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| NPRR Number | [**1264**](https://www.ercot.com/mktrules/issues/NPRR1264) | NPRR Title | ****Creation of a New Energy Attribute Certificate Program**** |
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| Date | | February 12, 2026 | |
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| Submitter’s Information | | | |
| Name | | Preston Ochsner | |
| E-mail Address | | [Preston@OchsnerInterests.com](mailto:Preston@OchsnerInterests.com) | |
| Company | | Ochsner Interests, Inc. | |
| Phone Number | | 713-498-5361 | |
| Cell Number | | 713-498-5361 | |
| Market Segment | | Corporate, Small Commercial Consumer | |

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| Comments |

Ochsner Interests submits the following comments regarding Nodal Protocol Revision Request (NPRR) 1264.

Under Texas Utilities Code §39.151, Essential Organizations, the independent organization is charged with ensuring nondiscriminatory transmission access, maintaining reliability and adequacy of the regional electrical network, conveying customer choice information, and accurately accounting for wholesale electricity production and delivery, as directed by the Public Utility Commission of Texas (PUCT). The Wholesale Market Subcommittee (WMS) review should begin with a threshold determination that incorporation of an Energy Attribute Certificate (EAC) construct into ERCOT Protocols is authorized under §39.151 and related statutory provisions and is supported by explicit Commission authorization. The Commission’s authority is bounded by the Utilities Code, and any direction to ERCOT must remain within the statutory functions enumerated in §39.151. The proposed construct does not appear necessary to fulfill those enumerated functions, nor is it directly tied to reliability operations or wholesale settlement accounting of physical production and delivery. Voluntary attribute tracking and certification can already be accomplished through existing market systems without integration into ERCOT’s core settlement infrastructure.

From a market design perspective, embedding an attribute construct within ERCOT systems introduces incremental credit, collateral, settlement, and administrative cost implications. Even if participation is structured as voluntary, protocol codification creates the risk of indirect exposure through shared system development, uplift allocation, or integration with existing settlement processes. Absent a demonstrated statutory necessity or market failure that cannot be addressed through existing mechanisms, expansion of ERCOT Protocol scope is not warranted.

For these reasons, Ochsner Interests does not support the advancement of NPRR1264. Expansion of ERCOT’s role into voluntary attribute administration would extend beyond functions necessary to execute its statutory mandate and would introduce avoidable system complexity and cost. Any further consideration should be grounded in clear statutory authority, strict cost segregation, and confirmation that no impact to non-participating entities will occur.

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| Revised Cover Page Language |

None

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| Revised Proposed Protocol Language |

None