From: Technical Advisory Committee on behalf of Hobbs, Kristi
To: TAC and Others
Subject: Re: 12/3/13 TAC Vote on PGRR031
Date: Monday, December 09, 2013 6:27:38 PM

ERCOT did not receive any motions to reconsider the December 3, 2013 TAC vote on PGRR031. Therefore, the December 3rd TAC recommendation will be scheduled for consideration at the February 11, 2014 ERCOT Board meeting.

Additionally, TAC Leadership has requested that PGRR031 be included on the January 30, 2014 TAC agenda for discussion and possible vote.

Thanks,

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From: Hobbs, Kristi
Sent: Wednesday, December 04, 2013 4:54 PM
To: TAC and Others
Cc: Hobbs, Kristi; Seely, Chad
Subject: 12/3/13 TAC Vote on PGRR031

ERCOT has reviewed the voting spreadsheet utilized to calculate the December 3, 2013 TAC vote on the motion to recommend approval of PGRR031, Implement 95% Facility Rating Limit in the Planning Criteria, and has identified a calculation error that caused an incorrect report of the vote's outcome. At the meeting, ERCOT incorrectly reported that the vote of 18-9-3 failed. However, according to paragraph (c) of ERCOT Bylaws Section 5.1, TAC Representatives, the motion to recommend approval of PGRR031 did pass. Per the Bylaws:

> Fifty-one percent (51%) of the eligible, Seated Representatives of TAC shall constitute a quorum for the transaction of business; and abstentions do not affect calculation of a quorum. Affirmative votes of: (i) two-thirds of the Eligible Voting Representatives of TAC; and (ii) at least 50% of the total Seated Representatives shall be the act of TAC. For purposes of voting on TAC, TAC Representatives shall not have their votes included in the total number of votes from which the requisite percentage of affirmative votes is required for action if: (i) they are not present and have not designated a proxy, or (ii) they abstain from voting.

According to the ERCOT Bylaws, 18 affirmative votes were required for the motion to recommend approval of PGRR031 to pass. ERCOT has determined that the vote was incorrectly tabulated, and that the motion to recommend approval of PGRR031 did in fact pass. As such, the subsequent motion to table PGRR031 at TAC and request further information from ROS on the 95% Facility rating limit is deemed an improper, out of order motion.

ERCOT recognizes the confusion caused by this voting discrepancy and ultimate change in outcome. In order to preserve TAC Members' rights which would have been afforded at the meeting, the TAC Chair and Vice Chair have decided to extend the time allotted for any TAC Member to move for reconsideration of PGRR031. TAC Members have until Close of Business (COB) on Monday, December 9, 2013, to send to the TAC distribution list (TAC and Others) an email on a motion for reconsideration of PGRR031. If seconded by a TAC Member, ERCOT will conduct an email vote beginning on Tuesday, December 10, 2013.

The mover of a motion to reconsider must be a TAC Member that voted on the prevailing side of the motion to be reconsidered, and must clearly identify the motion or action to be reconsidered. That means the 18 TAC Members who voted in favor of PGRR031 have the right to move for reconsideration. The timeline for appeal of a TAC action regarding PGRR031 to the Board will not commence until the allotted time for a motion to reconsider has elapsed on December 9th or an action has occurred on a motion for reconsideration.

Again, we apologize for any confusion caused. Please feel free to contact myself or Chad Seely (cseely@ercot.com) with any questions.

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