



MEMORANDUM

To: ERCOT Board of Directors
From: Sean Taylor, Senior Vice President, Chief Financial Officer, and Chief Risk Officer
Date: February 20, 2024
Re: Item 13 – 2023 Internal Revenue Service Form 990 Questionnaire

As you may recall or may be aware, ERCOT must file a Form 990 informational tax return with the U.S. Internal Revenue Service (IRS) on an annual basis. Once filed, the completed Form 990 will become a publicly available document. For those of you who served on the ERCOT Board in 2023, you may recall that the Form 990 return requires a high level of detail with regard to the organization's operations and corporate governance.

ERCOT staff is currently preparing the Form 990 return for the 2023 tax year with an anticipated filing date of July 31, 2024, and has developed a schedule for review of the return by its third-party tax consultants and ERCOT staff (including its finance, executive management, legal, and human resources teams).

In order to gather the relevant information for the Form 990, in the near future, ERCOT staff will provide a Questionnaire for completion to those who were identified as ERCOT Board members or officers, key employees, and highly compensated employees during the 2023 year as those groups are defined by the IRS. Please refer to page two of this memorandum for a list of all current Board members who served in 2023 and will need to complete the Questionnaire.

Please note that responses to the Questionnaire will be due **no later than April 23, 2024**, in order for ERCOT staff to meet the proposed schedule for completion of the return.

We expect the final draft of the 2023 Form 990 return to be presented to the Board for its review at the June Board meeting.

Please let Jonathan Levine, Assistant General Counsel and Assistant Corporate Secretary, know if you have any questions or comments regarding the Questionnaire. If you have any questions regarding financial matters reported on the Form 990, please contact Sean Taylor.

**2024 ERCOT Board Members expected to complete the
2023 Form 990 Questionnaire**

| Name | 2023 Title |
|-------------------|-----------------------------------|
| Carlos Aguilar | Director |
| Linda Capuano | Director |
| Julie England | Director |
| Bob Flexon | Director |
| Bill Flores | Vice Chair |
| Paul Foster | Chair |
| Peggy Heeg | Director |
| Courtney Hjaltman | Public Counsel; Director |
| John Swainson | Director |
| Pablo Vegas | ERCOT President and CEO; Director |