|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 358NPRR Number | 358 | NPRR Title | Clarification of Responsible Entity for Binding Obligations | |
| Timeline | Normal | Action | | Tabled |
| Date of Decision | | May 19, 2011 | | |
| Proposed Effective Date | | To be determined. | | |
| Priority and Rank Assigned | | To be determined. | | |
| Nodal Protocol Sections Requiring Revision | | 2.1, Definitions  3.14.1.9, Generation Resource Return to Service Updates  3.14.1.10, Eligible Costs  3.14.1.12, Reporting Actual Eligible Cost  3.14.1.16, Reporting Actual Eligible Costs  5.6.1, Verifiable Costs  8.1.1.2.1.4, Voltage Support Service (VSS) Qualification  11.2.2, Data Provision and Verification of Non ERCOT Polled Settlement Metered Points  11.5.2, Generation Meter Data Aggregation  22, Attachment E: Notification of Suspension of Operations  22, Attachment H: Notification of Change of Generation Resource Designation | | |
| Revision Description | | This Nodal Protocol Revision Request (NPRR) replaces the term “Generation Entity” with “Resource Entity,” where appropriate, to provide clarity that for binding obligations the Resource Entity is designated as the Entity obligated under the Protocols. This NPRR also modifies the definition of Generation Entity. | | |
| Reason for Revision | | This NPRR clarifies that the Resource Entity, as the Entity registered with ERCOT, via the Standard Form Market Participant Agreement, is the Entity responsible for meeting binding obligations, and also modifies the definition of Generation Entity to provide that unless otherwise specified in the Protocols, it must be registered as a Resource Entity. | | |
| Overall Market Benefit | | Clarification of binding obligations. | | |
| Overall Market Impact | | None. | | |
| Consumer Impact | | None. | | |
| Credit Impacts | | To be determined. | | |
| Procedural History | | * On 5/4/11, NPRR358 and an Impact Analysis were posted. * On 5/19/11, PRS considered NPRR358 | | |
| PRS Decision | | On 5/19/11, PRS unanimously voted to table NPRR358 for one month. All Market Segments were present for the votes. | | |
| Summary of PRS Discussion | | On 5/19/11, it was noted that NPRR358 may have North American Electric Reliability Corporation (NERC) ramifications. | | |

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| Quantitative Impacts and Benefits | | | | |
| Assumptions | | 1 |  | |
| 2 |  | |
| 3 |  | |
| 4 |  | |
| Market Cost | |  | **Impact Area** | **Monetary Impact** |
| 1 | *None.* |  |
| 2 |  |  |
| 3 |  |  |
| 4 |  |  |
| Market Benefit | |  | **Impact Area** | **Monetary Impact** |
| 1 | *Clarification of binding obligations.* | *Unknown.* |
| 2 |  |  |
| 3 |  |  |
| 4 |  |  |
| Additional Qualitative Information | | 1 |  | |
| 2 |  | |
| 3 |  | |
| 4 |  | |
| Other Comments | | 1 |  | |
| 2 |  | |
| 3 |  | |
| 4 |  | |

|  |  |
| --- | --- |
| Sponsor | |
| Name | Patrick Coon |
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| Phone Number | 512 248-3911 |
| Cell Number |  |
| Market Segment | N/A |

|  |  |
| --- | --- |
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|  |  |
| --- | --- |
| **Comments Received** | |
| Comment Author | **Comment Summary** |
| None. |  |

|  |
| --- |
| **Comments** |

Please note that NPRR344, Define RMR Fuel Adder, also proposes revisions to Section 3.14.1.16.

|  |
| --- |
| Proposed Protocol Language Revision |

**2.1 DEFINITIONS**

Generation Entity

The owner of an All-Inclusive Generation Resource and, unless otherwise specified in protocol, is registered as a Resource Entity.

**3.14.1.9 Generation Resource Return to Service Updates**

(1) By April 1st and October 1st of each year and when material changes occur, every Resource Entity that owns or controls a Mothballed Generation Resource or an RMR Unit with an approved exit strategy shall report to ERCOT, on a unit-specific basis, the estimated lead time required for each Resource to be capable of returning to service and, in percentage terms, report probable generation capacity from each Resource that the Resource Entity expects to return to service in each Season of each of the next five years.

(2) For modeling purposes, ERCOT and TSPs shall rely on the most recent submittal of the following two Notifications with respect to an RMR Unit, Mothballed Generation Resource or Decommissioned Generation Resource: Section 22, Attachment E, Notification of Suspension of Operations, or Section 22, Attachment H, Notification of Change of Generation Resource Designation.

(3) A Resource Entity with a Mothballed Generation Resource that has been in mothballed status for 90 days or more shall notify ERCOT in writing no less than 30 days prior to the date on which the Resource Entity intends to return a Mothballed Generation Resource to service by completing a Notification of Change of Generation Resource Designation. A Resource Entity with a Mothballed Generation Resource that has been in mothballed status for less than 90 days shall notify ERCOT in writing no less than 90 days prior to the date on which the Resource Entity intends to return a Mothballed Generation Resource to service by completing a Notification of Change of Generation Resource Designation. ERCOT shall post the Notification of Change of Generation Resource Designation on the MIS Secure Area within five days of receipt. If a Resource Entity wishes to change the operational designation of a Generation Resource upon conclusion of an RMR Agreement, it must submit a Notification of Change of Generation Resource Designation no later than 60 days prior to the conclusion of the RMR Agreement.

(4) If a Generation Resource is designated as decommissioned and retired under either Notification, ERCOT will permanently remove the Generation Resource from the ERCOT registration systems in accordance with Section 3.10.1, Time Line for Network Operations Model Changes. If a Resource Entity decides to bring a Decommissioned Generation Resource back to service at a later date, it will be considered a new Resource and must follow the procedures for generation interconnection. If the Generation Resource is designated as mothballed, ERCOT and TSPs will consider the Generation Resource mothballed until the Resource Entity indicates a definitive return to service date pursuant to this Section.

**3.14.1.10 Eligible Costs**

“Eligible Costs” are costs that would be incurred by the RMR Unit owner to provide the RMR Service, excluding fuel costs, above the costs, excluding fuel costs, the RMR Unit would have incurred anyway had it been mothballed or shut down.

(a) Examples of Eligible Costs include the following to the extent they each meet the standard for eligibility:

(i) Labor to operate the RMR Unit during the term of the RMR Agreement;

(ii) Materials and supplies consumed or used in operation of the RMR Unit during the term of the RMR Agreement;

(iii) Services necessary to operate the RMR Unit during the term of the RMR Agreement;

(iv) Costs associated with emissions credits used as a direct result of operation of the RMR Unit under direction from ERCOT, or emissions reduction equipment as may be required according to terms of the RMR Agreement;

(v) Costs associated with maintenance:

(A) Due to required equipment maintenance;

(B) Due to replacement to alleviate unsafe operating conditions;

(C) Due to regulatory requirements, with compliance dates during the term of the RMR Agreement (any such compliance dates and requirements shall be explicitly defined in the RMR Agreement); or

(D) To ensure the ability to operate the RMR Unit consistent with Good Utility Practice;

(vi) Reservation and transportation costs associated with firm fuel supplies not recovered under Section 6.6.6.2, RMR Payment for Energy;

(vii) Property taxes and other taxes attributable to continuing to operate the RMR Unit during the term of the RMR Agreement; and

(viii) Nodal implementation surcharges.

(b) Examples of costs not included as Eligible Costs are:

(i) Depreciation expense, return on equity, and debt and interest costs;

(ii) Property taxes and other taxes not attributable to continuing to operate the RMR Unit;

(iii) Income taxes of the RMR Unit owner or operator;

(iv) Labor costs associated with other, non-RMR Generation Resources at the same facility; and

(v) Any other costs the Resource Entity that owns the RMR Unit would have incurred even if the RMR Unit had been mothballed or shutdown.

3.14.1.12 Reporting Actual Eligible Cost

The RMR Unit owner shall provide ERCOT with actual Eligible Costs on a monthly basis in a level of detail sufficient for ERCOT to verify that all Eligible Costs are actual and appropriate. Actual cost data must be submitted on time by the Resource Entity for the RMR Unit and then verified by ERCOT so the actual cost data can be reflected in the True-Up Settlement Statement. To be considered timely for the final, actual cost data for month ‘x’ must be submitted by the 20th of the month following month ‘x’. To be considered timely for the true-up, actual cost data for month ‘x’ must be submitted 30 days prior to the publishing date of the True-Up Settlement Statement for the first day in month ‘x’. Any deviation in filing actual cost data in accordance with this calendar must be requested of ERCOT, by the Qualified Scheduling Entity (QSE) representing an RMR unit. Such request for deviation shall contain the reason for the inability to meet the calendar and an expected date that the cost data will be provided to ERCOT. At its discretion ERCOT may choose to honor such a request. ERCOT shall post on the Public MIS any such request and response thereto. In the event, that actual cost data is not submitted in accordance with the calendar or approved deviation for the true-up, then the cost for the portion of eligible cost that has not been submitted is deemed to be zero.

**3.14.1.16 Reporting Actual Eligible Fuel Costs**

(1) The RMR Unit owner shall provide ERCOT with actual fuel costs on a monthly basis for the RMR Unit in a level of detail sufficient for ERCOT to verify that all fuel costs are actual and appropriate. The estimated fuel payments may include a fuel adder to better approximate expected actual fuel costs. ERCOT shall perform a true-up of the estimated fuel costs using the submitted and verified actual fuel costs for the RMR Unit. Actual cost data must be submitted on time by the Resource Entity for the RMR Unit and then verified by ERCOT so the actual cost data can be reflected in the True-Up Settlement Statement. To be considered timely for the final, actual cost data for month ‘x’ must be submitted by the 20th of the month following month ‘x’. To be considered timely for the true-up, actual cost data for month ‘x’ must be submitted 30 days prior to the publishing date of the True-Up Settlement Statement for the first day in month ‘x’. Any deviation in filing actual cost data in accordance with this calendar must be requested of ERCOT, by the QSE representing an RMR unit. Such request for deviation shall contain the reason for the inability to meet the calendar and an expected date that the cost data will be provided to ERCOT. At its discretion ERCOT may choose to honor such a request. ERCOT shall post on the Public MIS any such request and response thereto. In the event, that actual cost data is not submitted in accordance with the calendar or approved deviation for the true-up, then the cost for the portion of Eligible Cost that has not been submitted is deemed to be zero.

(2) Actual fuel costs must be appropriate actual costs attributable to ERCOT’s scheduling and/or deployment of the RMR Unit. Actual fuel costs may include cost of fuel (including the cost of exceeding swing gas contract limits, additional gas demand costs set by fuel supply, or transportation contracts); demand fees, imbalance penalties, transportation charges, and cash out premiums.

***5.6.1 Verifiable Costs***

(1) The Qualified Scheduling Entity (QSE) is responsible for submitting verifiable costs unless both the QSE and Resource Entity agree that the Resource Entity will have this responsibility, in which case both the QSE and Resource Entity shall submit an affidavit to ERCOT stating this arrangement. Notwithstanding the foregoing, QSEs that submit Power Purchase or Tolling Agreements (PPAs) do not have the option of allowing Resource Entities to file verifiable costs.

(2) Make-Whole Payments for a Resource are based on the Startup Offers and Minimum-Energy Offers for the Resource, limited by caps. Until ERCOT approves verifiable unit-specific costs for that Resource, the caps are the Resource Category Startup Generic Cap and the Resource Category Minimum-Energy Generic Cap. When ERCOT approves verifiable unit-specific costs for that Resource the caps are those verifiable unit-specific costs. A QSE or Resource Entity may file verifiable unit-specific costs for a Resource at any time, but it must file those costs no later than 30 days after five Reliability Unit Commitment (RUC) events for that Resource in a calendar year. A RUC event begins when a Resource receives a RUC instruction to come or stay On-Line and ends the later of when the Resource shuts down or the end of the Operating Day. The most recent ERCOT-approved verifiable costs must be used going forward.

(3) These unit-specific verifiable costs may include and are limited to the following average incremental costs:

(a) Allocation of maintenance requirements based on number of starts between maintenance events using, at the option of the QSE or Resource Entity, either:

(i) Manufacturer-recommended maintenance schedule;

(ii) Historical data for the unit and actual maintenance practices; or

(iii) Another method approved in advance by ERCOT in writing;

(b) Startup fuel calculations based on recorded actual measured flows when the data is available or based on averages of historical flows for similar starts (for example, hot, cold, intermediate) when actual data is not available. Startup fuel will include filing separately the startup fuel required to reach breaker close and fuel after breaker close to Low Sustained Limit (LSL). Any fuel required to shutdown a resource will be submitted as the fuel from breaker open to shutdown;

(c) Operation costs;

(d) Chemical costs;

(e) Water costs;

(f) Emission credits; and

(g) Nodal Implementation Surcharges (NISs).

(4) Standard Operations and Maintenance (O&M) costs pursuant to paragraph (6) below may be used in lieu of the incremental O&M costs set forth in items (3)(a), (c), (d) and (e) above.

(5) These unit-specific verifiable costs may not include:

(a) Fixed costs, which are any cost that is incurred regardless of whether the unit is deployed or not; and

(b) Costs for which the QSE or Resource Entity cannot provide sufficient documentation for ERCOT to verify the costs.

(6) At their election, QSEs or Resource Entities may receive standard O&M costs for both startup and minimum energy until January 1, 2012. This election may be made by submitting an election form to ERCOT. If a QSE or Resource has received final approval for actual verifiable O&M costs under the verifiable cost process, it may not elect to receive standard O&M costs. Standard O&M costs are defined as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Resource Category**  **Start Year = 2009** | **Cold Startup ($/start)** | **Intermediate Startup ($/start)** | **Hot Startup ($/start)** | **Variable O&M ($/MWh)** |
| Aeroderivative simple cycle commissioned after 1996 | 1,000.00 | 1,000.00 | 1,000.00 | 3.94 |
| Reciprocating Engine | 487.00 | 487.00 | 487.00 | 5.09 |
| Simple cycle ≤ 90 MW | 2,300.00 | 2,300.00 | 2,300.00 | 3.94 |
| Simple cycle ≥ 90 MW | 5,000.00 | 5,000.00 | 5,000.00 | 3.94 |
| Combined cycle: for each Combined-Cycle Configuration, the Startup Cost for that configuration is the sum of the Startup Costs for each unit within that configuration as follows: |  |  |  | 3.19 |
| Combustion turbine < 90MW | 2,300.00 | 2,300.00 | 2,300.00 |  |
| Combustion turbine ≥ 90 MW | 5,000.00 | 5,000.00 | 5,000.00 |  |
| Steam turbine | 3,000.00 | 2,250.00 | 1,250.00 |  |
| Gas-steam non-reheat boiler | 2,310.00 | 1,732.50 | 866.25 | 7.08 |
| Gas-steam reheat boiler | 3,000.00 | 2,250.00 | 1,125.00 | 7.08 |
| Gas-steam supercritical boiler | 4,800.00 | 3,600.00 | 1,800.00 | 7.08 |
| Nuclear, coal, lignite and hydro | 7,200.00 | 5,400.00 | 2,700.00 | 5.02 |
| Renewable | Not Applicable | Not Applicable | Not Applicable | 5.50 |

(a) If the QSE or Resource Entity chooses to utilize the standard O&M costs for O&M, standard O&M costs will be used by ERCOT going forward until either:

(i) Verifiable variable O&M costs are filed; or

(ii) ERCOT notifies the QSE or Resource Entity to update its verifiable costs as set forth in either paragraph (10) or (11) below. If a Resource is receiving standard O&M costs, it may reelect standard O&M costs when resubmitting verifiable costs.

(7) When submitting verifiable costs for combined cycle Resources, the QSE or Resource Entity must elect standard O&M costs for all Combined-Cycle Configurations or verifiable costs for all Combined-Cycle Configurations within the combined cycle train.

(8) QSEs submitting PPAs as Resource-specific verifiable costs documentation are subject to the guidelines detailed below and in the Verifiable Cost Manual.

(a) Only QSEs offering Three-Part Supply Offers for a specific Resource may submit a PPA as verifiable costs documentation.

(b) A QSE submitting a PPA as verifiable costs documentation must represent 100% of the Resource’s capacity.

(c) Only PPAs:

(i) Signed prior to July 16, 2008; and

(ii) Not between Affiliates, subsidiaries or partners will be accepted as verifiable cost documentation.

(d) Verifiable costs for PPAs shall be capped at the level of the highest comparable Resource (referred to as the reference Resource) specific verifiable costs approved by ERCOT without a PPA. The ERCOT approved verifiable costs for a PPA shall be equal to the lesser of:

(i) The cap as described in paragraph (d) above; and

(ii) The costs from the PPA.

(e) ERCOT shall use the Resource actual fuel costs submitted by the QSE for startup and operation at minimum-energy level (LSL), and shall use the Resource Category Startup Offer Generic Costs as the cap for the O&M portion of the Startup Costs until ERCOT receives and approves comparable Resource specific verifiable costs.

(f) PPAs will no longer be accepted as verifiable cost documentation after the primary term of the contract expires.

(g) ERCOT shall produce a report each April that provides the percentage of RUC Make-Whole Payments for Resources with PPAs during the 12 months of the previous calendar year. The report shall be based on the final Settlements and include the total number of Resources that used a PPA for their most recent verifiable cost submission that was approved by ERCOT. ERCOT shall present the results of this study to the appropriate Technical Advisory Committee (TAC) subcommittee.

(h) Notwithstanding anything to the contrary in this Section 5.6.1, QSEs representing PPAs may, at any time, submit data from a Resource as verifiable costs documentation and such documentation will be accepted for consideration by ERCOT. A QSE submitting verifiable costs documentation pursuant to this paragraph shall not be required to submit a PPA to ERCOT for consideration for verifiable cost recovery.

(9) The process for determining the verifiable actual costs must be developed by ERCOT, approved by the appropriate TAC subcommittee, and posted to the ERCOT website within one Business Day after initial approval and after each approved change.

(10) ERCOT shall notify a QSE to update verifiable cost data of a Resource when the Resource has received more than 50 RUC instructions meeting the criteria in Section 5.6.2, RUC Startup Cost Eligibility, in a year, but ERCOT may not request an update more frequently than annually.

(11) ERCOT shall notify a QSE to update verifiable cost data of a Resource if at least five years have passed since ERCOT previously approved verifiable cost data for that Resource.

(12) Within 30 days after receiving an update notice from ERCOT under any of paragraphs (10) or (11) above, a QSE or Resource Entity must submit verifiable cost data for the Resource. Despite the provisions in paragraph (2) above, if the QSE or Resource Entity does not submit verifiable cost data within 30 days after receiving an update notice, then, until updated verifiable costs are approved, ERCOT shall determine payment using the lower of:

(a) Resource Category Startup Generic and Resource Category Minimum-Energy Generic Caps; and

(b) Current ERCOT-approved verifiable startup and minimum-energy costs.

(13) Resource Entities that represent Reliability-Must Run (RMR) Resources shall submit to ERCOT, Startup and variable O&M Cost estimates to be used by ERCOT as proxies for verifiable Startup Cost and minimum-energy verifiable cost and for Settlement. The ERCOT-approved verifiable Startup Cost estimate will equal the startup fuel estimate times the sum of the appropriate Fuel Index Price (FIP) or Fuel Oil Price (FOP) and the fuel adder, plus the startup O&M. The ERCOT-approved minimum-energy verifiable cost estimate will equal the heat rate from the RMR Agreement contract times the sum of the appropriate FIP or FOP and the fuel adder, plus the variable O&M. The O&M cost estimates shall be revised monthly to be consistent with the latest actual costs for the RMR Unit submitted in accordance with Section 3.14.1.12, Reporting Actual Eligible Cost. The O&M values will be effective until updated costs have been submitted to ERCOT.

**8.1.1.2.1.4 Voltage Support Service (VSS) Qualification**

(1) The Resource Entity must verify and maintain its stated Reactive Power capability for each of its Generation Resources providing VSS, as required by the Operating Guides. Generation Resources providing VSS reactive capability limits shall be specified considering nominal substation voltage.

(2) The Generation Resource Entity shall conduct reactive capacity qualification tests to verify the maximum leading and lagging reactive capability of all Generation Resources required to provide VSS. Reactive capability tests are performed on initial qualification and at a minimum of once every two years. ERCOT may require additional testing if it has information indicating that current data is inaccurate. The Generation Resource Entity is not obligated to place Generation Resources On-Line solely for the purposes of testing. The reactive capability tests must be conducted at a time agreed on in advance by the Generation Resource Entity, its QSE, the applicable TSP, and ERCOT.

(3) Maximum lagging power factor reactive operating limit must be demonstrated during peak Load Season, at or above 95% of the most currently tested Net Dependable Capability, insofar as system voltage conditions and other factors will allow. The Generation Resource providing VSS is required to maintain this level of Reactive Power for 15 minutes.

(4) Maximum leading power factor reactive operating limit must be demonstrated during light Load conditions, with the Generation Resource operating at a typical output for that condition, or the normal expected output level for solid fuel Generation Resources during light Load conditions, insofar as system voltage conditions and other factors will allow. The Resource is required to maintain this level of Reactive Power for 15 minutes.

(5) The Generation Resource Entity shall perform the Resource AVR tests and shall supply AVR data as specified in the Operating Guides. The AVR tests must be performed on initial qualification. The AVR tests must be conducted at a time agreed on in advance by the Generation Resource Entity, its QSE, the applicable TSP and ERCOT.

11.2.2 Data Provision and Verification of Non ERCOT Polled Settlement Metered Points

(1) The TSP and/or DSP will provide data for TSP and/or DSP metered Entities as defined in Section 10, Metering, of these Protocols.

(2) The TSP and/or DSP will provide data in accordance with the TSP and/or DSP meter data responsibilities detailed in Section 10 and will conform to data formats specified in Section 19, Texas Standard Electronic Transaction.

(3) ERCOT will:

(a) Provide the TSP and/or DSP a notification of successful/unsuccessful data transfer for the Texas SET meter data submitted. At the Electric Service Identifier (ESI ID) level, the TSP and/or DSP will be notified of successful and unsuccessful validations;

(b) Validate that the correct TSP and/or DSP is submitting meter consumption data on an individual ESI ID basis. At the ESI ID level, the TSP and/or DSP will be notified of unsuccessful validations;

(c) Provide a report to the TSP and/or DSP listing each ESI ID for which ERCOT has not received consumption data for 38 days; and

(d) Synchronize the Data Aggregation System (DAS) data with the Customer registration system on a daily basis to ensure the appropriate relationship between the ESI ID, Load Serving Entity (LSE) and/or Resource Entity, and the meter. DAS will provide versioning to ensure ESI ID characteristic changes are time stamped.

***11.5.2 Generation Meter Data Aggregation***

ERCOT will perform generation aggregation by the following distinct criteria sets:

(a) By UFE zone: This data set is used in the calculation of UFE in the Load aggregation process; and

(b) By Generation Resource (Resource ID (RID)), by Resource Entities, by QSE and Settlement Point: This data set is passed to the Settlement process for generation imbalance calculations.

**Section 22**

**Attachment E: Notification of Suspension of Operations**

**Notification of Suspension of Operations of a Generation Resource**

This Notification is required for providing notification of any Outage of a Generation Resource of greater than 180 days. Information may be inserted electronically to expand the reply spaces as necessary.

The Notification must be signed, notarized and delivered to ERCOT. Delivery may be accomplished via email to [mpappl@ercot.com](mailto:mpappl@ercot.com) (if a scanned copy) or via facsimile (Attention: Market Participant Registration) at (512) 225-7079.

ERCOT may request additional information as reasonably necessary to support operations under the ERCOT Protocols.

Part I:

Resource Entity: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DUNS Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Generation Resource(s) [plant and unit number(s)]

As of \_\_\_\_\_\_\_\_\_\_\_ [date],[[1]](#footnote-1) the Generation Resource(s) will be unavailable for Dispatch by ERCOT because Resource Entity will [check one]

[ ] decommission and retire the Generation Resource(s) permanently,[[2]](#footnote-2)

[ ] suspend operation (*i.e.*, mothball) of the Generation Resource(s) for a period of not less than \_\_\_\_\_\_\_\_\_ months and not greater than \_\_\_\_\_\_ months, or

[ ] suspend operation (*i.e.*, mothball) of the Generation Resource(s) indefinitely, or

[ ] suspend operation of the Generation Resource(s) due to a Forced Outage. Resource Entity intends to bring the Generation Resource(s) back to service on \_\_\_\_\_\_\_\_\_\_\_ [date].

Unless the Generation Resource(s) will be decommissioned and retired the estimated time to return the suspended Generation Resource(s) to service is \_\_\_\_\_\_\_\_\_ months.

[ ] Check if applicable. Resource Entity believes that this Generation Resource(s) is inoperable due to emissions limitations or not being repairable.

The Generation Resource(s) is further described as follows:

Location: \_\_\_\_\_\_\_\_\_\_\_ County, Texas

Number and type of generating unit(s) \_\_\_\_

Reliability Must-Run (RMR) capacity in MW: \_\_\_\_\_

A. Power Factor (P. F.) Lagging

(i) \_\_\_\_\_ P.F. (at generator main leads); and

(ii) \_\_\_\_\_ P.F. (at high side of main power transformer)

Power Factor Leading

(i) \_\_\_\_\_ P.F. (at generator main leads); and

(ii) \_\_\_\_\_ P.F. (at high side of main power transformer)

Delivery Point: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

B. Revenue Meter Location (use Resource IDs (RIDs)): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Operational and Environmental Limitations (check and describe all that apply):

(a) Operational:

( Maximum annual hours of operation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

( Maximum annual MWhs: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

🞎 Maximum annual starts: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

🞎 Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(b) Environmental:

🞎 Maximum annual NOx emission: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

🞎 Maximum annual SO2 emission: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

🞎 Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Part II:

Excess Energy Payment Option (A or B) \_\_\_\_\_\_

Proposed RMR Energy Price: \_\_\_\_\_\_\_\_\_\_\_\_($/MMBtu)

Proposed Standby Price ($/MW): \_\_\_\_\_\_\_\_\_\_\_\_

I understand and agree that this Notification is not confidential and does not constitute Protected Information under the ERCOT Protocols. This Notification is not intended to constitute an offer to enter into a binding Agreement, but is intended only as an offer to negotiate the terms of such an Agreement, in accordance with the ERCOT Protocols.

Unless the above Generation Resource(s) is inoperable due to emissions limitations or not being repairable, I certify that Resource Entity is willing to consider entering into an RMR Agreement for the Generation Resource(s).

The undersigned certifies that I am an officer of Resource Entity, that I am authorized to execute and submit this Notification on behalf of Resource Entity, and that the statements contained herein are true and correct.

Name:

Title:

Date:

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_

Before me, the undersigned authority, this day appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, known by me to be the person whose name is subscribed to the foregoing instrument, who, after first being sworn by me deposed and said:

“I am an officer of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, I am authorized to execute and submit the foregoing Notification on behalf of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the statements contained in such Notification are true and correct.”

SWORN TO AND SUBSCRIBED TO BEFORE ME, the undersigned authority on this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public, State of \_\_\_\_\_\_\_\_\_\_\_

My Commission expires \_\_\_\_\_\_\_\_\_\_

**Section 22**

**Attachment H: Notification of Change of Generation Resource Designation**

**Notification of Change of Generation Resource Designation**

This Notification is for changing a Generation Resource designation in accordance with the ERCOT Protocols. Information may be inserted electronically to expand the reply spaces as necessary.

The Notification must be signed, notarized and delivered to ERCOT. Delivery may be accomplished via email to [mpappl@ercot.com](mailto:mpappl@ercot.com) (if a scanned copy) or via facsimile (Attention: Market Participant Registration) at (512) 225-7079. ERCOT may request additional information as reasonably necessary to support operations under the ERCOT Protocols.

Resource Entity: \_\_\_\_\_\_\_

DUNS No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Generation Resource(s) [plant and unit number(s)] \_\_\_\_\_\_

Generation Resource(s) is currently [check one]

[ ] under a Reliability Must-Run (RMR) Agreement

[ ] mothballed

As of \_\_\_\_\_\_\_\_\_\_\_ [date], Resource Entity will change the Generation Resource(s) designation to [check one]

[ ] operational

[ ] mothballed

[ ] decommissioned and retired permanently[[3]](#footnote-3)

The undersigned certifies that I am an officer of Resource Entity, that I am authorized to execute and submit this Notification on behalf of Resource Entity, and that the statements contained herein are true and correct.

Name:

Title:

Date:

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_

Before me, the undersigned authority, this day appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, known by me to be the person whose name is subscribed to the foregoing instrument, who, after first being sworn by me deposed and said:

“I am an officer of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, I am authorized to execute and submit the foregoing Notification on behalf of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the statements contained in such Notification are true and correct.”

SWORN TO AND SUBSCRIBED TO BEFORE ME, the undersigned authority on this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public, State of \_\_\_\_\_\_\_\_\_\_\_

My Commission expires \_\_

1. Pursuant to Protocol Section 3.14.1.1, Notification of Suspension of Operations, this date must be at least 90 days from the date ERCOT receives this Notification. [↑](#footnote-ref-1)
2. ERCOT will remove the Generation Resource(s) from its registration systems if this option is selected. [↑](#footnote-ref-2)
3. ERCOT will remove the Generation Resource(s) from its registration systems if this option is selected, in accordance with Section 3.14.1.9, Generation Resource Return to Service Updates, upon Resource Entity updating Resource registration accordingly. [↑](#footnote-ref-3)