|  |  |  |  |
| --- | --- | --- | --- |
| NPRR Number | [1321](https://www.ercot.com/mktrules/issues/NPRR1321) | NPRR Title | Batch Alpha |
|  | |  | |
| Date | | February 11, 2026 | |
|  | |  | |
| Submitter’s Information | | | |
| Name | | Agee Springer / Nathan Bigbee | |
| E-mail Address | | [agee.springer@ercot.com](mailto:agee.springer@ercot.com) / [nathan.bigbee@ercot.com](mailto:nathan.bigbee@ercot.com) | |
| Company | | ERCOT | |
| Phone Number | | 512-248-4508 / 512-225-7093 | |
| Cell Number | |  | |
| Market Segment | | Not applicable | |

|  |
| --- |
| Comments |

ERCOT appreciates the opportunity to submit these comments to Nodal Protocol Revision Request (NPRR) 1321. Consistent with the discussion at the February 6, 2026 Open Meeting of the Public Utility Commission of Texas (PUCT), ERCOT recognizes the need to use the Revision Request process to establish the batch study process. To that end, ERCOT intends to submit Revision Requests in the next few weeks to propose this process and to ensure those Revision Requests are submitted for consideration by the ERCOT Board of Directors at its June 2026 meeting. ERCOT expects to host at least two workshops, in addition to scheduled meetings of the relevant stakeholder Subcommittees, to discuss those Revision Requests and obtain stakeholder feedback. While ERCOT does not object to stakeholders proposing alternative processes, ERCOT has several concerns with the structure and content of NPRR1321.

ERCOT’s primary concern with this NPRR is that it appears to be inconsistent with the criteria for including large loads in Regional Planning Group (RPG) submissions established in the 2026 Regional Transmission Plan (RTP) Compliance Plan ERCOT submitted to the PUCT to comply with the PUCT’s recently approved rule governing large load forecasting, 16 Texas Administrative Code (TAC) § 25.370. As provided in subsection (g) of that rule, because ERCOT is not able to develop and implement Protocol revisions in time to ensure the 2026 RTP complies with the criteria established in subsection (c) of the rule, “ERCOT, in consultation with commission staff, must submit a compliance plan detailing how it will ensure the 2026 RTP substantially complies with” the rule. ERCOT filed the 2026 RTP Compliance Plan on January 22, 2026 in PUCT Project No. 58480. The large load forecasting rule and the 2026 RTP Compliance Plan will both take effect March 1, 2026. As provided in subsection (g), ERCOT’s “transmission planning assessments or resource adequacy assessments, including Regional Planning Group submissions” must use the large load forecast data submitted under the 2026 RTP Compliance Plan until ERCOT develops planning cases that implement the criteria specified in subsection (c) of the rule.

As prescribed in subsection (g) of the rule, the criteria in the 2026 RTP Compliance Plan for including Large Loads in ERCOT’s load forecasts differ materially from the criteria proposed in this NPRR. For example, the 2026 RTP Compliance Plan requires that a large load customer must demonstrate site control through a lease agreement covering at least five years from the date the customer is expected to reach peak demand or through a deed; it does not allow option agreements, as this NPRR proposes. Additionally, the 2026 RTP Compliance Plan requires posting of any of three forms of financial security, while the NPRR proposes to allow financial security or the use of an “exclusivity agreement, or other commercially binding documentation acceptable to parties with an existing Generation Resource on or before December 1, 2025.” In short, the 2026 RTP Compliance Plan does not provide ERCOT the flexibility to adopt different criteria for including Large Loads in its transmission planning assessments.

Setting aside this core legal concern, ERCOT has other substantive concerns, including the following:

* ERCOT cannot realistically meet the desired study timeline. Even if ERCOT knew which loads met the proposed criteria today, ERCOT could not build the cases and conduct the studies needed to develop a transmission plan for all Large Loads by May 2026. Moreover, under an urgent timeline, the earliest possible effective date of this NPRR would be May 30, 2026—the day after the PUC’s last open meeting in May.
* Several of the criteria are vague and need clarification. For example, what is meant by “commercially binding documentation acceptable to parties with an existing Generation Resource on or before December 1, 2025”? Does an agreement to merely discuss co-location qualify?
* Apart from vagueness concerns, ERCOT does not have independent visibility or knowledge of which Large Loads meet the proposed criteria. As the NPRR is written, ERCOT would be responsible for confirming which Large Loads meet the criteria, and reviewing submissions of documentation to demonstrate compliance with these requirements—presumably including hundreds of contracts—would likely take many weeks or months. This would further delay the desired study.
* The date by which Large Loads must meet the criteria to be included in the cases is not specified.

In light of the concerns raised above, ERCOT requests that NPRR1321 not be granted Urgent status and be tabled at PRS, if not rejected, pending further Large Load workshops and additional stakeholder discussion.

|  |
| --- |
| Revised Cover Page Language |

None.

|  |
| --- |
| Revised Proposed Protocol Language |

None.