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| NPRR Number | [1087](http://www.ercot.com/mktrules/issues/NPRR1087) | NPRR Title | Prohibit Participation of Critical Loads and Generation Resource Support Loads as Load Resources or ERS Resources |
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| Date | October 21, 2021 |
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| Submitter’s Information |
| Name | Sandip Sharma |
| E-mail Address | Sandip.Sharma@ercot.com |
| Company | ERCOT |
| Phone Number | 512-248-4298 |
| Cell Number |  |
| Market Segment | Not applicable |

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| Comments |

ERCOT submits these comments to Nodal Protocol Revision Request (NPRR) 1087 to revise the proposed effective date and provide further clarification of the timing of the Critical Load attestation required by Paragraph (9) of Section 3.6.1. As recommended for approval by the Technical Advisory Committee (TAC), the NPRR would become effective November 1, 2021. Resource Entities representing Load Resources would thus be required to submit the Critical Load attestation upon that effective date. This designation is expected to change under forthcoming Public Utility Commission of Texas (PUC) and the Railroad Commission of Texas (RRC) rules. As required by recently enacted Senate Bill 3 and House Bill 3648, the PUC and RRC are developing rules that would categorize certain natural gas facilities as critical. Once those rules become effective, those facilities would be considered Critical Loads under the definition proposed in this NPRR. This would effectively require all Resource Entities whose facilities were designated as critical under those rules to submit a new attestation to ERCOT identifying those facilities as Critical Loads.

ERCOT sees little value in requiring two stages of attestations for Load Resources, especially because what ERCOT presumes to be the most significant set of Critical Loads—certain natural gas facilities in the generation supply chain—would generally not be considered Critical Loads under the Protocols until both the PUC’s and RRC’s rules become effective (as most recently proposed, the critical natural gas designation identified in the PUC’s rules depends on whether the facility is considered a critical gas supplier under the RRC’s rules). Accordingly, these comments propose that the requirements in this NPRR that apply to Resource Entities representing Load Resources would not become effective until the later of the effective date of the PUC’s rules and the effective date of the RRC’s rules.

In these comments, ERCOT also clarifies that Resource Entities would need to submit the attestation required by Paragraph (9) of Section 3.6.1 within ten days of the effective date of this NPRR.

ERCOT does not propose to change the November 1 effective date for the provisions that apply to ERS Resources.

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| Revised Cover Page Language |

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| Proposed Effective Date | November 1, 2021 (Section 2.1, paragraph (9) of Section 3.6.1)Effective upon the later of the effective date of the rules adopted by the Public Utility Commission of Texas pursuant to Utilities Code Section 38.074 and the effective date of the rules adopted by the Railroad Commission of Texas pursuant to Natural Resources Code Section 81.073 (Section 3.14.3.1; paragraphs (7) and (8) of Section 3.6.1)Resource Entities representing Load Resources must submit the attestation required by paragraph (8) of Section 3.6.1 within ten days of the effective date of paragraph (8) |

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| Revised Proposed Protocol Language |

None.