

PROJECT NO. 52933

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CY 2022 REPORTS OF THE ELECTRIC §
RELIABILITY COUNCIL OF TEXAS §
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PUBLIC UTILITY COMMISSION
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COMMISSION STATEMENT OF INPUT

This statement addresses the request filed by the Electric Reliability Council of Texas, Inc. (ERCOT) on November 8, 2022. ERCOT filed a proposed amendment to its amended and restated bylaws and requested the input of the Commission in accordance with PURA¹ § 39.151(g-1). ERCOT attached a redline draft of the revised bylaws amendment as attachment A to its request.

ERCOT is the independent organization certified to perform the functions prescribed by section 39, subchapter D in PURA.² Under PURA § 39.151(g-1), ERCOT’s bylaws must reflect input by the Commission and be approved by the Commission. The Commission provides the following input regarding the proposed bylaws amendment filed by ERCOT on November 8, 2022.

PURA requires that the ERCOT bylaws reflect the input of the Commission. As the governing body of the independent organization certified under Chapter 39 of PURA, the ERCOT board is empowered to amend its bylaws without obtaining the affirmative vote of the corporate members. It is necessary for ERCOT to amend its bylaws such that the ERCOT board of directors has the sole authority to change the bylaws, subject only to the approval of the Commission. It is necessary for ERCOT to preserve the role of market participant input in the development of ERCOT market functions by amending the bylaws such that the ERCOT board cannot eliminate the Technical Advisory Committee without specific direction from the Commission.

¹ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001–66.016.

² *Application of the ERCOT ISO for Certification as an Independent Organization to Perform Transmission and Distribution Access, Reliability, Information Exchange, and Settlement Functions*, Docket No. 22061 (Feb. 2, 2001)

Signed at Austin, Texas the 10th day of November 2021.

PUBLIC UTILITY COMMISSION OF TEXAS



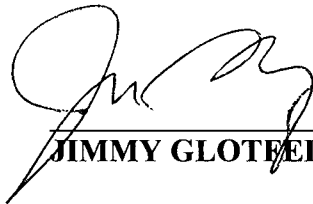
PETER M. LAKE, CHAIRMAN



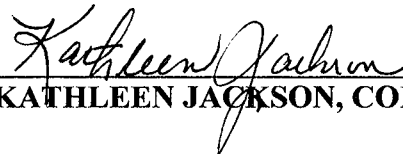
WILL MCADAMS, COMMISSIONER



LORI COBOS, COMMISSIONER



JIMMY GLOTEELTY, COMMISSIONER



KATHLEEN JACKSON, COMMISSIONER