



**Date:** February 20, 2024  
**To:** ERCOT Board of Directors  
**From:** Chad V. Seely, ERCOT Senior Vice President, General Counsel and Corporate Secretary  
**Subject:** Adjunct Membership Approval of Enerwise Global Technologies, LLC d/b/a Cpower for Membership Year 2024

**Issue for the ERCOT Board of Directors**

**ERCOT Board of Directors Meeting Date:** February 27, 2024

**Item No.:** 7

**Issue:**

Whether the Board of Directors (Board) of Electric Reliability Council of Texas, Inc. (ERCOT) should approve the application of Enerwise Global Technologies, LLC d/b/a Cpower (Cpower) for Adjunct Membership for Membership Year 2024.

**Background/History:**

Cpower is an ERCOT Market Participant that is registered as a Power Marketer with the Public Utility Commission of Texas (PUCT). This would qualify Cpower for Corporate or Associate Membership in the Independent Power Marketer Segment, except that Cpower is an Affiliate of Cross Texas Transmission LLC (Cross Texas), a Transmission and Distribution (T&D) Entity (as defined in the ERCOT Bylaws), which renders Cpower ineligible to join in the Independent Power Marketer Segment. The definition of Independent Power Marketer in the Bylaws is as follows (emphasis added): “Any entity that is not a T&D Entity or Affiliate of a T&D Entity and is registered at the PUCT as a Power Marketer to serve in the ERCOT Region.”

Bylaws Section 3.2(a)(3) provides that an entity “may be approved for Adjunct Membership by the Board if such entity does not meet the definitions and requirements to join as a Corporate or Associate Member.” Unlike Corporate Members, Adjunct Members have no right to select Technical Advisory Committee (TAC) Representatives, and unlike Corporate and Associate Members, Adjunct Members have no right to be elected or appointed to TAC or any subcommittee of TAC. Adjunct Members’ stakeholder process voting rights are limited to voting at meetings of the Protocol Revision Subcommittee (PRS). For this purpose, Section V(G)(2) of the Technical Advisory Committee Procedures require that each Adjunct Member “must align themselves each calendar year with a Segment ... to which they are similar.”

Because it does not meet the requirements to join as a Corporate or Associate Member in the Independent Power Marketer Segment due to being an Affiliate of a T&D Entity, Cpower has applied as an Adjunct Member for Membership Year 2024. Cross Texas, Cpower’s Affiliate, is a Corporate Member in the Investor Owned Utility Segment. Accordingly, if approved as an Adjunct Member, Cpower would align itself with the Investor-Owned Utility Segment in 2024 for purposes of voting at PRS as required by

Section V(G)(2) of the Technical Advisory Committee Procedures. Cpower informed ERCOT staff that it seeks Adjunct Membership in order follow the stakeholder process in ERCOT and represent Cpower's interests in the market.

Cpower's redacted Membership Application (omitting individual contact information) is attached hereto as **Attachment A**.

**Key Factors Influencing Issue:**

- Adjunct Membership requires approval by the Board.
- Cpower currently does not meet the definition of any Segment as set forth in the Bylaws and Membership Application and Agreement for Membership Year 2024 but is an active Market Participant and would qualify for Membership in the Independent Power Marketer Segment except for the fact that it is an Affiliate of a T&D Entity.

**Conclusion/Recommendation:**

ERCOT staff recommends that the Board approve Cpower as an Adjunct Member of ERCOT for Membership Year 2024.



**ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.**  
**BOARD OF DIRECTORS RESOLUTION**

WHEREAS, after due consideration of the alternatives, the Board of Directors (Board) of Electric Reliability Council of Texas, Inc. (ERCOT) deems it desirable and in the best interest of ERCOT to approve Enerwise Global Technologies, LLC d/b/a Cpower (Cpower) as an Adjunct Member of ERCOT for Membership Year 2024, because Cpower does not meet the Segment requirements for Membership;

THEREFORE, BE IT RESOLVED, that ERCOT is hereby authorized and approved to grant Adjunct Membership status to Cpower for Membership Year 2024.

**CORPORATE SECRETARY'S CERTIFICATE**

I, Jonathan M. Levine, Assistant Corporate Secretary of ERCOT, do hereby certify that, at its February 27, 2024 meeting, the Board passed a motion approving the above Resolution by \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of February, 2024.

\_\_\_\_\_  
Jonathan M. Levine  
Assistant Corporate Secretary



**ATTACHMENT A**

**MEMBERSHIP APPLICATION AND AGREEMENT FOR MEMBERSHIP YEAR 2024  
OF ENERWISE GLOBAL TECHNOLOGIES, LLC D/B/A CPOWER (REDACTED)**

**Membership Application Information**

\* Applicant Contact

Lee Ewing

Email

[Redacted]

\* Applicant Legal Name

▶ More Information

Enerwise Global Technologies, LLC d/b/a Cpower

\* Membership Type

▶ More Information

Adjunct

Membership Directories

Check the directory for confirmed membership eligibility:

[Independent Generator](#)

[Independent Power Marketer](#)

[Independent REP](#)

[Aggregator](#)

\* Segment Eligibility

▶ More Information

Investor Owned Utility

- (i) An investor-held, for-profit "electric utility" as defined in PURA §31.002(6) that:
  - (a) Operates within the ERCOT Region;
  - (b) Owns 345 kV interconnected transmission facilities in the ERCOT Region;
  - (c) Owns more than 500 pole miles of transmission facilities in the ERCOT Region; or
  - (d) Is an Affiliate of an entity described in (a), (b) or (c); or
- (ii) A public utility holding company of any such electric utility.

Designated Representative and Alternate

Actions	Representative Type	Name	Title	Address	City, State, Zip	Phone	Email
	Designated Representative	Lee Ewing	Manager, Regulatory & Government Affairs	[Redacted]	[Redacted]	[Redacted]	[Redacted]
	Designated Representative Alternate	Mike Hourihan	Director, Portfolio Management (ERCOT/ISONE)	[Redacted]	[Redacted]	[Redacted]	[Redacted]

Affiliates of the Applicant

Member Name	Segment
Cross Texas Transmission LLC	Investor Owned Utility
Linebacker Power, LLC	Investor Owned Utility

\*  I agree to the terms of the Membership Agreement