**Emergency Response Service**

## Emergency Response Service (ERS) Suspension and Reinstatement Procedures

## for Non-Weather Sensitive Resources

**September 13, 2023**

ERCOT will apply Test Failures, Availability Failures and Event Performance Failures independently (*i.e.*, a QSE or ERS Resource that fails a particular criterion is subject to suspension regardless of language in a separate criterion). Failing multiple criteria will not lead to compounding suspension periods.

# Test Failures

1. ERCOT will perform periodic tests on ERS Resources pursuant to Protocols § 8.1.3.2.
2. ERCOT will deem a test successful if the ERS Resource achieves a test performance factor of ≥ 0.95 and an ERS Interval Performance Factor (EIPF) for the full first interval of the test of ≥ 0.95.[[1]](#footnote-1)
3. If an ERS Resource has four consecutive unsuccessful tests within a rolling 365-day period, ERCOT may suspend the ERS Resource from participating in ERS.[[2]](#footnote-2)
4. A suspension is in addition to any payment reduction pursuant to Protocols § 8.1.3.3.1(6)(c).
5. If an ERS Resource successfully deploys during an ERS event, ERCOT will reset the failed test count to zero even if the ERS Resource had reached four consecutive test failures earlier in the SCT.
6. Any suspension begins the day following the expiration of the current or most recent ERS obligation.[[3]](#footnote-3)
7. Test-related suspensions of ERS Resources will last for one SCT.[[4]](#footnote-4)
8. ERCOT may reinstate an ERS Resource’s eligibility to offer into ERS once the ERS Resource satisfactorily completes the reinstatement process, including a test as described in Protocols § 8.1.3.2 and the ERS Technical Requirements & Scope of Work. The reinstatement process may begin at any time after the suspension period ends and the QSE for an ERS Resource requests reinstatement.[[5]](#footnote-5)

# Availability Failures

1. If a QSE’s portfolio-level availability factor is ≥ 0.95, the QSE has met its ERS availability requirement for the SCT and the QSE or its ERS Resources are not subject to suspension.[[6]](#footnote-6)
2. If a QSE fails its portfolio-level availability requirement, the following apply to its ERS Resources:
	1. If an ERS Resource achieves an availability factor of ≥ 0.85, the ERS Resource is not subject to suspension.[[7]](#footnote-7)
	2. If an ERS Resource achieves an availability factor < 0.85, the ERS Resource is suspended from participation in ERS; however, ERCOT may consider not suspending an ERS Resource if the reduced availability or event performance factor was the QSE's fault or the result of at least one mitigating factor (*e.g.*, equipment failures or Force Majeure Events).[[8]](#footnote-8)
3. Suspensions will last one SCT.
4. ERCOT will reject offers that include one or more suspended ERS Resources.
5. Suspensions begin the day following the expiration of the current or most recent ERS obligation.[[9]](#footnote-9)

# Event Performance Failures

1. If a QSE’s portfolio-level event performance factor is ≥ 0.95, the QSE has met its ERS obligation for the SCT and ERCOT will not suspend the QSE or its ERS Resources.[[10]](#footnote-10)
2. If a QSE fails its portfolio-level event performance requirements, the following apply to its ERS Resources:
3. If an ERS Resource in the QSE’s portfolio met its event performance requirements, ERCOT will not suspend the ERS Resource.
4. If an ERS Resource in the QSE’s portfolio has its event performance factor reduced, ERCOT may suspend the ERS Resource from ERS; however, ERCOT may choose not to suspend an ERS Resource if the reduced event performance factor was the QSE’s fault or due to one or more mitigating factors (*e.g.,* equipment failures or Force Majeure Events).[[11]](#footnote-11)
5. ERS Resource suspensions apply to all ERS Resources, individual and aggregated. If an aggregation is suspended, the suspension applies to all sites in the aggregation.[[12]](#footnote-12)
6. Suspensions will last for one SCT.
7. Suspensions begin the day following the expiration of the current or most recent ERS obligation.[[13]](#footnote-13)

# Reinstatement Process

**ERS Resources**

1. ERCOT may reinstate an ERS Resource’s eligibility to offer into ERS only after the Resource satisfactorily completes the reinstatement process, including a test conducted pursuant to Protocols § 8.1.3.2.
2. After the ERS Resource’s QSE requests reinstatement, the reinstatement process for an ERS Resource may start at the conclusion of the suspension period.
3. Suspensions apply across all hours of a suspension period.
4. The procedures for a suspended ERS Resource to regain eligibility to provide ERS after a suspension period are as follows:
5. ERCOT shall post to the ERS webpage on the ERCOT website a Reinstatement Schedule in addition to the ERS Procurement Schedule. A QSE representing the ERS Resource shall adhere to any deadlines published by ERCOT and shall adhere to the reinstatement steps listed below.
	* + 1. The ERS QSE shall submit a request for reinstatement ERS Resource Identification (ERID).
			2. For an ERS Load, upon receipt of the form, ERCOT will provide the QSE baseline assignment options and MW capacity pre-screening information.
			3. The QSE shall then submit an offer (Reinstatement Offer) by returning the *ERS Submission Form* with all relevant offer parameters except price.
			4. Aggregated sites may consist of non-suspended sites and suspended sites.
6. ERCOT shall conduct an unannounced test of the ERS Resource based on the parameters of the Reinstatement Offer.
7. Upon receipt of meter data covering the test period, ERCOT shall determine a test performance factor.
	* 1. If the test is successful, ERCOT shall notify the QSE it has reinstated the ERS Resource and that the QSE may provide an offer for an upcoming SCT.
		2. If the test is not successful, the ERS Resource cannot provide ERS until it successfully completes a subsequent test.
	1. ERCOT will only provide reinstatement test results to the QSE representing the ERS Resource.
	2. Sites comprising an ERS Resource in a Reinstatement Offer can submit a Reinstatement Offer for the next SCT only in the same configuration and limited to some or all of the Time Periods provided in the tested Reinstatement Offer.
	3. If a QSE submits an offer for the upcoming SCT on behalf of a reinstated ERS Resource, the MW capacity specified in the offer must be less than or equal to the MW capacity identified in the Reinstatement Offer. If the reinstated ERS Resource is an ERS Load and the alternate baseline is selected for the offer, the maximum base Load specified must be greater than or equal to the maximum base Load specified in the Reinstatement Offer. If the reinstated ERS Resource is a Self-Serving ERS Generator, the declared self-serve value and declared injection value must be greater than or equal to the values specified in the Reinstatement Offer. These parameters apply regardless of whether the submitting QSE is the same prior QSE or a new QSE. ERCOT may reject any offers outside those parameters.
	4. When such an ERS Resource is reinstated, its offer for the subsequent SCT will be bound by the parameters in place at the time of a successful deployment or test.

# Consideration of Mitigating Factors

* 1. In accordance with the requirements stated in Sections B and C above and the relevant Protocols, ERCOT may consider mitigating factors (such as equipment failures and Force Majeure Events) in determining whether to suspend an ERS Resource.
	2. An ERS Resource may also be exempted from suspension if ERCOT determines the ERS Resource’s failure was the direct result of action or inaction by its QSE, or if the QSE submits evidence showing that the failure is attributable to an action that was required to avoid violating federal, state, or local environmental regulations.[[14]](#footnote-14)
	3. QSEs are responsible for timely reporting of any events related to potential mitigating factors to ERCOT using the ERS@ercot.com email address. QSEs should report any potential mitigating factor immediately upon discovery but must do so no later than the deadline established by ERCOT upon notification to QSEs of their ERS Resources’ availability factors and event performance factors for a Contract Period.

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1. *See*,Protocols § 8.1.3.2(1)(a)(ii) for Non-Weather-Sensitive (NWS) ERS Resources. [↑](#footnote-ref-1)
2. Protocols § 8.1.3.3.1(6)(c) requires setting an ERS Resources ERSTESTPF to zero if the Resource failed four consecutive tests in a 365-day period. *See also*, Protocols § 8.4(3) (allowing ERCOT to suspend ERS Resources). [↑](#footnote-ref-2)
3. *See*,Protocols § 8.1.3.3.1(10). [↑](#footnote-ref-3)
4. *See*, Protocols § 8.1.3.3.1(9). [↑](#footnote-ref-4)
5. Pursuant to Protocols § 8.1.3.2(2), ERCOT will perform an unannounced test of suspended ERS Resources after a QSE requests reinstatement. [↑](#footnote-ref-5)
6. *See*, Protocols § 8.1.3.3.1. [↑](#footnote-ref-6)
7. *See*, Protocols § 8.1.3.3.1(3)(a). [↑](#footnote-ref-7)
8. *See*, Protocols § 8.1.3.3.1(9). [↑](#footnote-ref-8)
9. *See*,Protocols § 8.1.3.3.1(10). [↑](#footnote-ref-9)
10. *See*, Protocols § 8.1.3.3.1(1). [↑](#footnote-ref-10)
11. *See*, Protocols § 8.1.3.3.1(9). [↑](#footnote-ref-11)
12. *See*, Protocols § 8.1.3.3.1(9). [↑](#footnote-ref-12)
13. *See*,Protocols § 8.1.3.3.1(10). [↑](#footnote-ref-13)
14. *See* Protocols § 8.1.3.3.1(8). [↑](#footnote-ref-14)