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| NOGRR Number | [258](https://www.ercot.com/mktrules/issues/NOGRR258) | NOGRR Title | Related to NPRR1198, Congestion Mitigation Using Topology Reconfigurations |

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| Date | October 23, 2023 |

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| Market Segment | Independent Power Marketer (IPM) |

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| Comments |

DC Energy Texas LLC (“DC Energy”) submits these comments to address the market transparency aspects of NOGRR 258. As currently proposed, the process of initiating Remedial Action Plans (RAPs) for market use or Extended Action Plans (EAPs) can lead to commercial information being revealed unfairly to one Market Participant relative to all other Market Participants. The issue stems from the requirement that the submitter of a RAP for market use or EAP must first review its proposed topology changes with the impacted Transmission Operator (TO). Given that RAPs for market use and EAPs are aimed at altering grid economics, this creates a situation where any information obtained could be used to exercise a commercial advantage before the proposal is made known to other Market Participants. Moreover, the process is susceptible to Market Participants submitting a RAP or EAP requests for the purpose of inappropriately gaining said advantage. DC Energy’s proposes to prevent these inappropriate outcomes by requiring the submission of RAPs and EAPs directly to ERCOT. ERCOT, as an independent entity, is well equipped to serve as intermediary for Market Participants and can ensure market competition is not eroded through the asymmetric sharing of commercial information.

In addition, DC Energy’s comments seek to ensure there is a sufficient period for Market Participants and TOs to review and provide substantive comments for RAP or EAP submissions to ERCOT. Constraint Management Plans (CMPs), such as RAPs for market use and EAPs will likely include complex grid schemes and economic based studies that cannot be thoroughly assessed by TOs and Market Participants within the currently proposed timelines.

Lastly, our comments ensure the market is notified when a RAP or EAP is approved by ERCOT. As currently proposed, a notice is only sent if the determination is to reject or modify the RAP or EAP.

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| Revised Cover Page Language |

None

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| Revised Proposed Guide Language |

**11.1 Introduction**

(1) Constraint Management Plans (CMPs) are developed in accordance to the guidelines set forth in the sections below, and are defined in Protocol Section 2.1, Definitions. CMPs include, but are not limited to the following:

(a) Remedial Action Plans (RAPs) which are modeled in Network Security Analysis (NSA) where practicable;

(b) Automatic Mitigation Plans (AMPs) which are modeled in NSA where practicable;

(c) Pre-Contingency Action Plans (PCAPs);

(d) Extended Action Plans (EAPs);

(e) Temporary Outage Action Plans (TOAPs); and

(f) Mitigation Plans.

(2) When developing CMPs, ERCOT shall first attempt to utilize the 15-Minute Rating of the impacted Transmission Facilities, where available, to develop RAPs such that the ERCOT Transmission Grid is utilized to the fullest extent.

(3) RAPs and EAPs may be utilized to facilitate the market use of the ERCOT Transmission Grid for constraints that have resulted in over $1 million of congestion cost in a given month within the past 36 months.

(4) RAPs or EAPs must be submitted to ERCOT for review to facilitate the market use of the ERCOT Transmission Grid. ERCOT must review the design with impacted Transmission Operators (TOs) and the proposing Entity to verify the feasibility of the submission.

(5) For a RAP or EAP submitted for review to facilitate the market use of the ERCOT Transmission Grid, all Generation Resource Entities that would be directly affected operationally by the proposed actions must be part of the submitting parties. Impacts resulting from market clearing processes shall not constitute a direct operational impact under this paragraph.

(6) ERCOT shall provide notification to the market of any approved, amended, or removed CMP or RAS. ERCOT shall provide notification to the market of any RAP, AMP, or RAS that cannot be modeled in the Network Operations Model. ERCOT shall post to the Market Information System (MIS) Secure Area all CMPs and RASs and any unmodeled CMPs or RASs.

(7) ERCOT is not required to provide notification to the market of any proposed TOAPs.

(8) All submittals related to CMPs or RASs must be emailed to [ras\_cmp@ercot.com](mailto:ras_cmp@ercot.com).

**11.4 Remedial Action Plan**

(1) Remedial Action Plans (RAPs) are defined in Protocol Section 2.1, Definitions, and may be relied upon in allowing additional use of the transmission system in Security-Constrained Economic Dispatch (SCED). Normally, it is desirable that a Transmission Service Provider (TSP) constructs Transmission Facilities adequate to eliminate the need for any RAP; however, in some circumstances, such construction may be unachievable in the available time frame.

(2) RAPs for reliability must:

(a) Be coordinated by ERCOT with all Transmission Operators (TOs) and Resource Entities included in the RAP, and approved by ERCOT;

(b) Be limited to the time required to construct replacement Transmission Facilities; however, the RAP will remain in effect if ERCOT has determined the replacement Transmission Facilities to be impractical;

(c) Comply with all applicable requirements in the Protocols and applicable North American Electric Reliability Corporation (NERC) Reliability Standards;

(d) Clearly define and document TOs and Resource Entities included in the RAP actions;

(e) Must be able to resolve the issue for which it was designed over the range of conditions that might reasonably be experienced;

(f) Be executed by the TOs and/or Resource Entities;

(g) Have a 15-minute Rating greater than the Normal and Emergency Ratings for the Transmission Facilities it intends to resolve;

(h) Be defined in the Network Operations Model and considered in the SCED and Reliability Unit Commitment (RUC) processes. RAPs that cannot be modeled using ERCOT’s existing infrastructure shall be rejected unless the Technical Advisory Committee (TAC) approves a plan to work around the infrastructure problem; and

(i) Not include generation re-Dispatch or Load shed.

(3) Prior to approving a RAP proposal to facilitate the market use of the ERCOT Transmission Grid, ERCOT and the impacted TOs must verify that the RAP:

(a) Meets all of the criteria established in paragraph (2) above;

(b) Does not result in radial Load;

(c) Does not create new binding constraints or increase flow on any existing binding constraint by more than 1%;

(d) Does not negatively impact any Generic Transmission Constraints (GTCs), decrease Generic Transmission Limits (GTLs) or create new instability situations;

(e) Has not been previously rejected, unless there have been major changes to the system configuration or RAP proposal; and

(f) Provides more than $1 million savings to total production cost or congestion cost with the RAP action in place compared to generation re-Dispatch alone. This can be established either by using annual production cost model simulation or other methods acceptable to ERCOT.

(4) An approved RAP may be executed immediately after a contingency by the TOs and Resource Entities included in the RAP without instruction by ERCOT or shall be executed upon direction by ERCOT.

(5) ERCOT shall conduct a review of each existing RAP annually or as required by changes in system conditions to ensure its continued effectiveness. Each review shall proceed according to a process and timetable documented in ERCOT Procedures.

(6) ERCOT may approve the expiration of a RAP after consultation with the TOs and Resource Entities included in the RAP. ERCOT shall modify its reliability constraints to recognize the unavailability of the RAP.

11.4.1 Remedial Action Plan Process

(1) RAPs, including RAPs to facilitate the market use of the ERCOT Transmission Grid, may be proposed by any Market Participant or may be developed by ERCOT. For RAPs submitted by Market Participants not registered as a TSP:

(a) ERCOT shall post RAPs submitted by a Market Participant not registered as a TSP on the Market Information System (MIS) Secure Area as soon as practicable, but no later than five Business Days of receipt.

(b) ERCOT shall provide a 45 Business Day comment period from the date when the proposed RAP under review is posted by ERCOT unless notice of a shorter comment period is provided.

(c) ERCOT shall consider all comments received within the 45 Business Day comment period on the proposed RAP, along with its own evaluation and those of the Transmission Facility owners, and either approve, modify or reject that proposed RAP.

(d) When a proposed RAP is modified or rejected, ERCOT shall post an explanation for the approval or rejection, or a description of the modification. If the RAP is approved the posting shall include the start date of the RAP.

**11.6 Pre-Contingency Action Plans**

(1) Pre-Contingency Action Plans (PCAPs) are defined in Protocol Section 2.1, Definitions, and are implemented in anticipation of a contingency. Normally, it is desirable that a Transmission Service Provider (TSP) construct Transmission Facilities adequate to eliminate the need for any PCAP; however, in some circumstances, such construction may be unachievable in the available time frame.

(2) A PCAP may be proposed by any Market Participant, and be approved by ERCOT and the Transmission Operator (TO) included in the PCAP prior to implementation. PCAPs must:

(a) Be coordinated with the TOs included in the PCAP;

(b) Be limited in use to the time required to construct replacement Transmission Facilities and until such Facilities are placed in-service, or the PCAP is no longer needed; however, the PCAP will remain in effect if ERCOT has determined the replacement Transmission Facilities to be impractical;

(c) Comply with all requirements of the Protocols and applicable North American Electric Reliability Corporation (NERC) Reliability Standards;

(d) Clearly define and document TO actions;

(e) Be executed by TOs; and

(f) Not include generation re-Dispatch or Load shed.

(3) An approved PCAP may be executed immediately prior to a contingency by the TO without instruction by ERCOT, or shall be executed upon direction by ERCOT.

(4) All proposed, approved, amended, and removed PCAPs shall be managed in accordance with paragraph (6) of Section 11.1, Introduction.

(5) ERCOT may limit the quantity of PCAPs that are used.

**11.8 Extended Action Plans (EAPs)**

(1) An Extended Action Plan (EAP) may be proposed by any Market Participant or developed by ERCOT, and must be approved prior to implementation by ERCOT, the Transmission Operators (TOs) included in the EAP, and directly operationally impacted Resource Entities. Impacts resulting from market clearing processes shall not constitute a direct operational impact under this section. EAPs must:

(a) Be coordinated with the Resource Entities and TOs included in the EAP;

(b) Be limited in use to the time required to evaluate, approve, and construct replacement Transmission Facilities until such Transmission Facilities are placed in-service, or the EAP is no longer needed. In cases where the EAP mitigates temporary congestion, the use of an EAP may be limited to the duration of the temporary congestion, or until the EAP is no longer needed;

(c) Comply with all requirements of the Protocols and applicable North American Electric Reliability Corporation (NERC) Reliability Standards;

(d) Clearly define and document TO actions;

(e) Be executed by TOs; and

(f) Not include generation re-Dispatch or Load shed.

(2) Prior to approving an EAP proposal to facilitate the market use of the ERCOT Transmission Grid, ERCOT and the impacted Resource Entities and TOs must verify that the EAP:

1. Meets all of the criteria in paragraph (1) above;
2. Does not result in radial Load;
3. Does not create new binding thermal constraints or voltage violations, or increase flow on any existing binding constraint by more than 1%;
4. Does not negatively impact any Generic Transmission Constraints (GTCs), decrease Generic Transmission Limits (GTLs), or create new instability situations;
5. Has not been previously rejected, unless there have been major changes to the system configuration or EAP proposal;

(f) Provides more than $1 million savings to total production cost or total congestion cost with the EAP action in place compared to generation re-Dispatch alone. This can be established either by using annual production cost model simulation or other methods acceptable to ERCOT;

(g) Limits the action to changing the normal status of transmission equipment at up to two substations;

(h) If applicable, is limited to a post-contingency generation trip of no more than ERCOT frequency bias; and

(i) Does not impact the ability of a Resource to meet its minimum deliverability criteria described in Planning Guide Section 4.1.1.7, Minimum Deliverability Criteria.

(3) An approved EAP may be executed immediately prior to a contingency by the TO without instruction by ERCOT, or shall be executed upon direction by ERCOT.

(4) All proposed, approved, amended, and removed EAPs shall be managed in accordance with paragraph (6) of Section 11.1, Introduction.

(5) ERCOT may limit the quantity of EAPs that are used.

(6) ERCOT may reject proposals that fail to practicably assess impact to operations and reliability.

***11.8.1 Extended Action Plan (EAP) Process***

(1) EAPs may be proposed by any Market Participant or may be developed by ERCOT. For EAPs submitted by Market Participants not registered as a Transmission Service Provider (TSP):

(a) ERCOT shall post EAPs submitted by a Market Participant not registered as a TSP on the Market Information System (MIS) Secure Area within five Business Days of receipt.

(b) ERCOT will provide a 45 Business Day comment period from the date when the proposed EAP under review is posted by ERCOT unless notice of a shorter comment period is provided by ERCOT.

(c) ERCOT shall consider all comments received within the 45 Business Day comment period on the proposed EAP, along with its own evaluation and those of the Transmission Facility owners, and either approve, modify or reject the proposed EAP.

(d) When a proposed EAP is approved, modified or rejected, ERCOT shall post an explanation for the approval or rejection, or a description of the modification within five Business Days of its determination. If the EAP is approved the posting shall include the start date of the EAP.