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| NPRR Number | [1152](https://www.ercot.com/mktrules/issues/NPRR1152) | NPRR Title | Remove Requirements to Submit Emergency Operations Plans, Weatherization Plans, and Declarations of Summer/Winter Weather Preparedness |
| Date Posted | | October 20, 2022 | |
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| Requested Resolution | | Urgent – ERCOT requests urgent status to align the Protocols with 16 Texas Administrative Code (TAC) § 25.55 as quickly as possible. | |
| Nodal Protocol Sections Requiring Revision | | 1.3.1.1, Items Considered Protected Information  1.3.2.1, Items Considered ERCOT Critical Energy Infrastructure Information  3.21, Submission of Emergency Operations Plans, Weatherization Plans, and Declarations of Summer and Winter Weather Preparedness  3.21.1, Natural Gas Pipeline Coordination Requirements for Resource Entities with Natural Gas Generation Resources for Summer Preparedness and Summer Peak Load Season  Section 22, Attachment K: Declaration of Completion of Generation  Resource Summer Weatherization Preparations and Natural Gas Pipeline Coordination for Resource Entities with Natural Gas Generation Resources  Section 22, Attachment O: Declaration of Completion of Generation  Resource Winter Weatherization Preparations (delete) | |
| Related Documents Requiring Revision/Related Revision Requests | | None | |
| Revision Description | | In light of the implementation of 16 TAC §§ 25.53 and 25.55, this Nodal Protocol Revision Request (NPRR):   * Removes the Protocol requirements to submit emergency operations plans (“EOPs”), weatherization plans, and declarations of Summer/Winter weather preparedness in light of recent Public Utility Commission of Texas (PUCT) rules requiring submission of such information to ERCOT; * Revises procedures for submitting to ERCOT declarations of natural gas pipeline coordination for Resource Entities with natural gas Generation Resources; * Revises the list of items considered Protected Information in Section 1.3.1.1 to remove references to weatherization plans and add protections for information relating to weatherization activities submitted to or obtained by ERCOT in connection with 16 TAC § 25.55; and * Revises the list of ERCOT Critical Energy Infrastructure Information (ECEII) to clarify language concerning EOPs and add protections for information relating to weatherization activities submitted to or obtained by ERCOT in connection with PUCT rules and NERC Reliability Standards. | |
| Reason for Revision | | Addresses current operational issues.  Meets Strategic goals (tied to the [ERCOT Strategic Plan](https://www.ercot.com/files/docs/2018/12/13/ERCOT_Strategic_Plan_2019-2023.pdf) or directed by the ERCOT Board).  Market efficiencies or enhancements  Administrative  Regulatory requirements  Other: (explain)  *(please select all that apply)* | |
| Business Case | | This NPRR reduces the administrative burden of submitting the weatherization declarations required by Section 3.21, which have been superseded by the more comprehensive declarations required by 16 TAC § 25.55. At the open meeting on September 29, 2022, the PUCT Commissioners agreed ERCOT Market Participants need not submit Protocol Section 3.21 declarations in light of the approval of revised 16 TAC § 25.55. This NPRR implements that decision. This NPRR retains the requirement to submit the declaration of natural gas pipeline coordination in Section 22, Attachment K, but now requires this declaration be submitted as part of the summer weather preparedness declaration required by 16 TAC § 25.55(c)(3)(B). 16 TAC § 25.55(c)(3)(B)(iv) authorizes ERCOT to specify additional information for inclusion in declarations, and consolidating the pipeline coordination declaration into the weatherization declaration required by PUCT rules will reduce the administrative burden on Market Participants and ERCOT.  This NPRR also removes requirements in Section 3.21 to submit EOPs and either designate weatherization-specific portions of the EOP or provide a standalone weatherization plan. The Commission recently amended 16 TAC § 25.53 to create more specific content requirements for EOPs, including requiring a “weather emergency annex,” and require EOPs be submitted to ERCOT. Maintaining a separate Protocol-level requirement to submit EOPs would be duplicative. Because 16 TAC § 25.55 now regulates weatherization practices, ERCOT no longer needs to require Market Participants to designate weatherization-specific portions of an EOP or submit a standalone weatherization plan.  Finally, the revisions to Sections 1.3.1.1 and 1.3.1.2 provide clarity regarding the confidentiality of EOPs and weatherization-related information, consistent with the requirements of 16 TAC § 25.53(c)(1)(C) and (c)(3)(d); 16 TAC § 25.55(c)(6) and (f)(6); and NERC Reliability Standards.  Market Participants should note: (1) some information relating to weatherization activities may also come within the definition of ERCOT Critical Energy Infrastructure Information (ECEII); (2) Resource Entities concluding that certain information submitted to ERCOT pursuant to Rule 25.55 constitutes ECEII may wish to designate the information as ECEII pursuant to paragraph (1)(i) of Section 1.3.2.1, Items Considered ERCOT Critical Energy Infrastructure Information; and (3) this NPRR does *not* change the requirement to submit Operating Plans to mitigate operating emergencies required by NERC Reliability Standard EOP-011 (contained in subsection (6) of Nodal Operating Guides Section 3.7, Transmission Operators). | |

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| Market Segment | Not applicable |

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| **Market Rules Notes** |

Please note that the following NPRR(s) also propose revisions to the following section(s):

* NPRR1067, Market Entry Qualifications, Continued Participation Requirements, and Credit Risk Assessment
  + Section 1.3.1.1
* NPRR1084, Improvements to Reporting of Resource Outages, Derates, and Startup Loading Failures
  + Section 1.3.1.1

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| Proposed Protocol Language Revision |

1.3.1.1 Items Considered Protected Information

(1) Subject to the exclusions set out in Section 1.3.1.2, Items Not Considered Protected Information, and in Section 3.2.5, Publication of Resource and Load Information, “Protected Information” is information containing or revealing any of the following:

(a) Base Points, as calculated by ERCOT. The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

(b) Bids, offers, or pricing information identifiable to a specific Qualified Scheduling Entity (QSE) or Resource. The Protected Information status of part of this information shall expire 60 days after the applicable Operating Day, as follows:

(i) Ancillary Service Offers by Operating Hour for each Resource for all Ancillary Services submitted for the Day-Ahead Market (DAM) or any Supplemental Ancillary Services Market (SASM);

(ii) The quantity of Ancillary Service offered by Operating Hour for each Resource for all Ancillary Service submitted for the DAM or any SASM; and

(iii) Energy Offer Curve prices and quantities for each Settlement Interval by Resource. The Protected Information status of this information shall expire within seven days after the applicable Operating Day if required to be posted as part of paragraph (5) of Section 3.2.5 and within two days after the applicable Operating Day if required to be posted as part of paragraph (7) of Section 3.2.5;

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| ***[NPRR1013: Replace paragraph (b) above with the following upon system implementation of the Real-Time Co-Optimization (RTC) project:]***  (b) Bids, offers, or pricing information identifiable to a specific Qualified Scheduling Entity (QSE) or Resource. The Protected Information status of part of this information shall expire 60 days after the applicable Operating Day, as follows:  (i) Ancillary Service Offers by Operating Hour or Security-Constrained Economic Dispatch (SCED) interval for each Resource for all Ancillary Services submitted for the Day-Ahead Market (DAM) or Real-Time Market (RTM);  (ii) The quantity of Ancillary Service offered by Operating Hour or SCED interval for each Resource for all Ancillary Service submitted for the DAM or RTM; and  (iii) A Resource’s Energy Offer Curve prices and quantities by Operating Hour or SCED interval. The Protected Information status of this information shall expire within seven days after the applicable Operating Day if required to be posted as part of paragraph (5) of Section 3.2.5 and within two days after the applicable Operating Day if required to be posted as part of paragraph (7) of Section 3.2.5; |

(c) Status of Resources, including Outages, limitations, or scheduled or metered Resource data. The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

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| ***[NPRR1097: Replace paragraph (c) above with the following upon system implementation:]***  (c) Status of Resources, including Outages, limitations, or scheduled or metered Resource data. The Protected Information status of this information shall expire as follows:  (i) For each Forced Outage, Maintenance Outage, or Forced Derate of a Generation Resource or Energy Storage Resource (ESR) that occurs during or extends into an Operating Day, the Protected Information status of the following information shall expire three days after the applicable Operating Day:  (A) The name and unit code of the Resource affected;  (B) The Resource’s fuel type;  (C) The type of Outage or derate;  (D) The start date/time and the planned and actual end date/time;  (E) The Resource’s applicable Seasonal net maximum sustainable rating;  (F) The available and outaged MW during the Outage or derate; and  (G) The entry in the “nature of work” field in the Outage Scheduler and any other information concerning the cause of the Outage or derate;  (ii) For each Resource Outage or Forced Derate that occurs during, or that extends into, any time period in which ERCOT has declared an Energy Emergency Alert (EEA), ERCOT may immediately disclose the information identified in paragraph (i) above to a state Governmental Authority, the office of the Governor of Texas, the office of the Lieutenant Governor of Texas, or any member of the Texas Legislature, if requested; and  (iii) For all other information, the Protected Information status shall expire 60 days after the applicable Operating Day; |

(d) Current Operating Plans (COPs). The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

(e) Ancillary Service Trades, Energy Trades, and Capacity Trades identifiable to a specific QSE or Resource. The Protected Information status of this information shall expire 180 days after the applicable Operating Day;

(f) Ancillary Service Schedules identifiable to a specific QSE or Resource. The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

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| ***[NPRR1013: Replace paragraph (f) above with the following upon system implementation of the Real-Time Co-Optimization (RTC) project:]***  (f) Ancillary Service awards identifiable to a specific QSE or Resource. The Protected Information status of this information shall expire 60 days after the applicable Operating Day; |

(g) Dispatch Instructions identifiable to a specific QSE or Resource, except for Reliability Unit Commitment (RUC) commitments and decommitments as provided in Section 5.5.3, Communication of RUC Commitments and Decommitments. The Protected Information status of this information shall expire 180 days after the applicable Operating Day;

(h) Raw and Adjusted Metered Load (AML) data (demand and energy) identifiable to:

(i) A specific QSE or Load Serving Entity (LSE). The Protected Information status of this information shall expire 180 days after the applicable Operating Day; or

(ii) A specific Customer or Electric Service Identifier (ESI ID);

(i) Wholesale Storage Load (WSL) data identifiable to a specific QSE. The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

(j) Settlement Statements and Invoices identifiable to a specific QSE. The Protected Information status of this information shall expire 180 days after the applicable Operating Day;

(k) Number of ESI IDs identifiable to a specific LSE. The Protected Information status of this information shall expire 365 days after the applicable Operating Day;

(l) Information related to generation interconnection requests, to the extent such information is not otherwise publicly available. The Protected Information status of certain generation interconnection request information expires as provided in Section 1.3.1.4, Expiration of Protected Information Status;

(m) Resource-specific costs, design and engineering data, including such data submitted in connection with a verifiable cost appeal;

(n) Congestion Revenue Right (CRR) credit limits, the identity of bidders in a CRR Auction, or other bidding information identifiable to a specific CRR Account Holder. The Protected Information status of this information shall expire as follows:

(i) The Protected Information status of the identities of CRR bidders that become CRR Owners and the number and type of CRRs that they each own shall expire at the end of the CRR Auction in which the CRRs were first sold; and

(ii) The Protected Information status of all other CRR information identified above in item (n) shall expire six months after the end of the year in which the CRR was effective.

(o) Renewable Energy Credit (REC) account balances. The Protected Information status of this information shall expire three years after the REC Settlement period ends;

(p) Credit limits identifiable to a specific QSE;

(q) Any information that is designated as Protected Information in writing by Disclosing Party at the time the information is provided to Receiving Party except for information that is expressly designated not to be Protected Information by Section 1.3.1.2 or that, pursuant to Section 1.3.1.4, is no longer confidential;

(r) Any information compiled by a Market Participant on a Customer that in the normal course of a Market Participant’s business that makes possible the identification of any individual Customer by matching such information with the Customer’s name, address, account number, type of classification service, historical electricity usage, expected patterns of use, types of facilities used in providing service, individual contract terms and conditions, price, current charges, billing record, or any other information that a Customer has expressly requested not be disclosed (“Proprietary Customer Information”) unless the Customer has authorized the release for public disclosure of that information in a manner approved by the Public Utility Commission of Texas (PUCT). Information that is redacted or organized in such a way as to make it impossible to identify the Customer to whom the information relates does not constitute Proprietary Customer Information;

(s) Any software, products of software, or other vendor information that ERCOT is required to keep confidential under its agreements;

(t) QSE, Transmission Service Provider (TSP), and Distribution Service Provider (DSP) backup plans collected by ERCOT under the Protocols or Other Binding Documents;

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| ***[NPRR857: Replace item (t) above with the following upon system implementation and satisfying the following conditions: (1) Southern Cross provides ERCOT with funds to cover the entire estimated cost of the project; and (2) Southern Cross has signed an interconnection agreement with a TSP and the TSP gives ERCOT written notice that Southern Cross has provided it with: (a) Notice to proceed with the construction of the interconnection; and (b) The financial security required to fund the interconnection facilities:]***  (t) QSE, Transmission Service Provider (TSP), Direct Current Tie Operator (DCTO), and Distribution Service Provider (DSP) backup plans collected by ERCOT under the Protocols or Other Binding Documents; |

(u) Direct Current Tie (DC Tie) Schedule information. The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

(v) Any Texas Standard Electronic Transaction (TX SET) transaction submitted by an LSE to ERCOT or received by an LSE from ERCOT. This paragraph does not apply to ERCOT’s compliance with:

(i) PUCT Substantive Rules on performance measure reporting;

(ii) These Protocols or Other Binding Documents; or

(iii) Any Technical Advisory Committee (TAC)-approved reporting requirements;

(w) Information concerning a Mothballed Generation Resource’s probability of return to service and expected lead time for returning to service submitted pursuant to Section 3.14.1.9, Generation Resource Status Updates;

(x) Information provided by Entities under Section 10.3.2.4, Reporting of Net Generation Capacity;

(y) Alternative fuel reserve capability and firm gas availability information submitted pursuant to Section 6.5.9.3.1, Operating Condition Notice, Section 6.5.9.3.2, Advisory, and Section 6.5.9.3.3, Watch, and as defined by the Operating Guides;

(z) Non-public financial information provided by a Counter-Party to ERCOT pursuant to meeting its credit qualification requirements as well as the QSE’s form of credit support;

(aa) ESI ID, identity of Retail Electric Provider (REP), and MWh consumption associated with transmission-level Customers that wish to have their Load excluded from the Renewable Portfolio Standard (RPS) calculation consistent with Section 14.5.3, End-Use Customers, and subsection (j) of P.U.C. Subst. R. 25.173, Goal for Renewable Energy;

(bb) Emergency operations plans submitted pursuant to P.U.C. Subst. R. 25.53, Electric Service Emergency Operations Plans;

(cc) Information provided by a Counter-Party under Section 16.16.3, Verification of Risk Management Framework;

(dd) Any data related to Load response capabilities that are self-arranged by the LSE or pursuant to a bilateral agreement between a specific LSE and its Customers, other than data either related to any service procured by ERCOT or non-LSE-specific aggregated data.  Such data includes pricing, dispatch instructions, and other proprietary information of the Load response product;

(ee) Status of Settlement Only Generators (SOGs), including Outages, limitations, or scheduled or metered output data, except that ERCOT may disclose output data from an SOG as part of an extract or forwarded TX SET transaction provided to the LSE associated with the ESI ID of the Premise where the SOG is located. The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

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| ***[NPRR829 and NPRR995: Replace applicable portions of paragraph (ee) above with the following upon system implementation:]***  (ee) Status of Settlement Only Generators (SOGs) and Settlement Only Energy Storage System (SOESS), including Outages, limitations, schedules, metered output and withdrawal data, or data telemetered for use in the calculation of Real-Time Liability (RTL) as described in Section 16.11.4.3.2, Real-Time Liability Estimate, except that ERCOT may disclose metered output and withdrawal data from an SOG or SOESS as part of an extract or forwarded TX SET transaction provided to the LSE associated with the ESI ID of the Premise where the SOG is located. The Protected Information status of this information shall expire 60 days after the applicable Operating Day; |

(ff) Any documents or data submitted to ERCOT in connection with an Alternative Dispute Resolution (ADR) proceeding. The Protected Information status of this information shall expire upon ERCOT’s issuance of a Market Notice indicating the disposition of the ADR proceeding pursuant to paragraph (1) of Section 20.9, Resolution of Alternative Dispute Resolution Proceedings and Notification to Market Participants, except to the extent the information continues to qualify as Protected Information pursuant to another paragraph of this Section 1.3.1.1;

(gg) Reasons for and future expectations of overrides to a specific Resource’s High Dispatch Limit (HDL) or Low Dispatch Limit (LDL). The Protected Information status of this information shall expire 60 days after the applicable Operating Day;

(hh) Information provided to ERCOT under Section 16.18, Cybersecurity Incident Notification, except that ERCOT may disclose general information concerning a Cybersecurity Incident in a Market Notice in accordance with paragraph (5) of Section 16.18 to assist Market Participants in mitigating risk associated with a Cybersecurity Incident; and

(ii) Information disclosed in response to paragraphs (1)-(4) of the Gas Pipeline Coordination section of Section 22, Attachment K, Declaration of Natural Gas Pipeline Coordination, submitted to ERCOT in accordance with Section 3.21.1, Natural Gas Pipeline Coordination Requirements for Resource Entities with Natural Gas Generation Resources for Summer Preparedness and Summer Peak Load Season. The Protected Information status of Resource Outage information shall expire as provided in paragraph (1)(c) of Section 1.3.1.1.

(jj) Information concerning weatherization activities submitted to, obtained by, or generated by ERCOT in connection with P.U.C. Subst. R. 25.55, Weather Emergency Preparedness, if such information allows the identification of any Resource or Resource Entity.

1.3.2.1 Items Considered ERCOT Critical Energy Infrastructure Information

(1) ECEII includes but is not limited to the following, so long as such information has not been disclosed to the public through lawful means:

(a) Detailed ERCOT System Infrastructure locational information, such as Global Positioning System (GPS) coordinates;

(b) Information that reveals that a specified contingency or fault results in instability, cascading or uncontrolled separation;

(c) Studies and results of simulations that identify cyber and physical security vulnerabilities of ERCOT System Infrastructure;

(d) Black Start Service (BSS) test results, individual Black Start Resource start-up procedures, cranking paths, and ERCOT and individual TSP Black Start plans;

(e) Information contained in Section 1.B. and Exhibit 1 to the Standard Form Black Start Agreement (Section 22, Attachment D, Standard Form Black Start Agreement), except for the Hourly Standby Price, Notice, and Certification sections. This includes, without limitation, the following information that could identify a Generation Resource as a Black Start Resource:

(i) Resource name;

(ii) Resource ID;

(iii) County where the Resource is located;

(iv) Interconnected substation;

(v) Resource MW capability; and

(vi) Tested next start units;

(f) Emergency operations plans, including ERCOT’s emergency operations plan and any emergency operations plan submitted to ERCOT pursuant to any PUCT rule or North American Electric Reliability Corporation (NERC) Reliability Standard;

(g) Detailed ERCOT Transmission Grid maps, other than maps showing only small portions of the ERCOT Transmission Grid such as those included in Regional Planning Group (RPG) Project ERCOT Independent Review reports;

(h) Detailed diagrams or information about connectivity between ERCOT’s and other Entities’ computer and telecommunications systems, such as internet protocol (IP) addresses, media access control (MAC) addresses, network protocols, and ports used; and

(i) Any information that is clearly designated as ECEII in writing by the Disclosing Party at the time the information is provided to Receiving Party, subject to the procedures set forth in paragraph (3) of Section 1.3.2.2, Submission of ERCOT Critical Energy Infrastructure Information to ERCOT.

3.21 Submission of Declarations of Natural Gas Pipeline Coordination

(1) As part of its submission to ERCOT in connection with subsection (c)(3)(B) of P.U.C. Subst. R. 25.55, Weather Emergency Preparedness, each Resource Entity representing one or more Generation Resources subject to P.U.C. Subst. R. 25.55 that uses natural gas as its primary fuel shall submit to ERCOT the declaration in Section 22, Attachment K, Declaration of Natural Gas Pipeline Coordination, stating that the Resource Entity or its Qualified Scheduling Entity (QSE) made a documented effort to communicate with the operator of each natural gas pipeline directly connected to its Generation Resource to coordinate regarding potential impacts to the Generation Resource’s availability during the summer Peak Load Season of that year.

(2) If a Resource Entity or its QSE knows an activity or condition related to a natural gas pipeline directly connected to its Generation Resource will cause the Generation Resource’s unavailability, in whole or in part, the QSE shall, as soon as practicable, report that Outage or derate in the ERCOT Outage Scheduler in accordance with Section 3.1, Outage Coordination. An Outage or derate reported in the ERCOT Outage Scheduler need not be disclosed in the declaration contained in Section 22, Attachment K, nor reported under paragraph (4) below.

(3) If, before a Resource Entity submits the declaration contained in Section 22, Attachment K, the Resource Entity or its QSE is notified by an operator of a natural gas pipeline directly connected to its Generation Resource of an activity or condition (e.g. maintenance, inspection, malfunction, or third-party damage) that may limit or impede normal deliveries but is uncertain whether the activity or condition during the upcoming summer Peak Load Season will cause the Generation Resource to take an Outage or derate, the Resource Entity shall disclose the natural gas pipeline activity or condition in the declaration contained in Section 22, Attachment K, if the activity or condition materially increases the risk of Generation Resource unavailability during the summer Peak Load Season. The Resource Entity shall use its reasonable judgment to determine whether there is a material increase in the risk of unavailability.

(4) If, after submitting the declaration contained in Section 22, Attachment K, any previously disclosed information changes or a Resource Entity or its QSE receives new information about an activity or condition that may limit or impede normal natural gas deliveries and materially increases the risk of Generation Resource unavailability during the summer Peak Load Season, the Resource Entity shall disclose that information to ERCOT as soon as practicable. The Resource Entity shall use reasonable judgment to determine the risk of unavailability. When notifying ERCOT as required under this paragraph, the Resource Entity shall update the information required by paragraphs (3)(a)-(e) of the Natural Gas Pipeline Coordination section of Section 22, Attachment K, for the affected Generation Resource by sending an email to the email address designated by ERCOT.

(5) In complying with its obligations in this Section 3.21, a Resource Entity or its QSE relies upon communications with and information received from operators of natural gas pipelines directly connected to the Resource Entity’s Generation Resource. The Resource Entity or its QSE shall act in good faith to request the required information and, as soon as practicable, share with each other any information received from a natural gas pipeline operator required to be disclosed to ERCOT under Section 3.21. The Resource Entity or its QSE need not warrant the accuracy or completeness of information received from the natural gas pipeline operator and subsequently disclosed to ERCOT.

**ERCOT Nodal Protocols Section 22**

**Attachment K: Declaration of Natural Gas Pipeline Coordination**

**[DATE]**

**Declaration of Natural Gas Pipeline**

**This declaration applies to the following Generation Resources (list by Resource Site Code):**

List Generation Resource(s) by Resource Site Code

**Natural Gas Pipeline Coordination**

***INSTRUCTIONS: Use this section for Generation Resources relying on natural gas as the primary fuel source. Repeat the following for each applicable Generation Resource.***

Generation Resource (provide Resource Site Code):

(1) Identify the natural gas pipelines directly connected to the Generation Resource and contact information (name, phone number, and email) for each natural gas pipeline operator:

(2) If a natural gas pipeline operator did not respond to the Resource Entity’s documented effort to coordinate, check the box below and identify the natural gas pipeline operator.

No response was received from the following natural gas pipeline operator:

(3) If a natural gas pipeline operator responded to the Resource Entity’s documented effort to coordinate and disclose activities or conditions materially increasing the risk of Generation Resource unavailability in the summer Peak Load Season, please disclose the following information:

(a) The name or identifier of the natural gas pipeline:

(b) The operator of the natural gas pipeline:

(c) Impacts the activity or condition may have on the Generation Resource’s availability (e.g., could cause an Outage or derate):

(d) The time period during which the activity or condition is expected to occur, including expected duration:

(e) Other useful information:

(4) If contract language prohibits the Resource Entity from disclosing any of the information requested in 3(a)-(e) above and the natural gas pipeline operator refused the Resource Entity’s documented effort to obtain consent to disclose that information to ERCOT, check the box below and identify the natural gas pipeline operator.

Contract language prohibits disclosure and the following natural gas pipeline operator(s) would not consent to information disclosure: