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| NPRR Number | [1199](https://www.ercot.com/mktrules/issues/NPRR1199) | NPRR Title | Implementation of Lone Star Infrastructure Protection Act (LSIPA) Requirements |
|  |  |
| Date | December 8, 2023 |
|  |  |
| Submitter’s Information |
| Name | Doug Fohn / Holly Heinrich  |
| E-mail Address | Douglas.Fohn@ercot.com / Holly.Heinrich@ercot.com  |
| Company | ERCOT  |
| Phone Number | 512-275-7447 / 512-275-7436 |
| Cell Number |  |
| Market Segment | Not applicable |

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| Comments |

ERCOT has reviewed and considered Market Participant comments submitted on Nodal Protocol Revision Request (NPRR) 1199, including those raised in the October 24, 2023 workshop that ERCOT held to facilitate discussion of this NPRR.

In consideration of those comments, ERCOT submits changes to NPRR1199 that:

* Add paragraph 10 to the definition of “Affiliate” to provide that, for purposes of Section 16.1.4, the term “Market Participant” as used in paragraphs (1)-(7) of this definition is replaced with “LSIPA Designated Company”;
* Revise the definition of “Critical Electric Grid Equipment” to:
	+ Change a requirement relating to the impact of equipment unavailability from 24 hours to 15 minutes, making this definition more consistent with the definition of “BES Cyber Asset” in the NERC Glossary of Terms, from which the proposed definition of “Critical Electric Grid Equipment” is partially drawn;
	+ Limit the definition of “Critical Electric Grid Equipment” to apply only to “equipment that may be remotely accessed or controlled”;
	+ Clarify that, for Load Resources, the definition of “Critical Electric Grid Equipment” applies only to “equipment used to send and receive ERCOT telemetry and ERCOT Dispatch Instructions”;
	+ Add a new sub-definition of “reliable operation of ERCOT System Infrastructure” that aligns with the definition of “reliable operation” found in the NERC Glossary of Terms;
* Revise the definitions of “LSIPA Designated Company” and “LSIPA Designated Country” to reflect the post-Session renumbering of state statutes referenced in those definitions; and
* Revise paragraph (1) of Section 16.1.4 to add a knowledge qualifier to the reporting obligation for procurement of Critical Electric Grid Equipment and Critical Electric Grid Services, so that the reporting obligation applies when “the Entity knows, based on either actual knowledge or constructive knowledge that could be obtained through a reasonable inquiry,” that Critical Electric Grid Equipment or Critical Electric Grid Services are from an LSIPA Designated Company or LSIPA Designated Country.

These changes are intended to provide ERCOT Market Participants with greater clarity about the scope of Critical Electric Grid Equipment procurements that must be reported under Section 16.1.4.

After careful consideration, ERCOT has incorporated some of the recommendations made by Market Participants and has declined to adopt others. ERCOT has declined to adopt the following recommendations on the grounds stated below:

**An exhaustive list of Critical Electric Grid Equipment that must be reported.**

Individual Market Participants, not ERCOT, are in the best position to assess whether their equipment and related services fall within the definitions of “Critical Electric Grid Equipment” and “Critical Electric Grid Services” provided in this NPRR. Given the rapidly changing nature of grid-related technology and services, it is not desirable or practicable for ERCOT to maintain an ever-changing list of equipment that qualifies as Critical Electric Grid Equipment. Under such an approach, new equipment that allows for direct or remote access to or control of the grid might “slip through the cracks” of the reporting and attestation requirements before ERCOT has the opportunity to add that type of equipment to the list. Furthermore, since ERCOT does not currently have sufficient information to compile such a list, ERCOT would need Market Participants to provide detailed drawings and schematics so that ERCOT could understand the full scope of Critical Electric Grid Equipment in each Market Participant’s possession.

**An exhaustive list of foreign companies from whom Critical Electric Grid Equipment or Critical Electric Grid Services procurements must be reported.**

It is not feasible for ERCOT to maintain an exhaustive, up-to-date list of all foreign companies from whom procurements must be reported. New companies are formed frequently, and suppliers might easily evade the requirements in this NPRR by forming new companies that have not yet been included on such a hypothetical list. It is unlikely that any grid operator, or for that matter any state or federal regulator, could remain constantly up-to-date on which Chinese, Iranian, North Korean, and Russian companies Market Participants are engaging with to procure equipment or services that would qualify as Critical Electric Grid Equipment or Critical Electric Grid Services. It is far more efficient and practical for Market Participants to be responsible for conducting their own due diligence to determine the national origin of the suppliers with whom they choose to do business.

**An exclusion from these reporting and attestation requirements for governmental entities.**

LCRA and CPS Energy have proposed that governmental entities should be excluded from the reporting and attestation requirements that would apply to other Market Participants in this NPRR. In their joint comments, LCRA and CPS state that “the Legislature adopted distinct requirements applicable to Market Participants that are governmental entities—as codified in Texas Government Code, Chapter 2275—from the obligations for Market Participants that are non-governmental business entities—as codified in Texas Business and Commerce Code, Chapter 117.” LCRA and CPS are correct in asserting that Texas Utilities Code § 39.360(d) applies only to a “business entity,” which would not include a governmental entity.

However, under Texas Utilities Code § 39.151, ERCOT is tasked with ensuring the reliability and adequacy of the regional electrical network. Grid security is an important component of grid reliability and adequacy. ERCOT has determined that, in order to promote grid reliability, it is important to apply the reporting and attestation requirements in this NPRR to all Market Participants, whether they are governmental or business entities. Exempting governmental entities from these requirements would exempt a significant number of Resources and transmission facilities that are owned by governmental entities. ERCOT grid reliability could be jeopardized by excluding governmental entities from the reporting and attestation requirements in this NPRR. ERCOT has the authority to establish regulations that are broader than the LSIPA requirements in order to ensure grid reliability. LCRA and CPS’s proposed solution—requiring governmental entity Market Participants to only attest to Chapter 2275 compliance and not to comply with the same reporting requirements as other Market Participants—does not adequately support grid reliability, and would leave a significant gap in the protections otherwise provided by this NPRR.

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| Revised Cover Page Language |

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| Nodal Protocol Sections Requiring Revision  | 1.3.2.1, Items Considered ERCOT Critical Energy Infrastructure Information2.1, Definitions2.2, Acronyms and Abbreviations16.1.3, Market Participant Citizenship, Ownership, or Headquarters16.1.4, Market Participant Reporting of Critical Electric Grid Equipment and Services-Related Procurement (new)23, Form Q, Attestation Regarding Market Participant Citizenship, Ownership, or Headquarters23, Form S, Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company or LSIPA Designated Country (new) |
| Revision Description | This Nodal Protocol Revision Request (NPRR) revises the Protocols to reflect new requirements added to the LSIPA as part of Senate Bill (SB) 2013 during the 88th regular legislative session. Specifically, this NPRR makes the following changes to the Protocols: * Adds definitions of “Critical Electric Grid Equipment,” “Critical Electric Grid Services,” “Lone Star Infrastructure Protection Act (LSIPA) Designated Company,” and “Lone Star Infrastructure Protection Act (LSIPA) Designated Country” to Section 2.1;
* Amends the definitions of “Affiliate” and “ERCOT System Infrastructure” in Section 2.1;
* Adds paragraph (5) to Section 16.1.3, reflecting ERCOT’s statutory authorization, established in SB 2013, to immediately suspend or terminate a Market Participant’s registration or access to any of ERCOT’s systems if ERCOT has a reasonable suspicion that the Entity meets any of the criteria described by Section 2274.0102(a)(2), Government Code, as added by Chapter 975 (S.B. 2116), Acts of the 87th Legislature, Regular Session, 2021;
* Adds Section 16.1.4, establishing new reporting and attestation requirements for Critical Electric Grid Equipment and Critical Electric Grid Services procurements by Market Participants and entities that seek to register as Market Participants;
* Amends Section 23 to add Form S, which shall be used by Market Participants and applicants for Market Participant registration to comply with the reporting and attestation requirements in Section 16.1.4;
* Updates Section 16.1.3 and Section 23, Form Q using the new defined terms, where appropriate; and
* Amends Section 1.3.2.1 to provide that certain information submitted on Form S shall constitute ERCOT Critical Energy Infrastructure Information (ECEII) under the Protocols.

ERCOT welcomes comments from Market Participants on the requirements proposed in this NPRR. ERCOT is aware that some Market Participants may have obligations under the North American Electric Reliability Corporation’s (NERC’s) Critical Infrastructure Protection (CIP) standards. ERCOT has evaluated options for incorporating NERC definitions in the Protocols in order to identify the types of critical grid equipment for which procurement of equipment and services must be reported. At this time, ERCOT has decided not to adopt NERC terms in this NPRR, although the NPRR incorporates language from NERC’s definition of “Bulk Electric System (BES) Cyber Asset” into the proposed definition of Critical Electric Grid Equipment. ERCOT has determined that the use of NERC terms is generally not an effective solution for this NPRR due to (1) the different regulatory objectives of LSIPA and NERC CIP and (2) certain disparities between the definitions used in the ERCOT Protocols and NERC CIP. However, ERCOT will gladly review and consider any Market Participant comments recommending the incorporation of language that is based on NERC CIP or other industry standards for critical grid infrastructure protection.  |

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| Revised Proposed Protocol Language |

**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) Information contained in Section 23, Form S, Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from an LSIPA Designated Company, submitted to ERCOT that:

(i) Identifies Critical Electric Grid Equipment and Critical Electric Grid Services procured from an LSIPA Designated Company;

(ii) Describes how such procurement of Critical Electric Grid Equipment or Critical Electric Grid Services relates to the operation of the grid;

(iii) Provides an attestation as to whether such procurement of Critical Electric Grid Equipment or Critical Electric Grid Services will result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company; or

(iv) Identifies any measures taken to ensure that the procurement of Critical Electric Grid Equipment or Critical Electric Grid Services will not result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company; and

(j) 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.

**2.1 DEFINITIONS**

**Affiliate**

(1) An Entity that directly or indirectly owns or holds at least 5% of the voting securities of a Market Participant; or

(2) An Entity in a chain of successive ownership of at least 5% of the voting securities of a Market Participant; or

(3) An Entity that has at least 5% of its voting securities owned or controlled, directly or indirectly, by a Market Participant; or

(4) An Entity that has at least 5% of its voting securities owned or controlled, directly or indirectly, by an Entity who directly or indirectly owns or controls at least 5% of the voting securities of a Market Participant or an Entity in a chain of successive ownership of at least 5% of the voting securities of a Market Participant; or

(5) A person who is an officer or director of a Market Participant or of a corporation in a chain of successive ownership of at least 5% of the voting securities of a Market Participant.

(6) Notwithstanding any part of this definition, any Entity that would be considered an Affiliate due to its participation in a chain of successive ownership of a Market Participant shall not for that reason be considered an Affiliate if:

(a) It does not own 50% or more of the voting securities of any other Entity in the chain; or

(b) Its participation in the chain is only as a successive owner of an Entity in the chain that does not own 50% or more of the voting securities of another Entity in that chain.

(7) Provided that the Entity holding ownership or control of voting securities in a Market Participant does not hold such ownership or control for the purpose of exercising or influencing control of that Market Participant, then for the purposes of that relationship, the term "Entity," as used in this definition, shall not include:

(a) A broker or dealer registered under the Securities Exchange Act of 1934, 15 U.S.C. § 78;

(b) A bank or insurance company as defined under the Securities Exchange Act of 1934, 15 U.S.C. § 78;

(c) An investment adviser registered under state law or the Investment Advisers Act of 1940, 15 U.S.C. §§ 80b1-80b21;

(d) An investment company registered under the Investment Company Act of 1940, 15 U.S.C. §§ 80a1-80a64; or

(e) An employee benefit plan, pension fund, endowment fund, or other similar entity.

(8) ERCOT may request either of the following as conclusive evidence of the purpose required in paragraph (7) above:

(a) An affidavit attesting to that purpose if such affidavit is signed by the Entity owning the securities; or

(b) A report reflecting that purpose filed by the owning entity with the Securities and Exchange Commission.

(9) Notwithstanding any other provision of this Section 2.1, “Affiliate” includes any Entity determined by the Public Utility Commission of Texas (PUCT) to be an Affiliate.(10) When referring to the “Affiliate” of an LSIPA Designated Company, “Affiliate” shall be defined in accordance with paragraphs (1)-(7) above, except that the term “Market Participant” as used in paragraphs (1)-(7) above is replaced with “LSIPA Designated Company.” **Critical Electric Grid Equipment**

(1) Equipment that, if destroyed, degraded, misused, or otherwise rendered unavailable would, within 15 minutes or less of its mis-operation, non-operation, or required operation, adversely impact the reliable operation of ERCOT System Infrastructure. Redundancy of affected facilities, systems, and equipment shall not be considered when determining adverse impact. Critical Electric Grid Equipment also includes equipment used to access the ERCOT Wide Area Network (WAN) or Market Information System (MIS).

(2) This definition only applies to equipment that may be remotely accessed or controlled.

(3) For Load Resources, this definition only applies to equipment used to send and receive ERCOT telemetry and ERCOT Dispatch Instructions.

(4) For purposes of this definition, “reliable operation of ERCOT System Infrastructure” means operating elements of ERCOT System Infrastructure within equipment and electric system thermal, voltage, and stability limits so that instability, uncontrolled separation, or cascading failures of ERCOT System Infrastructure will not occur as a result of a sudden disturbance, including a cybersecurity incident, or unanticipated failure of system elements.

**Critical Electric Grid Services**

Services provided by a vendor relating to the operation, control, monitoring, maintenance, or use of Critical Electric Grid Equipment.

**ERCOT System Infrastructure**

The Transmission Facilities, distribution facilities, Resources, Settlement Only Generators (SOGs), and Emergency Response Service (ERS) Resources that comprise the ERCOT System and the physical and virtual cyber assets used to control the ERCOT System.

**Lone Star Infrastructure Protection Act (LSIPA) Designated Company**

An Entity that meets any of the company ownership (including Affiliates) or headquarters criteria listed in Texas Business and Commerce Code, Sections 117.002(a)(2)(A)-(b)(2)(B) or Texas Government Code 2275.0102(a)(2)(A)-(b)(2)(B).

**Lone Star Infrastructure Protection Act (LSIPA) Designated Country**

China, Iran, North Korea, Russia, or a country designated by the Governor as a threat to critical infrastructure pursuant to Texas Business and Commerce Code, Section 117.003 or Texas Government Code, Section 2275.0103.

**2.2 ACRONYMS AND ABBREVIATIONS**

**LSIPA** Lone Star Infrastructure Protection Act

***16.1.3 Market Participant Citizenship, Ownership, or Headquarters***

(1) An Entity is not eligible to register or maintain its registration with ERCOT as a Market Participant if the Entity:

(a) Is a person who is a citizen of a Lone Star Infrastructure Protection Act (LSIPA) Designated Country; or

(b) Is an LSIPA Designated Company.

(2) If an Entity meets any of the above listed criteria solely due to the citizenship, ownership, or headquarters of a wholly owned subsidiary, majority-owned subsidiary, or Affiliate, the Entity may be eligible to register as a Market Participant if it certifies that the subsidiary or Affiliate at issue will not have direct or remote access to or control of ERCOT’s Wide Area Network (WAN), Market Information System (MIS), or any data from such ERCOT systems.

(3) Any Entity that seeks to register as a Market Participant shall submit an attestation as reflected in Section 23, Form Q, Attestation Regarding Market Participant Citizenship, Ownership, or Headquarters, certifying that the Entity complies with the above criteria.

(4) If there are changes to a Market Participant’s citizenship, ownership, or headquarters such that the Market Participant meets any of the prohibited company citizenship, ownership (including Affiliations), or headquarters criteria of an LSIPA Designated Company, then the Market Participant shall execute and submit a new attestation to ERCOT within ten Business Days of the change becoming effective.

(5) ERCOT may immediately suspend or terminate a Market Participant’s registration or access to any of ERCOT’s systems if ERCOT has a reasonable suspicion that the Entity meets any of the criteria described by paragraph (1) above.

***16.1.4* Market Participant Reporting of Critical Electric Grid Equipment and Services-Related Procurement**

(1) As a condition of registering and maintaining registration with ERCOT as a Market Participant, an Entity shall report to ERCOT the purchase, lease, or receipt (referred to in this Section as a “procurement”) of any Critical Electric Grid Equipment or Critical Electric Grid Services that the Entity knows, based on either actual knowledge or constructive knowledge that could be obtained through a reasonable inquiry, to be from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company or an LSIPA Designated Country. This includes, but is not limited to, a procurement of Critical Electric Grid Equipment or Critical Electric Grid Services that were manufactured, produced, created, or otherwise provided by an LSIPA Designated Company and subsequently sold to the Entity by a non-LSIPA Designated Company. For each reported procurement, the Entity shall attest that the procurement will not result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or an LSIPA Designated Country, excluding access specifically allowed by the Entity for product warranty and support purposes.

(2) Market Participants and Entities applying for registration with ERCOT shall submit a report and attestation, on the form reflected in Section 23, Form S, identifying any procurement described in paragraph (1) above that occurred during the following time periods:

(a) For a Market Participant, procurement(s) that were made on or after June 8, 2018; and

(b) For an Entity applying for registration with ERCOT, procurement(s) that were made within the five years preceding the date it signed the Standard Form Agreement.

(3) Market Participants shall submit a report and attestation, on the form reflected in Section 23, Form S, identifying any procurement(s) described in paragraph (1) above that occur after the date(s) of the procurements reported pursuant to paragraph (2) above and have not already been reported pursuant to this Section.

(4) Reports and attestations submitted pursuant to paragraph (3) above shall be submitted within 60 days of the date of the earliest procurement identified in the report.

**ERCOT Nodal Protocols**

**Section 23**

**Form Q: Attestation Regarding Market Participant Citizenship, Ownership, or Headquarters**

**TBD**

**Attestation Regarding Market Participant Citizenship, Ownership, or Headquarters**

**Legal Name of Market Participant (Applicant):**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Legal Address of Applicant:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Applicant DUNS Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Check the one box that applies [do not check both boxes]:

1. With respect to the above referenced Applicant, I hereby attest that:

 NONE of the following statements in paragraphs (A) - (D) are TRUE.

 ONE OR MORE of the following statements in paragraphs (A) - (D) are TRUE.

(A) The Applicant, or a wholly-owned subsidiary, majority-owned subsidiary, parent company, or Affiliate of the Applicant, is owned by:

(i) Individuals who are citizens of a Lone Star Infrastructure Protection Act (LSIPA) Designated Country; or

(ii) A company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of an LSIPA Designated Country; or

(B) The majority of stock or other ownership interest of the Applicant, or a wholly-owned subsidiary, majority-owned subsidiary, parent company, or Affiliate of the Applicant is held or controlled by:

(i) Individuals who are citizens of an LSIPA Designated Country; or

(ii) A company or other entity, including a governmental entity, that is owned or controlled by citizens of or is directly controlled by the government of an LSIPA Designated Country; or

(C) The Applicant, or a wholly-owned subsidiary, majority-owned subsidiary, parent company, or Affiliate of the Applicant is headquartered in an LSIPA Designated Country; or

(D) The Applicant is a person and is a citizen of an LSIPA Designated Country.

**If you checked the box for “ONE OR MORE of the following statements in paragraphs (A) - (D) are TRUE” solely because a wholly-owned subsidiary, majority-owned subsidiary, or Affiliate meets any of the citizenship or headquarters criteria listed above, then please answer question 2 below.**

2. With respect to the subsidiary or Affiliate at issue, check the one box that applies [do not check both boxes]:

 The subsidiary or Affiliate will NOT have direct or remote access to or control of ERCOT’s Wide Area Network (WAN), Market Information System (MIS), or any data from such ERCOT systems.

 The subsidiary or Affiliate will have direct or remote access to or control of ERCOT’s WAN, MIS, or any data from such ERCOT systems.

By signing below, I certify that I am authorized to bind the Applicant listed above, that I am authorized to execute and submit this attestation on behalf of Applicant, and that the statements contained herein are true and correct.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

**ERCOT Nodal Protocols**

**Section 23**

**Form S: Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company or LSIPA Designated Country**

**TBD**

**Reporting and Attestation Regarding Procurement of Critical Electric Grid Equipment and Critical Electric Grid Services from a Lone Star Infrastructure Protection Act (LSIPA) Designated Company** **or LSIPA Designated Country**

This form should be submitted to LSIPA@ercot.com in accordance with the deadlines provided in Section 16.1.4, Market Participant Reporting of Critical Electric Grid Equipment and Services-Related Procurement.

**Legal Name of Applicant or Market Participant:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Legal Address of Applicant or Market Participant:**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**Applicant or Market Participant DUNS Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Check the one box that applies [do not check both boxes]:

1. With respect to the above referenced Applicant or Market Participant, I hereby attest that the following statement is either true or not true, as indicated below:

The Market Participant or Applicant has procured Critical Electric Grid Equipment or Critical Electric Grid Services from an LSIPA Designated Company or LSIPA Designated Country within one of the time periods described in paragraph (2) or (3) of Section 16.1.4.

 The above statement is TRUE.

 The above statement is NOT TRUE.

**If you checked the box for “TRUE” in question 1, then please complete sections 2 and 3 below.**

2. **List each procurement of Critical Electric Grid Equipment or Critical Electric Grid Services from an LSIPA Designated Company or LSIPA Designated Country that occurred in the time periods described in paragraph (2) or (3) of Section 16.1.4 and has not already been reported to ERCOT under Section 16.1.4.** **For each procurement, please provide:**

**a. A description of the Critical Electric Grid Equipment or Critical Electric Grid Service procured:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**b. The name of the LSIPA Designated Company from which the procurement was made and the LSIPA Designated Country with which it is associated (or, if applicable, the name of the LSIPA Designated Country from which the procurement was made):**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**c. The date on which the procurement was made:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**d. A general description of how each piece of equipment or service relates to the operation of ERCOT System Infrastructure:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**e. A description of the measures taken to ensure that the procurement will NOT result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or an LSIPA Designated Country, excluding access allowed by the Applicant or Market Participant for product warranty and support purposes:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

3. With respect to the procurement at issue:

 I attest that the following procurement(s) described in my response to question 2 above will NOT result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or LSIPA Designated Country, excluding access specifically allowed for product warranty and support purposes:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 I attest that the following procurement(s) described in my response to question 2 above WILL result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or LSIPA Designated Country:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

4. If the Applicant or Market Participant attests that a procurement from an LSIPA Designated Company or an LSIPA Designated Country WILL result in access to or control of Critical Electric Grid Equipment by an LSIPA Designated Company or LSIPA Designated Country, then please describe the access to or control of Critical Electric Grid Equipment that was created by the procurement. Please also list any actions the Applicant or Market Participant has taken to mitigate the risks associated with such access or control:

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

By signing below, I certify that I am authorized to bind the Applicant or Market Participant listed above, that I am authorized to execute and submit this attestation on behalf of such Applicant or Market Participant, and that the statements contained herein are true and correct.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name

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Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date