

## ERCOT RMS UPDATE

March 7, 2023

- **Remaining 30% Load to ERCOT** before the PUC Open Meeting on Thursday, March 9.  
**Docket No. 53529** – Application of the City of Lubbock, Acting By and Through Lubbock Power & Light, for Authority to Connect the Remaining Portion of Its Load with the Electric Reliability Council of Texas and for Approval of Settlement Agreement. (Final Order) David Hrcir
- **Pro-Forma Tariff** before the PUC Open Meeting on Thursday, March 9.  
**Project No. 54212** – Terms and Conditions of Access by a Competitive Retailer to the Delivery System of Certain MOUs and Electric Cooperatives. (Proposal for Adoption) David Smeltzer, Shawnee Claiborn-Pinto, Floyd Walker, and Iliana DeLaFuente
- **Letter of Authorization**

STATE OF TEXAS  
COUNTY OF LUBBOCK

§  
§

### **AFFIDAVIT OF CUSTOMER REPRESENTATION AND RELEASE**

I, \_\_\_\_\_ (*printed name, and corporate title if any*) (“Representative”), am the representative of **Lubbock Power and Light (LP&L)** customer,

\_\_\_\_\_ (“Customer”). I hereby swear and affirm that the information set forth in this document is true, correct, and accurate. My contact information is as below.

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

I understand that, by signing this authorization, I am authorized to receive the requested information on behalf of customer and am **waiving Customer’s right to confidentiality of Customer’s personal account and/or utility information** as provided by section 182.052, Texas Utilities Code in so far as it applies to Customer for the requested information, and that such information may include, but not limited to Customer’s name, address, account number, type or classification of service, historical electricity usage, expected patterns of use, types of facilities used in providing service, individual contract terms and conditions, price, current charges, billing records, or any other information regarding my utility account(s) with LP&L. This authorization for release of information is granted to Representative on a one-time access basis only.

I understand that I or Customer may revoke the rights granted by this Affidavit of Customer Representation at any time and acknowledge that LP&L may have released the information pursuant to same.

I understand that LP&L retains the right to verify any Affidavit of Customer Representation or request by Representative to release Customer information before taking any action. If a request

to release information is accepted, I understand the LP&L will provide the information in the format it deems most appropriate. I acknowledge I am signing this Affidavit of Customer Representation under my own free will and not under duress.

**I further understand that by signing this authorization, Customer and I hereby release, acquit, and forever discharge LP&L from any and all claims, demands, damages, attorney's fees, costs, causes of action of whatsoever kind or nature, whether statutorily provided or otherwise, arising out of the release of Customer information by LP&L to Representative, or arising out of any intentional or unintentional use, misuse, theft, or improper use of Customer information by the Representative.**

Executed this \_\_\_ day of \_\_\_\_\_, 20\_\_.

---

Name on Account (typed or printed)

---

Representative's Signature

---

Account Number

---

Customer's Service Address

- **Peddler's Permit and Requirements (who to contact?)**

**PEDDLERS'S PERMIT APPLICATION PROCESS**

Before any person, whether residing within or without the city limits, engages in the activity of a peddler, itinerant merchant, or transient vendor within the City of Lubbock, such person shall first obtain a license to engage in such activity.

- Peddler is defined to mean and include a person, or the agent, consignee, or employee of a person, who carries goods upon a truck or other vehicle on the streets of the city for the purpose of exhibiting, selling, or offering for sale such goods from such truck or other vehicle or who within the city goes from door to door of residences, offices or places of business to display, sell, offer for sale, or take orders for the sale of goods or to exhibit brochures, sales literature or price lists for the purpose of taking orders for the sale of goods.
- Itinerant merchant shall mean a person or the agent, consignee, or employee of a person, engaged in the temporary business of moving stocks of goods or samples of goods into the city for the purpose of selling or offering for sale or taking orders for the sale of such goods with the intention of removing such samples or the unsold portion of such goods away from the city before the expiration of thirty (30) days from the date such goods were first moved into the city.
- Transient vendor is defined to mean and include a person, or the agent, consignee or employee of a person, who within the city engages in the temporary business of exhibiting, delivering, selling or offering for sale any goods or exhibiting brochures, sales literature, or price lists for the purpose of taking orders for the sale of goods.

1. Complete in full the City of Lubbock application for Peddler Permit obtained from the Lubbock Police Department Record's division. Application must be notarized and can be done so by a Record's employee.

- If you are selling on private property, you must provide written permission signed by the owner or the duly authorized agent of the property at the location from which you propose to display or sale any goods.
  - If you sell from a designated location, you must obtain approval from the City of Lubbock Zoning office as to the location being in a zone that allows to display and sale goods by having a Zoning official sign the application in the appropriate field.
  - If you sell from a designated building, you must obtain approval from the City of Lubbock Building Safety office as to the proposed use of the building complies with the occupancy requirements by having a Building official sign the application in the appropriate field.
  - If you are selling goods for human consumption, you must obtain approval from the City of Lubbock Environmental Health office by having a Health official sign the application in the appropriate field.
2. If state statute requires that sales tax must be paid upon purchase of goods, a valid sales tax permit must be provided with your application.
  3. You will submit your completed application to the Lubbock Police Department Record's division.
  4. You will need to provide a valid photo ID. Copies of a photo ID will not be accepted.
  5. Records personnel will schedule you to get fingerprinted for a State background check which will be mailed to the Lubbock Police Department. The charge for the background is paid to the company that fingerprints you.
  6. Once your State background check is received, the background and application will be reviewed for approval. You will be notified if your application has been approved or denied. See back for denial information.
  7. Once your application has been approved you will need to return the Lubbock Police Department Record's division and pay the \$50 permit fee. You will be given a receipt and an approved permit.
  8. Once your fee has been paid you will take your receipt to Citibus at 801 Texas Avenue for a picture and will be issued an identification badge. **The badge must be worn at all times while selling and you must also have your approved permit with you at all times.**

**\*\*\*Peddler Permits are valid for 30 days from the date it is issued\*\*\***

#### **Application Denial Information**

\*\*\*If you are denied for missing information on the application, you will be allowed to update your application and resubmit for review.

#### **Sec. 8.12.042 Grounds for denial or revocation**

(a) The chief of police, the city manager or their designated representatives may deny a license required under this division for any of the reasons in subsection (b) set forth below. The city manager or his designated representative may revoke a license issued under this division for any of the reasons in subsection (b) set forth below.

(b) The following reasons shall be grounds for denial or revocation of a license required by this division:

- (1) The applicant does not present a valid state driver's license or other positive identification by a governmental agency;

- (2) The applicant does not complete the application form and procedure;
- (3) The applicant or the proposed activity of the applicant does not comply with the applicable city ordinances and codes, including the zoning ordinance, building codes and health codes;
- (4) The applicant makes false or fraudulent statements on the application form;
- (5) The applicant or licensee is found after investigation by the chief of police to be misrepresenting or making false statements in regard to his authority to sell such goods;
- (6) The applicant or licensee has been convicted of an offense involving narcotics, dangerous drugs or crimes with dangerous weapons at any time within the preceding five-year period;
- (7) The applicant or licensee has been convicted of an offense involving the use of force and violence upon the person of another when the offense is designated as a felony in the State of Texas, at any time within the preceding five-year period;
- (8) The applicant or licensee has been convicted of an offense of fraud, misrepresentation, embezzlement, forgery, or theft when such offense is designated as a felony in the State of Texas, at any time within the preceding five-year period;
- (9) The applicant or licensee has been convicted in a court of proper jurisdiction of violating this division at any time within the preceding five-year period;
- (10) Upon recommendation from the chief of police that the license be revoked because the conduct of the licensee or the manner in which the licensee is conducting his business operation endangers the health or safety of a citizen of the City of Lubbock. (1983 Code, sec. 20-16(m), (n); Ordinance 8639, sec. 1, adopted 7/26/1984)

### **Appeal of denial or revocation**

The license holder or applicant may appeal such denial or revocation of the license to the permit and license appeal board of the City of Lubbock in accordance with [section 2.03.071 et seq.](#) of the Code of Ordinances of the City of Lubbock. (1983 Code, sec. 20-16(o); Ordinance 8639, sec. 1, adopted 7/26/1984)

*When they come in to schedule their background and fingerprints, there will be no charge. When they go to get their background check, there will be a charge at Identogo and when we get the background check back from them we give the individuals a call and then they will come in and pay the \$50 fee for the permit as long with the \$5 fee at Citi bus for their badge.*

For more information on the City of Lubbock Peddlers Permit, please call the Records Department at 806-775-2803 or 806-775-2809 or email [lpdrecords@mylubbock.us](mailto:lpdrecords@mylubbock.us).

- **Customer Protection Rules-** To be complete by next RMS meeting. Once we present to EUB on 3/20, they are public information at that time.
- **SMT** – still waiting on needed procedures from SMT for us to get set up as a user and gain access to SMT.
- **Delivery Rates for REPs** –Please refer to Timeline.  
Finance finalizing next week.  
3/20 – Present to EUB  
3/21 – Present to City Council (rate workshop)  
4/11 – Final Approval by Council
- **POLR** – Reliant Energy; **VREP/DREP** – Reliant Energy, TXU Energy, Octopus Energy
- **Legislation** –  
**SB1171** – (Perry) Disclosure of customer information; **SB1170** – (Perry) POLR Designation to PUC; **HB2664** – (Tepper) Customer information Disclosure; **HB2663** – POLR Designation to PUC.
- **Timeline Update**  
To be discussed in Task Force.
- **Market Operations Team**