provide that information to the TAC.~~
- ~~(d)(e) No less than seven (7) Business Daystwelve (12) days before the scheduled date of the ERCOT Board meeting in which the appeal will be heard, the appealing party and; the TAC Advocate must, and any other interested party may, shall provide to ERCOT's General Counsel a position statement, including any supporting data, ("Position Statement") for distribution to the ERCOT Board.~~
- ~~(e)(6f) ERCOT will distribute all timely submitted Position Statements that are timely submitted pursuant paragraph (d)(e) to the ERCOT Board in accordance with ERCOT's procedures for providing meeting materials to ERCOT Board~~

~~members. Appeals to the ERCOT Board shall be posted on the MIS within three (3) Business Days and placed on the agenda of the next available regularly scheduled ERCOT Board meeting, provided that the appeal is provided to the ERCOT General Counsel at least eleven (11) days in advance of the Board meeting; otherwise the appeal will be heard by the Board at the next regularly scheduled Board meeting.~~

#### 21.4.11.2.2 Appeal of TAC Action – Expedited Timeline

- (1) ~~If an appeal is submitted to ERCOT ten (10) <sup>eleven</sup>thirteen (11) or fewer Business Days before the next regularly scheduled ERCOT Board meeting, the ERCOT Board will consider the appeal at the second upcoming <sup>its next subsequent</sup> regularly scheduled meeting, and the timelines set forth above in Section 21.4.11.2.1 Appeal of TAC Action – Normal Timeline, shall apply with respect to that second upcoming meeting, unless the appeal meets the criteria set forth in <sup>item</sup>subsection (2) and the requirement of subsection (3)(a) is also satisfied.~~
- (2) Appeals that meet ~~either one~~ of the following criteria shall be processed on an expedited basis:
  - (a) ~~The appealing party requests an expedited appeal; or~~
  - (b) ~~The PRR has Urgent status as defined in Section 21.5, Urgent Requests; or~~
  - (b) ~~A Commissioner of <sup>The</sup> Public Utility Commission or the ERCOT Board Chair or Vice-Chair communicates a request for an expedited timeline for the appeal to ERCOT's General Counsel; or~~
  - (c) ~~A request for an expedited timeline for the appeal is granted by the ERCOT Board Chair or Vice-Chair due to the nature of the appeal subject.~~
- (3) ~~For an~~ expedited appeal, the following timeline shall apply:
  - (a) ~~Without the express authorization of the ERCOT Board Chair or Vice-Chair, <sup>t</sup>The appeal of a TAC action to the ERCOT Board cannot be expedited unless it ~~is~~ must be submitted to ERCOT's General Counsel and the TAC Chair by 3:00 P.M. Central Prevailing Time ~~Noon~~ of the next Business Day after the date of the relevant TAC action. ERCOT shall place all other appeals made after that time on a "normal" timeline as set forth in Section 21.4.11.2.1 Appeal of TAC Action – Normal Timeline ~~above~~.~~
  - (b) ~~The TAC Chair <sup>or Vice-Chair</sup> shall designate a TAC Advocate and provide to ERCOT's General Counsel the TAC Advocate's name and contact information by 5:00 P.M. Central Prevailing Time of the next Business Day after the <sup>Notice of the appeal</sup> is submitted under subsection (a) ~~date of the relevant TAC action~~.~~
  - (c) ~~ERCOT shall post on its web page dedicated to the ERCOT Board the name and contact information of the TAC Advocate and shall provide that information to~~

the TAC within one (1) Business Day ~~of the date on which~~ after the TAC Chair ~~or Vice-Chair~~ supplies to ERCOT's General Counsel the TAC Advocate's name and contact information.

- (d) ~~Within one (1) Business Day of receiving notice of an appeal of a TAC action~~ after the appeal is submitted under subsection (a), ERCOT shall post the appeal on the ERCOT web page dedicated to the ERCOT Board and the specific PRR, and provide Notice of the appeal to the TAC.
- (e) No less than five (5) days before the scheduled date for the ERCOT Board meeting where the appeal will be heard, the appealing party and, the TAC Advocate shall, and any other interested party may shall, provide to ERCOT's General Counsel any Position Statement, including any supporting data, for distribution to the ERCOT Board.
- (f) No less than two (2) Business Days before the scheduled date for the ERCOT Board meeting where the appeal will be heard, ERCOT will distribute all timely-submitted Position Statements to the ERCOT Board ~~two (2) Business Days before the scheduled date for the next regularly scheduled ERCOT Board meeting.~~ in accordance with ERCOT's procedures for providing meeting materials to ERCOT Board members. ~~Distribution by electronic means is permissible.~~
- (g) ~~When the ERCOT Board considers an appeal of a TAC action on a PRR, the ERCOT Board may take one of the actions set forth in Section 21.4.9, ERCOT Board Vote, or postpone consideration of the PRR until a subsequent regularly scheduled meeting.~~

### 21.4.11.3 Appeal of ERCOT Board Action

Any ~~ERCOT Member, Market Participant or PUCT Staff~~ Entity as described in Section 21.2 may appeal any decision of the ~~ERCOT~~ ERCOT Board regarding ~~the a~~ PRR to the PUCT or other Governmental Authority. Such appeal to the PUCT ~~must be made within whatever timeframe is prescribed by PUCT rule; any appeal to an~~ other Governmental Authority must be made within thirty-five (35) days of the date of the relevant decision. If the PUCT or other Governmental Authority rules on the PRR, ERCOT shall post the ruling on the MIS.