**ERCOT plans to file comments to NPRR1264 that would include the proposed language below and striking all (or substantially all) other changes proposed by NPRR1264 (not currently shown).**

**ERCOT is providing a draft version of these comments for stakeholder review and input as they are related to the requirements that will be outlined in a Request for Qualification for third party administrators of an Energy Attribute Certificate program. Based on stakeholder feedback, ERCOT plans to file formal comments to NPRR1264.**

## 2.1 DEFINITIONS

**Energy Attribute Certificate (EAC)**

A tradable instrument that represents attributes associated with production from a generator that registers to participate in the Energy Attribute Certificate (EAC) program.

**14.2 Duties of ERCOT**

(1) As described in more detail in this Section, ERCOT shall:

(a) Register renewable energy generators;

(b) Register Retail Entities;

(c) Register other Entities choosing to participate in the Renewable Energy Credit (REC) Trading Program;

(d) Create and maintain REC trading accounts for REC Trading Program participants;

(e) On a quarterly basis, award RECs earned by REC generators based on verified MWh production data;

(f) Retire RECs or Compliance Premiums as directed by REC Trading Program participants;

(g) Retire RECs or Compliance Premiums as they expire;

(h) On a monthly basis, make public the aggregated total MWh competitive energy sales in Texas;

(i) Make public a list of REC Account Holders with contact information (e-mail, address, and telephone number) so as to facilitate REC or Compliance Premium trading;

(j) Maintain a list of offset generators and the Retail Entities to whom such a generator’s offsets were awarded by the Public Utility Commission of Texas (PUCT);

(k) Conduct a REC Trading Program Settlement process annually;

(l) File an annual report with the PUCT as specified in subsection (h)(11) of P.U.C. Subst. R. 25.173, Renewable Energy Credit Program;

(m) Monitor the operational status of participating renewable energy generation facilities in Texas and record retirements;

(n) Audit MWh production data from certified REC generating facilities;

(o) Audit MWh production from renewable energy generation facilities producing offsets for Retail Entities on an annual basis; and

(p) Post a list of Facility Identification Numbers, and the associated renewable energy generation facility name, location, type, and noncompetitive certification data on the ERCOT website;

(q) Register Energy Attribute Certificate (EAC) facilities;

(r) Provide data to the third-party administrator of the EAC program to enable an audit to ensure that RECs are not duplicative with EACs. The data will include the following information:

1. Unique identifier for the REC,
2. Name of the REC generating facility,
3. MWh production of the REC facility included in the REC, and
4. Time period of the REC.

## Third Party Energy Attribute Certificate Program

1. Separate from the voluntary REC program, ERCOT will provide data to support a voluntary Energy Attribute Certificate (EAC) program.
2. A single, qualified third-party administrator will operate and maintain this voluntary EAC program. ERCOT will attain an annual attestation from the third-party administrator regarding the administrator’s abilities to provide certain program functions. ERCOT will issue this attestation in a Market Notice. The attestation will include, but not be limited to, the abilities of the third-party administrator to provide the following program functions:
   1. Registering account holders, which may either be generators and/or transactional participants;
   2. Maintaining a secure registry and trading platform that allows tracking attributes including facility name, hour, location, production per Watt-hour (Wh) and fuel type;
   3. Providing a methodology to account for storage charging and losses;
   4. Providing a methodology to ensure RECs created by ERCOT are not duplicative with EACs created by the third-party administrator;
   5. Providing a methodology for third-party verifiers to use auditable processes to track additional attributes; and
   6. Providing and maintaining an Application Programming Interface (API) that at minimum:
      1. Enables certificate creation, transfer, and retirement of EACs;
      2. Allows for functions to be delegated by the EAC participant to an agent of the EAC participant;
      3. Enables viewing contact information of EAC participants by other EAC participants; and
      4. Enables viewing a list of all certificates by account holders in a way that maintains the confidentiality of facility information for 60 days after the Operating Day.
3. ERCOT will provide a list of qualified third-party administrators to manage the EAC program to the ERCOT Technical Advisory Committee (TAC). The preferred third-party administrator will be recommended by TAC and approved by the ERCOT Board.
4. Upon a determination by ERCOT that the third-party administrator cannot or will not continue to meet the requirements of this Section in a timely and efficient manner, ERCOT will provide a new list of qualified third-party administrators. The replacement third-party administrator will be recommended by TAC and approved by the ERCOT Board.

**ERCOT Nodal Protocols**

**Section 23**

**Attachment X: Request to Opt-in to Energy Attribute Certificate Program**

**TBD**

**Request to Opt-in to Energy Attribute Certificate Program**

A Resource Entity may voluntarily request ERCOT to share specified data with the third party administrator of the Energy Attribute Certificate (EAC) program, as that program is outlined under ERCOT Protocols Section 14.14, *Third Party Energy Attribute Certificate Program*.

To request to opt-in to the EAC program, the Authorized Representative or an officer/executive of the Resource Entity (RE) must complete this form and return it to ERCOT via email at ([recadmin@ercot.com](mailto:recadmin@ercot.com)) .

|  |  |
| --- | --- |
| Resource Entity Name |  |
| Resource Entity Duns Number |  |
| Facility Name |  |
| Facility Address |  |

Additional rows may be added if more than one facility is being registered by the same RE.

RE hereby opts in to the EAC program for the above listed facilities, and further requests that ERCOT share RE’s data to the selected third-party administrator of the EAC program. RE understands that effective upon written confirmation from ERCOT:

1. ERCOT will share with the EAC program third-party administrator the facility name, hour, location, production per Watt-hour (Wh) and fuel type.
2. If the facility registered in the EAC program is also registered in ERCOT’s Renewable Energy Credit (REC) program, ERCOT will stop creating RECs for the facility unless this opt-in request is voided;
3. The EAC program third-party administrator can be changed by the ERCOT Board of Directors after receiving a Technical Advisory Committee (TAC) recommendation and RE’s request to opt-in to the EAC program does not expire if the third-party administrator changes; and
4. RE can cancel this opt-in request with a written request signed by an Authorized Representative or an officer/executive of the RE.

I affirm that I have personal knowledge of the facts stated herein and have the authority to submit this request form on behalf of the Market Participant listed above.

**Officer/Executive/Authorized Representative:**

**Name and Title:**

**Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:**