|  |  |  |  |
| --- | --- | --- | --- |
| NPRR Number | [1156](https://www.ercot.com/mktrules/issues/NPRR1156) | NPRR Title | Priority Revision Request Process |
|  |  |
| Date | January 12, 2023 |
|  |  |
| Submitter’s Information |
| Name | Blake Gross; Jim Lee; Martha Henson; Stacy Whitehurst  |
| E-mail Address | bagross@aep.com; jim.lee@centerpointenergy.com; martha.henson@oncor.com; stacy.whitehurst@tnmp.com |
| Company | AEP Service Corporation, CenterPoint Energy Houston Electric, Oncor Electric Delivery, and Texas-New Mexico Power (“Joint TDSPs”) |
| Phone Number | 512-397-303; 214-536-9004; 817-239-1913  |
| Cell Number |  |
| Market Segment | Investor Owned Utility (IOU) |

|  |
| --- |
| Comments |

AEP Service Corporation, CenterPoint Energy Houston Electric, Oncor Electric Delivery, and Texas-New Mexico Power (“Joint TDSPs”) submit these comments to Nodal Protocol Revision Request (NPRR) 1156 to address the initiation of Priority Revision Requests by the Public Utility Commission of Texas (PUCT).

Joint TDSPs agree with the characterization of the PUCT’s complete oversight authority over ERCOT as outlined in the 11/30/22 ERCOT comments to NPRR1156. Joint TDSPs seek, however, additional structure around the direction provided to ERCOT regarding the initiation of a Priority Revision Request than the 11/30/22 ERCOT comment redlines to NPRR1156 provide.

Several recent examples of similar informal PUCT directives to ERCOT have been outlined in a report issued by the Sunset Advisory Commission to the 88th Legislature.[[1]](#footnote-1) The report also acknowledges the importance of “openness, inclusiveness and transparency” regarding the PUCT’s direction of ERCOT’s actions, particularly with respect to their effects upon Market Participants.[[2]](#footnote-2) While Market Participants may provide comments to Priority Revision Requests, these particular Revision Requests will not proceed through the traditional stakeholder vetting and comment process, so the initial direction from the PUCT to ERCOT to initiate a Priority Revision Request is particularly important. Joint TDSPs recommend that these directives be reduced to writing and contain as much specificity and clarity as is reasonably possible.

Therefore, Joint TDSPs propose that a directive to initiate a Priority Revision Request, or a designation that an existing Revision Request become a Priority Revision Request, be founded upon a written description of the directive or suggested designation that the PUCT Commissioners have publically agreed to, so that the directive or designation is clearly documented and independently observable. This need not necessarily be accomplished through a PUCT Order, as originally proposed, but should be observable and transparent to Market Participants that the Priority Revision Request may ultimately affect. As modified by ERCOT’s comments to NPRR1156, such a directive could potentially occur via an email communication, a telephone call, a private meeting, or similar mechanism that is impossible for any Market Participant to understand, review or even track. While a PUCT Order directing a Priority Revision Request, as initially proposed, would provide an appropriate foundation for the necessary transparency and clarity, a memorandum filed for consideration during a public discussion that is agreed to during that public discussion (such as a PUCT Open Meeting) also could suffice.

This concept is the intent of the Joint TDSP comments to NPRR1156, which are submitted on top of the 11/30/22 ERCOT comments.

|  |
| --- |
| Revised Cover Page Language |

|  |  |
| --- | --- |
| Revision Description | This Nodal Protocol Revision Request (NPRR) introduces the concept of Priority Revision Requests, which allow for an expedited consideration of NPRRs and System Change Requests (SCRs). Specifically, the NPRR defines a process for:* ERCOT, upon direction from the Public Utility Commission of Texas (PUCT) and/or ERCOT Board of Directors vote, to submit or designate a Priority Revision Request; and
* Revision Request sponsors, once 180 days have passed since the initial posting date of the Revision Request, to designate their Revision Request a Priority Revision Request.
 |

|  |
| --- |
| Revised Proposed Protocol Language |

***21.4.8 Technical Advisory Committee Vote***

(1) TAC shall consider any Revision Requests that PRS has submitted to TAC for consideration for which both a PRS Report and an Impact Analysis (as updated if modified by PRS under Section 21.4.7, Protocol Revision Subcommittee Review of Impact Analysis) have been posted on the ERCOT website. The following information must be included for each Revision Request considered by TAC:

(a) The PRS Report and Impact Analysis;

(b) The recommended PRS priority and rank, if an ERCOT project is required; and

(c) Any comments timely received in response to the PRS Report.

(2) TAC shall consider any Sponsor-Designated Priority Revision Requests under the process set forth in Section 21.5.2, Priority Revision Requests.

(3) The quorum and voting requirements for TAC action are set forth in the Technical Advisory Committee Procedures. In considering action on a Sponsor-Designated Priority Revision Request or PRS Report, TAC shall:

(a) Recommend approval of the Revision Request:

(i) As recommended in the PRS Report or as modified by TAC, including modification of the recommended priority and rank if the Revision Request requires a project; or

(ii) For Sponsor-Designated Priority Revision Requests, as submitted or as modified by TAC, including the recommended priority and rank if the Revision Request requires a project;

(b) Reject the Revision Request;

(c) Defer decision on the Revision Request;

(d) Remand the Revision Request to PRS with instructions; or

(e) Refer the Revision Request to another TAC subcommittee or a TAC working group or task force with instructions.

(4) If a motion is made to recommend approval of a Revision Request and that motion fails, the Revision Request shall be deemed rejected by TAC unless at the same meeting TAC later votes to recommend approval of, defer, remand, or refer the Revision Request. If a motion to recommend approval of a Revision Request fails via email vote according to the Technical Advisory Committee Procedures, the Revision Request shall be deemed rejected by TAC unless at the next regularly scheduled TAC meeting or in a subsequent email vote prior to such meeting, TAC votes to recommend approval of, defer, remand, or refer the Revision Request. The rejected Revision Request shall be subject to appeal pursuant to Section 21.4.11.2, Appeal of Technical Advisory Committee Action.

(5) Within three Business Days after TAC takes action on the Revision Request, ERCOT shall post a TAC Report reflecting the TAC action on the ERCOT website. The TAC Report shall contain the following items:

(a) Identification of the submitter of the Revision Request;

(b) Modified Revision Request language proposed by TAC, if applicable;

(c) Identification of the authorship of comments;

(d) Proposed effective date(s) of the Revision Request;

(e) Priority and rank for any Revision Requests requiring an ERCOT project for implementation;

(f) PRS action;

(g) TAC action; and

(h) ERCOT’s position on the Revision Request.

(6) If TAC recommends approval of a Revision Request, ERCOT shall forward the TAC Report to the ERCOT Board for consideration pursuant to Section 21.4.10, ERCOT Board Vote.

***21.4.10 ERCOT Board Vote***

(1) Upon issuance of a TAC Report and Impact Analysis to the ERCOT Board, the ERCOT Board shall consider the TAC Report and the Impact Analysis at the next regularly scheduled meeting. For Urgent Revision Requests, the ERCOT Board shall review the TAC Report and Impact Analysis at the next regularly scheduled meeting, unless a special meeting is required due to the urgency of the Revision Request.

(2) The ERCOT Board shall also consider any PUCT and/or Board Designated Priority Revision Requests pursuant to paragraph (1)(a) of Section 21.5.2, Priority Revision Requests.

(3) The quorum and voting requirements for ERCOT Board action are set forth in the ERCOT Bylaws. In considering action on a PUCT and/or Board Designated Priority Revision Request or a TAC Report, the ERCOT Board shall:

(a) Recommend approval of the Revision Request:

(i) As recommended in the TAC Report or as modified by the ERCOT Board; or

(ii) For PUCT and/or Board Designated Priority Revision Requests, as submitted or as modified by the ERCOT Board, including the recommended priority and rank if the Revision Request requires a project;

(b) Reject the Revision Request;

(c) Defer decision on the Revision Request; or

(d) Remand the Revision Request to TAC with instructions.

(4) If a motion is made to approve a Revision Request and that motion fails, the Revision Request shall be deemed rejected by the ERCOT Board unless at the same meeting the ERCOT Board later votes to approve, defer, or remand the Revision Request. The rejected Revision Request shall be subject to appeal pursuant to Section 21.4.11.3, Appeal of ERCOT Board Action.

(5) Within three Business Days after the ERCOT Board takes action on a Revision Request, ERCOT shall post a Board Report reflecting the ERCOT Board action on the ERCOT website.

21.5 Urgent and Priority Nodal Protocol Revision Requests and System Change Requests

21.5.1 Urgent Revision Requests

(1) The party submitting a Nodal Protocol Revision Request (NPRR) or System Change Request (SCR) (“Revision Request”) may request that the Revision Request be considered on an urgent timeline (“Urgent”) only when the submitter can reasonably show that an existing Protocol or condition is impairing or could imminently impair ERCOT System reliability or wholesale or retail market operations, or is causing or could imminently cause a discrepancy between a settlement formula and a provision of these Protocols.

(2) The Protocol Revision Subcommittee (PRS) may designate the Revision Request for Urgent consideration upon a valid motion in a regularly scheduled meeting of the PRS or at a special meeting called by the PRS leadership. Criteria for designating a Revision Request as Urgent are that the Revision Request requires immediate attention due to:

(a) Serious concerns about ERCOT System reliability or market operations under the unmodified language or existing conditions; or

(b) The crucial nature of settlement activity conducted pursuant to any settlement formula.

(3) ERCOT shall prepare an Impact Analysis for Urgent Revision Requests as soon as practicable.

(4) The PRS shall consider the Urgent Revision Request and Impact Analysis, if available, at its next regularly scheduled meeting, or at a special meeting called by the PRS leadership to consider the Urgent Revision Request.

(5) If recommended for approval by PRS, ERCOT shall post a PRS Report on the ERCOT website within three Business Days after PRS takes action. The TAC chair may request action from TAC to accelerate or alter the procedures described herein, as needed, to address the urgency of the situation.

(6) Any Urgent Revision Requests shall be subject to an Impact Analysis pursuant to Section 21.4.9, ERCOT Impact Analysis Based on Technical Advisory Committee Report, and ERCOT Board consideration pursuant to Section 21.4.10, ERCOT Board Vote.

21.5.2 Priority Revision Requests

(1) A Revision Request shall be considered a Priority Revision Request if:

(a) The PUCT directs ERCOT to file a Priority Revision Request, or designates an existing Revision Request as a Priority Revision Request, through a written recommendation approved during a PUCT Open Meeting (“PUCT and/or Board Designated”); or

(b) The ERCOT Board votes to direct ERCOT to file a Priority Revision Request, or votes to designate an existing Revision Request as a Priority Revision Request, (“PUCT and/or Board Designated”); or

(c) After 180 days from the posting date of the Revision Request, the sponsor of a Revision Request designates their Revision Request a Priority Revision Request via comments delivered electronically to ERCOT in the designated format provided on the ERCOT website (“Sponsor-Designated”).

(2) For PUCT and/or Board Designated Priority Revision Requests, the following shall apply:

(a) The Revision Request shall be reviewed at the next regularly scheduled TAC meeting, provided that it has been posted for public comment with notice provided to the TAC listserv at least seven calendar days prior to such TAC meeting, unless otherwise directed by the PUCT and/or ERCOT Board.(b) Upon review, TAC may vote to file comments to the ERCOT Board recommending approval, rejection, or tabling of the Revision Request, however, the PUCT and/or Board Designated Priority Revision Request shall progress for consideration by the ERCOT Board under Section 21.4.10, ERCOT Board Vote.

(3) For Sponsor-Designated Priority Revision Requests, the following shall apply:

(a) The Revision Request shall be considered at the next regularly scheduled TAC meeting.

(b) TAC shall consider the Revision Request pursuant to 21.4.8, Technical Advisory Committee Vote.

1. See Sunset Advisory Commission Staff Report, 2022-23, 88th Legislature, regarding the PUCT, ERCOT, and the Office of Public Utility Counsel: <https://www.sunset.texas.gov/public/uploads/202211/PUC%2C%20ERCOT%2C%20and%20OPUC%20Staff%20Report_11-17-22_0.pdf> [↑](#footnote-ref-1)
2. See p 41-42 [↑](#footnote-ref-2)