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| NPRR Number | [1078](http://www.ercot.com/mktrules/issues/NPRR1078) | NPRR Title | Clarification of Potential Uplift |
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| Date | June 22, 2021 |
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| Submitter’s Information |
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| E-mail Address | dekee@cpsenergy.com |
| Company | CPS Energy |
| Phone Number | 210-353-6912 |
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| Market Segment | Municipal |

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| Comments |

CPS Energy abstains from voting on this Nodal Protocol Revision Request (NPRR) 1078 as endorsed by the Protocol Revision Subcommittee (PRS) at its June 10, 2021 meeting due to pending litigation in which CPS Energy has challenged the constitutionality of the policy underlying Section 16.11.4.1, Determination of Total Potential Exposure for a Counter-Party, which this NPRR is intended to revise. Further, CPS Energy’s endorsement of this NPRR at the PRS was only intended to recognize that the matter was ready to advance for consideration of the Technical Advisory Committee (TAC). Such endorsement was not intended as support for the broader policy of applying default uplift charges to Market Participants. We defer to the outcome of the referenced litigation before offering any Protocol language change to address this policy.

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| Revised Cover Page Language |

None

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| Revised Proposed Protocol Language |

None