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CONFIDENTIAL-FILING MEMORANDUM

TO: Presiding Officer
FROM: Hackberry Wind LLC
DATE: June 10, 2026
RE: PUC Docket No. _____ – *Complaint of Hackberry Wind LLC Against the Electric Reliability Council of Texas, Inc.*

Hackberry Wind LLC (“Hackberry Wind”) designates the following exhibits to its Complaint as confidential: Confidential Exhibits B, C, D, E, F, G, H, I, J, and K.

This filing consists of: references to designated confidential material found in the above listed Confidential Exhibits following the Complaint.

The following pages contain redactions for the reasons stated below:

- Hackberry Wind’s Confidential Exhibit B: bates labeled pages: 63-85
 - Confidential Exhibit B contains nonpublic, sensitive generation resource specific information that is classified as “Protected Information” under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov’t. Code §§ 552.101; 552.110 and 552.133.
- Hackberry Wind’s Confidential Exhibit C: bates labeled pages: 86-96
 - Confidential Exhibit C contains commercially sensitive information in a third-party report that has been designated as confidential by the third-party regarding Hackberry Wind’s capabilities and protected under Tex. Gov’t Code §§ 552.110 and 552.133.
- Hackberry Wind’s Confidential Exhibit D: bates labeled pages: 97-99
 - Confidential Exhibit D contains nonpublic, sensitive generation resource specific information that is classified as “Protected Information” under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov’t. Code §§ 552.101; 552.110 and 552.133.

- Hackberry Wind’s Confidential Exhibit E: bates labeled pages: 100-102
 - Confidential Exhibit E contains nonpublic, sensitive generation resource specific information that is classified as “Protected Information” under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov’t. Code §§ 552.101; 552.110 and 552.133.
- Hackberry Wind’s Confidential Exhibit F: bates labeled pages: 103-204
 - Confidential Exhibit F contains nonpublic, sensitive generation resource specific information and commercially sensitive information in a third-party report that has been designated as confidential by the third-party regarding Hackberry Wind’s capabilities that is classified as “Protected Information” under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov’t. Code §§ 552.101; 552.110 and 552.133.
- Hackberry Wind’s Confidential Exhibit G: bates labeled pages: 205-212
 - Confidential Exhibit G contains nonpublic, sensitive generation resource specific information that is classified as “Protected Information” under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov’t. Code §§ 552.101; 552.110 and 552.133.
- Hackberry Wind’s Confidential Exhibit H: bates labeled pages: 213-216
 - Confidential Exhibit H contains nonpublic, sensitive generation resource specific information that is classified as “Protected Information” under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov’t. Code §§ 552.101; 552.110 and 552.133.
- Hackberry Wind’s Confidential Exhibit I: bates labeled pages: 217-218
 - Confidential Exhibit I contains nonpublic, sensitive generation resource specific information that is classified as “Protected Information” under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov’t. Code §§ 552.101; 552.110 and 552.133.
- Hackberry Wind’s Confidential Exhibit J: bates labeled pages: 219-247
 - Confidential Exhibit J contains commercially sensitive information in a third-party report that has been designated as confidential by the third-party regarding

Hackberry Wind's capabilities and protected under Tex. Gov't Code §§ 552.110 and 552.133.

- Hackberry Wind's Confidential Exhibit K: bates labeled pages: 248-252
 - Confidential Exhibit K contains nonpublic, sensitive generation resource specific information that is classified as "Protected Information" under ERCOT Protocols § 1.3.1.1, and ERCOT Operating Guide § 2.12.1, and protected by Tex. Gov't. Code §§ 552.101; 552.110 and 552.133.

Select the applicable box below:

Protected Material

Highly Sensitive Protected Material

Not Applicable (A protective order has not been issued in the proceeding)

Hackberry Wind acknowledges that the confidential filing status of these documents may be subject to challenge by another party in the proceeding or by the presiding officer.

Respectfully submitted on June 10, 2026,



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ATTORNEYS FOR HACKBERRY WIND LLC

DOCKET NO. _____

COMPLAINT OF HACKBERRY WIND § PUBLIC UTILITY COMMISSION
LLC AGAINST THE ELECTRIC §
RELIABILITY COUNCIL OF TEXAS, § OF TEXAS
INC. §
§

COMPLAINT OF HACKBERRY WIND LLC REGARDING ERCOT'S REJECTION OF
EXTENSION REQUEST

TABLE OF CONTENTS

	Page
I. EXECUTIVE SUMMARY	1
II. IDENTIFICATION OF THE PARTIES	7
III. STATEMENT OF THE CASE.....	8
A. Underlying or Related Proceedings	8
B. Affected Entities	8
C. Conduct From Which Hackberry Wind Seeks Relief.....	9
D. Applicable ERCOT Procedures, Protocols, Operating Guides, or Law	9
E. Use of Applicable ERCOT Procedures or Exception.....	9
F. Request for Suspension of ERCOT Conduct.....	10
G. Jurisdiction (16 TAC § 22.251(e)(2)(B)(vii)).....	10
IV. TIMELINESS OF FILING AND PRESERVATION OF APPEAL RIGHTS	11
V. RESOURCE-SPECIFIC DISCLOSURES	11
A. Exemption from Applicable ERCOT Procedures.....	11
B. Exemption from ADR and Informal Dispute Resolution	11
C. Resource's History of Reliability-Related Violations.....	11
VI. STATEMENT OF ISSUES PRESENTED FOR COMMISSION REVIEW	12
VII. STATEMENT OF FACTS	13
VIII. ARGUMENT.....	17
A. ERCOT's Rejection Was Procedurally Deficient Under NOG § 2.12.1.3.	17
B. ERCOT's Written Determination Does Not Reflect the Reliability-Based Assessment Required by 16 TAC § 25.517.....	18
C. The Record Supports Continued Review or a Conditioned Extension Under the NOG's Maximization and Modeling Standards.	19
D. ERCOT's Rejection Was Disproportionate and Unreasonable in Light of the Interim-Compliance Framework and the Availability of Less Severe Remedies.	22

E.	The Commission Should Review Disputed Facts De Novo and, in this First-in-Kind Proceeding, Establish a Precedent that Preserves the Evidence-Based and Conditioned-Relief Framework Under NOGRR 245 and 16 TAC § 25.517.	24
IX.	REQUEST FOR SUSPENSION OF ERCOT CONDUCT PURSUANT TO 16 TAC § 22.251(J)	29
X.	RELIEF REQUESTED.....	30
XI.	QUESTIONS OF FACT REQUIRING EVIDENTIARY HEARING.....	31
XII.	PROPOSED PROCEDURAL SCHEDULE.....	36
XIII.	REQUEST FOR ENTRY OF PROTECTIVE ORDER	37
	VERIFICATION.....	38
	CERTIFICATE OF SERVICE.....	39
	RECORD OF EXHIBITS.....	40
	ATTACHMENT A - PROPOSED PROTECTIVE ORDER	41

DOCKET NO. _____

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LLC AGAINST THE ELECTRIC §
RELIABILITY COUNCIL OF TEXAS, § OF TEXAS
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§

**COMPLAINT OF HACKBERRY WIND LLC REGARDING ERCOT'S REJECTION OF
EXTENSION REQUEST**

TO THE HONORABLE CHAIR AND COMMISSIONERS OF THE PUBLIC UTILITY
COMMISSION OF TEXAS:

I. EXECUTIVE SUMMARY

In accordance with 16 Texas Administrative Code ("TAC") § 22.251, Hackberry Wind LLC ("Hackberry Wind") presents this complaint (the "Complaint") against the Electric Reliability Council of Texas, Inc. ("ERCOT") for rejecting Hackberry Wind's extension request for Nodal Operating Guide ("NOG") §§ 2.6.2.1 and 2.9.1.2, including the applicable frequency ride-through ("FRT") and "legacy" voltage ride-through ("VRT") requirements addressed in that extension request.¹ This Complaint challenges ERCOT's May 6, 2026 decision to reject the extension request based on the asserted status of Hackberry Wind's model submission, without applying the substantive assessment framework required by Commission rule and without making the factual findings necessary to support denial of the requested extension.

ERCOT rejected the Hackberry Wind's extension request without conducting the threshold reliability risk assessment required by 16 TAC § 25.517(d), and without evaluating whether a feasible, acceptable solution will become available within a reasonable time as required by § 25.517(d)(3)(C).² This Complaint is filed pursuant to § 22.251(r), which governs complaints by a

¹ See (ERCOT Extension Request Rejection Notice); 16 Tex. Admin. Code (TAC) § 22.251(r); ERCOT Nodal Operating Guide (NOG) §§ 2.6.2.1 and 2.9.1.2.

² See 16 Tex. Admin. Code (TAC) §§ 25.517(d)(1), (d)(3)(C); 22.251(r).

Resource Entity regarding ERCOT's decision on an exemption or extension request under § 25.517.³ Hackberry Wind is not required to comply with ERCOT Protocol Section 20 or any other Applicable ERCOT Procedure before filing this Complaint, and this proceeding is not subject to the alternative or informal dispute-resolution procedures otherwise available under 16 TAC § 22.251.

ERCOT's rejection notice to Hackberry Wind stating that ERCOT was "unable to grant the extension" for Hackberry Wind's Wind Generation Resource ("WGR" or the "Resource")—HWF_HWFG1—because Hackberry Wind had not submitted the "required correct model" as of May 1, 2026, as required by NOG § 2.12.1(3)(c).⁴ Hackberry Wind does not dispute that the NOG requires a Requesting Entity seeking an extension to provide accurate models that include all technical limitations, identify any limitations that cannot be modeled, and include a representation regarding model accuracy. Nor does Hackberry Wind contend that ERCOT must accept an inaccurate model. The defect is that ERCOT treated the asserted status of the model submission as dispositive without completing the reliability-risk analysis required by Commission rule, evaluating modeled and unmodeled technical limitations, or determining whether an extension subject to appropriate conditions would avoid any threshold reliability risk while Hackberry Wind completed the model-review process.

ERCOT's rejection was based on the administrative status of the model submission, rather than on a determination that granting the requested extension would create a threshold reliability risk to the ERCOT System. To Hackberry Wind's knowledge, ERCOT did not assess the steady-state or dynamic stability of the ERCOT System, resource and system performance under

³ See 16 TAC § 22.251(r)(1)–(5).

⁴ Ex. A (ERCOT Extension Request Rejection Notice).

reasonable operating conditions, critical contingencies, resource adequacy, potential mitigation options, or the other factors enumerated in 16 TAC § 25.517(d)(1). ERCOT's rejection notice does not identify the models used in any assessment, list the assumptions applied, or identify the factors varied in any sensitivity analyses, as required by 16 TAC § 25.517(d)(3). ERCOT thus treated model status as a categorical bar to further review, rather than as an input into the substantive framework prescribed by the Commission for determining whether an extension should be granted, granted with conditions, or denied.

That approach is inconsistent with the structure of 16 TAC § 25.517. The rule requires a Hackberry Wind to provide models that accurately represent expected Resource's performance and reflect the actual, as-built equipment and settings, including technical limitations before and after maximization, if applicable.⁵ The rule also recognizes, however, that not every technical limitation may be capable of being fully represented in a model and requires the Hackberry Wind to describe any technical limitation that cannot be accurately represented.⁶ ERCOT, in turn, must assess technical limitations described in the request but not included in the models by analyzing their expected impact based on ERCOT's engineering judgment. The Commission's rule therefore does not support categorical denial based solely on the asserted administrative status of a model submission where the record otherwise contains information concerning the Resource's actual equipment, settings, technical limitations, maximization efforts, and ongoing model updates.

Critically, ERCOT's own December 30, 2025 correspondence to Hackberry Wind confirms that ERCOT was actively "reviewing the information" submitted in connection with Hackberry Wind's extension request under NOG § 2.12.1.3(1).⁷ ERCOT also expressly invoked

⁵ See 16 TAC § 25.517.

⁶ *Id.*

⁷ Confidential Ex. I (ERCOT Letter).

the interim compliance standard of NOG § 2.12.1(10)—the provision that protects a resource with a pending extension request from compliance-deadline enforcement during the pendency of ERCOT’s review and stated it would not treat Hackberry Wind’s failure to failure to satisfy the December 31, 2025 compliance deadline as requiring referral to the ERCOT Reliability Monitor.⁸

The December 30, 2025 correspondence establishes that ERCOT continued to treat Hackberry Wind’s request as pending under the NOG’s cooperative review process months after the September 15, 2025 supplemental deadline. Nevertheless, ERCOT’s May 6, 2026 rejection converted that continuing review into a categorical denial based on the asserted administrative status of the model submission, without conducting the required threshold reliability-risk assessment, evaluating whether a feasible and mutually acceptable solution would become available within a reasonable time under 16 TAC § 25.517(d)(3)(C), or making a reasonable effort to identify mutually acceptable mitigation options under 16 TAC § 25.517(d)(2).

The December 30, 2025 correspondence is also relevant under NOG § 2.12.1.3, which contemplates an extension-review process in which ERCOT and the Requesting Entity cooperate in requesting and providing relevant information to develop a complete record for effective and efficient review.⁹ That rule further requires ERCOT, when rejecting an extension request, to provide written notice explaining the grounds for rejection.¹⁰ ERCOT’s May 6, 2026 notice did not state whether: (i) ERCOT had completed a reliability assessment; (ii) any threshold reliability risk existed; (iii) conditions or mitigation measures could eliminate any such risk; (iv) an extension with conditions was feasible; (v) or whether additional time would permit a mutually acceptable solution to become available.

⁸ *Id.*

⁹ *See* NOG § 2.12.1.3.

¹⁰ NOG § 2.12.1.3(2)(f).

Hackberry Wind's Resource—HWF_HWFG1—is a Type 4 WGR and an Inverter-Based Resource (“IBR”) equipped with Siemens Gamesa wind turbine generators that were not designed to IEEE 2800-2022. The Resource is subject to a Standard Generation Interconnection Agreement (“SGIA”) predating August 1, 2024, and Hackberry Wind timely submitted its extension request. Hackberry Wind promptly and diligently responded to each of ERCOT's requests for missing information, actively coordinated with its OEM concerning model development and ride-through maximization, and informed ERCOT on March 4, 2026 that its model and Model Quality Test (“MQT”) were undergoing revision. That process was driven by the engineering complexity of determining whether Siemens-recommended settings changes would impact the Resource's electrical performance and require corresponding dynamic model updates. Hackberry Wind's communications and conduct were consistent with its obligations under 16 TAC § 25.503, including its duties to provide accurate and factual information, exercise due diligence, notify ERCOT of constraints affecting compliance, and respond to ERCOT's information requests.

When Hackberry Wind submitted its extension request, it provided ERCOT with the best model and technical information available from its original equipment manufacturer (“OEM”), Siemens Gamesa Renewable Energy, Inc. (“SGRE”). SGRE represented the maximized capabilities of the Resource based on available information and knowledge, and Hackberry Wind disclosed that a site-specific evaluation was required to confirm whether recommended settings changes would impact electrical performance. Hackberry Wind has continued to work diligently with SGRE and third-party engineering consultants to determine how HWF_HWFG1 can maximize performance and satisfy applicable requirements. Those efforts did not reflect a refusal to comply; they constituted the engineering work necessary to avoid submitting unsupported or materially inaccurate model information to ERCOT or the Commission.

Based on those ongoing efforts and the engineering analysis completed to date, Hackberry Wind has determined that the Resource satisfies the applicable FRT requirements under NOG § 2.6.2.1(1)–(5) and certain VRT requirements under NOG § 2.9.1.2(1), subject to ERCOT’s review and acceptance of the updated model and MQT reflecting the Resource’s maximized performance. The remaining substantive technical issue requiring verification concerns the Resource’s ability to satisfy the applicable overvoltage VRT requirements in NOG § 2.9.1.2(1). Accordingly, extensions under NOG §§ 2.6.2.1(1) and 2.9.1.2(1) remain necessary as protective and transitional relief pending ERCOT’s completion of its review and acceptance of the updated modeling package and resolution of the remaining overvoltage ride-through verification.

To the extent ERCOT’s rejection rests on factual determinations concerning the adequacy, accuracy, completeness, or timing of Hackberry Wind’s model submission, those determinations were not made in a proceeding satisfying the procedural standards identified in 16 TAC § 22.251(m). The Commission therefore should resolve any disputed factual issues on a de novo basis. Alternatively, if the Commission determines that additional factual development is necessary before relief may be granted, those issues should be limited to the adequacy of ERCOT’s stated grounds for rejection; the status and accuracy of Hackberry Wind’s model and MQT submissions; the Resource’s maximized ride-through capability; the feasibility of any remaining software, firmware, settings, or parameterization changes; and whether granting an extension, with or without conditions, would create a threshold reliability risk.

As required by 16 TAC § 22.251(r)(3), Hackberry Wind has confirmed that the Resource has no history of violations of reliability-related ERCOT Protocols, Operating Guides, or other binding documents, thereby supporting the requested relief because it demonstrates that this

Complaint concerns a discrete extension-review dispute, rather than a pattern of disregard for ERCOT reliability requirements.

Alternatively, the Commission should remand the extension request to ERCOT with instructions to conduct the threshold reliability-risk assessment required by 16 TAC § 25.517(d)(1), consider mitigation options under 16 TAC § 25.517(d)(2), evaluate whether an extension or extension with conditions is warranted under 16 TAC § 25.517(d)(3)(C), and provide a written explanation satisfying 16 TAC § 25.517(d)(3).

Pursuant to 16 TAC § 22.251(r)(5), the Commission may grant the requested extension with conditions appropriate to protect the public interest, including conditions requiring Hackberry Wind to submit updated models, MQT results, and supporting technical documentation; provide periodic progress reports; continue implementing feasible measures to maximize the Resource's ride-through performance; and comply with any mutually acceptable technical or operational mitigation measures.¹¹ To the extent interim relief is granted while this Complaint remains pending, the Commission may also condition that relief on the Resource's continued operation consistent with its documented maximum ride-through capability and the applicable interim standard under NOG § 2.12.1(10). In the alternative, the Commission should remand to ERCOT with instructions to evaluate Hackberry Wind's extension request on the merits, including a proper threshold reliability risk assessment under 16 TAC § 25.517(d).¹²

II. IDENTIFICATION OF THE PARTIES

In accordance with 16 TAC § 22.251(d)(1)(A), Hackberry Wind provides the following “complete list of all Hackberry Winds and the entities against whom the Hackberry Wind seeks relief and the addresses, and facsimile transmission numbers and e-mail addresses, if available, of

¹¹ See 16 TAC § 22.251(r)(5).

¹² See 16 TAC § 22.251(o)(2)–(4).

the parties' counsel or other representatives.” The name and address of Hackberry Wind, and its authorized representatives are as follows:

Nicholas Wright Senior Vice President, Asset Management Hackberry Wind LLC 4200 Wilson Blvd., Suite 420 Arlington, Virginia 22203 Email: nwright@dauntless-energy.com	Juliana Sersen Landon Lill Sidne Finke Baker Botts L.L.P. 401 S. 1st St., Suite 1300 Austin, Texas 78704 Office: (512) 322-2500 Facsimile: (512) 322-2501 Email: juliana.sersen@bakerbotts.com Email: landon.lill@bakerbotts.com Email: sidne.finke@bakerbotts.com
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Hackberry Wind seeks relief against ERCOT. To Hackberry Wind's knowledge, ERCOT's authorized representatives are:

Chad V. Seely
SVP, Regulatory Policy, General Counsel, Chief
Compliance Officer, and Corporate Secretary
Brandon Gleason
Vice President, Legal and Compliance
ERCOT
8000 Metropolis Drive, Bldg. E, Suite 100
Austin, Texas 78744
Office: (512) 225-7079
Email: chad.seely@ercot.com
Email: brandon.gleason@ercot.com

III. STATEMENT OF THE CASE

A. UNDERLYING OR RELATED PROCEEDINGS

No prior or pending related proceedings exist before the Commission involving this extension request. This Complaint is the first formal proceeding concerning ERCOT's rejection.

B. AFFECTED ENTITIES

The affected entities are Hackberry Wind LLC, as the Resource Entity for HWF_HWFG1, and ERCOT, as the entity whose conduct is challenged.

C. CONDUCT FROM WHICH HACKBERRY WIND SEEKS RELIEF

Hackberry Wind challenges ERCOT's May 6, 2026 Extension Request Rejection Notice, in which ERCOT rejected Hackberry Wind's extension requests for NOG §§ 2.6.2.1(1) and 2.9.1.2(1) for HWF_HWFG1 on the basis that Hackberry Wind had not submitted the required correct model as of May 1, 2026, as required by NOG § 2.12.1(3)(c).¹³

D. APPLICABLE ERCOT PROCEDURES, PROTOCOLS, OPERATING GUIDES, OR LAW

The applicable ERCOT procedures, protocols, and law include NOG §§ 2.6.2.1 (Frequency Ride-Through Requirements for Transmission-Connected Inverter-Based Resources (IBRs), Type 1 Wind-powered Generation Resources (WGRs) and Type 2 WGRs), 2.9.1.2 (Legacy Voltage Ride-Through Requirements for Transmission-Connected Inverter-Based Resources (IBRs), Type 1 Wind-powered Generation Resources (WGRs) and Type 2 WGRs), 2.11.1 (Initial Frequency Ride-Through Capability Documentation and Reporting Requirements), 2.11.2 (Initial Voltage Ride-Through Capability Documentation and Reporting Requirements), 2.12.1 (Exemptions and Extensions Process), and 2.12.1.3 (Timeline for Submission and Determination of Extension Requests); 16 TAC § 22.251 (Review of Electric Reliability Council of Texas (ERCOT) Conduct.); 16 TAC § 25.517 (Exemption Process for ERCOT Reliability Requirements); and PURA §§ 39.151 (Essential Organizations) and 39.1515 (Wholesale Electric Market Monitor).

E. USE OF APPLICABLE ERCOT PROCEDURES OR EXCEPTION

Hackberry Wind relies on the exception under § 22.251(r)(1). In a complaint by a Resource Entity involving ERCOT's decision on the Resource Entity's exemption or extension request under § 25.517, the Hackberry Wind is not required to comply with Applicable ERCOT Procedures before filing at the Commission. This proceeding is exempt from Alternative Dispute Resolution

¹³ Confidential Ex. B (NOGRR245 Submission).

(“ADR”) or other informal dispute-resolution procedures otherwise available under § 22.251. ERCOT's May 6, 2026 rejection notice confirms this direct-appeal pathway, stating that pursuant to NOG § 2.12.1.3(6), "the Requesting Entity may appeal this decision directly to the PUCT without the need to comply with the Alternative Dispute Resolution Procedure in Protocol § 20."

F. REQUEST FOR SUSPENSION OF ERCOT CONDUCT

Hackberry Wind reserves the right to seek suspension of ERCOT's rejection while this Complaint is pending, pursuant to § 22.251(j).

G. JURISDICTION (16 TAC § 22.251(E)(2)(B)(VII))

The Commission has jurisdiction over this Complaint pursuant to PURA §§ 39.151 and 39.1515, 16 TAC §§ 22.251, and 25.517(f), which provides that a Resource Entity dissatisfied with ERCOT's determination on its exemption or extension request may file a complaint under § 22.251.

IV. TIMELINESS OF FILING AND PRESERVATION OF APPEAL RIGHTS

A formal complaint under § 22.251 must be filed within 35 days of the ERCOT conduct that is the subject of the complaint. ERCOT issued the Extension Request Rejection Notice to Hackberry Wind on May 6, 2026. Thirty-five calendar days from May 6, 2026 is June 10, 2026; therefore, this Complaint is timely filed.

NOG § 2.12.1.3(7) provides that a Requesting Entity that does not submit a "notice of appeal to ERCOT within the required time period" after receiving ERCOT's rejection is deemed to have accepted the decision. However, the NOG does not define or specify the "required time period." Hackberry Wind has provided a separate written notice of appeal to ERCOT preserving all rights and does not accept ERCOT's decision. Hackberry Wind respectfully requests that the Commission confirm that the undefined "required time period" does not bar direct PUCT review under § 22.251(r).

V. RESOURCE-SPECIFIC DISCLOSURES

A. EXEMPTION FROM APPLICABLE ERCOT PROCEDURES

Pursuant to § 22.251(r)(1), Hackberry Wind is not required to comply with Applicable ERCOT Procedures prior to submitting this Complaint to the Commission.

B. EXEMPTION FROM ADR AND INFORMAL DISPUTE RESOLUTION

Pursuant to § 22.251(r)(2), this proceeding is exempt from ADR or other informal dispute-resolution procedures otherwise available under § 22.251.

C. RESOURCE'S HISTORY OF RELIABILITY-RELATED VIOLATIONS

Hackberry Wind LLC has no history of violations of reliability-related ERCOT protocols, operating guides, or other binding documents for HWF_HWFG1.

VI. STATEMENT OF ISSUES PRESENTED FOR COMMISSION REVIEW

Hackberry Wind presents the following issues for Commission review:

- (1) Whether Hackberry Wind submitted an extension request that satisfied, or at minimum warranted substantive review under, the criteria in NOG § 2.12.1(3)(a)–(e), and whether ERCOT’s rejection exceeded the bounds of ERCOT’s “sole and reasonable discretion” by treating a pending model issue as dispositive without evaluating the full record, documented technical limitations, and available conditions;
- (2) Whether ERCOT was required to conduct the reliability risk assessment mandated by 16 TAC § 25.517(d)(1)—including consideration of steady-state and dynamic stability, resource performance under reasonable operating conditions, technical limitations not reflected in the submitted models, and mitigation options—before rejecting Hackberry Wind's extension request; whether ERCOT was further required to consider whether conditions or mitigation could address any identified reliability risk; and whether ERCOT’s use of an alleged model deficiency as a basis to bypass, rather than inform, that assessment was inconsistent with § 25.517(d);
- (3) Whether Hackberry Wind has maximized, or was actively working to maximize, the WGR’s FRT and VRT capability through available software, firmware, settings, and parameterization changes within existing Siemens Gamesa equipment limits, as contemplated by NOG §§ 2.6.2.1(6) and 2.9.1.2(8), and whether any remaining HVRT issue should be evaluated as a documented technical limitation subject to modeling verification, ERCOT review, and appropriate conditions rather than as a basis for outright rejection;
- (4) Whether ERCOT's cited model deficiency constituted a valid basis for rejection under NOG § 2.12.1(3)(c), given that: (i) the provision requires accurate models while also recognizing that certain technical limitations may need to be described if they cannot be accurately represented in a model; (ii) Hackberry Wind provided OEM-supported technical-limitations information and continued working to revise

the model and MQT; and (iii) ERCOT did not identify an unmitigable reliability risk arising from the pending model issue;

- (5) Whether NOG § 2.12.1.3(1)(b), (2), and (4) required ERCOT to: identify the specific deficiencies in Hackberry Wind's submission; afford Hackberry Wind the 10-business-day cure period prescribed therein; cooperate in developing a complete record; and follow the complete/incomplete submission process before rejecting the extension request outright; and whether ERCOT's December 30, 2025 correspondence, expressly invoking the § 2.12.1.3(1) review process and the § 2.12.1(10) interim standard, establishes that ERCOT continued to treat the request as pending under the NOG's review process after the September 15, 2025 supplemental deadline; and
- (6) Whether the Commission should reverse ERCOT's rejection and grant the requested extension, or alternatively grant a conditioned extension or remand to ERCOT with instructions to evaluate the request under NOG § 2.12.1.3 and 16 TAC § 25.517(d).

VII. STATEMENT OF FACTS

Hackberry Wind is the Resource Entity for HWF_HWFG1, a Type 4 WGR equipped with Siemens Gamesa wind turbine generators. HWF_HWFG1 operates under an SGIA dated prior to August 1, 2024, and therefore is eligible to request an extension under NOG § 2.12.1 for the applicable NOGRR245 ride-through requirements.

The need for an extension arose from the technical characteristics of the existing Siemens Gamesa turbine technology. As explained in Hackberry Wind's March 31, 2025 NOGRR 245 submission, "Hackberry Siemens WTGs were not designed to IEEE 2800-2022," and "the additional requirements of IEEE 2800-2022 are not reasonable to be met by these WTGs."¹⁴ Hackberry Wind later supplemented its submission with OEM input and technical information

¹⁴ Confidential Ex. B (NOGRR245 Submission).

regarding the WGR's existing ride-through capability, available software, firmware, settings, and parameterization changes, and known equipment limitations.

On September 26, 2024, the Commission approved Nodal Operating Guide Revision Request ("NOGRR") 245, establishing IBR Ride-Through Requirements, effective October 1, 2024. NOGRR245 required Resource Entities to submit extension requests and notices of intent to request exemptions, along with supporting documentation, by April 1, 2025. ERCOT subsequently extended that deadline to April 15, 2025 via Market Notice M-A010825-05.¹⁵ After receiving initial submissions that ERCOT determined did not contain the minimum required information, ERCOT extended the deadline to submit all required information by September 15, 2025 via Market Notice M-A010825-06.¹⁶

Hackberry Wind timely participated in that process. On March 31, 2025 and September 15, 2025, Hackberry Wind requested extensions for NOG §§ 2.6.2.1(1) (FRT) and 2.9.1.2(1) (VRT) for HWF_HWFG1 through December 31, 2026.¹⁷ In support of those requests, Hackberry Wind provided technical information regarding HWF_HWFG1's existing capability, known equipment limitations, proposed maximization efforts, and the need for additional time to finalize and validate the model reflecting the Resource's expected post-maximization performance.

Hackberry Wind submitted a model on October 9, 2025. On October 16, 2025, ERCOT's Dynamics group returned the model because the submission did not include the Model Quality Test ("MQT") comparing pre-maximization and post-maximization models in PSS/E format and did not include the pre- and post-maximization models in ERCOT template format. Hackberry

¹⁵ ERCOT Market Notice: M-A010825-05 Deadline to submit ride-through capability information required by the ERCOT Nodal Operating Guides (NOG) (Apr. 4, 2025) at https://www.ercot.com/services/comm/mkt_notices/M-A010825-05.

¹⁶ ERCOT Market Notice: M-A010825-06 NOGRR245 Process - (1) Deficient ride-through data and new Sept. 15, 2025 deadline to provide supplemental required ride-through data; and (2) Process to submit Section 25.517(c) exemption requests (Jul. 24, 2026) at https://www.ercot.com/services/comm/mkt_notices/M-A010825-06.

¹⁷ Confidential Ex. B (NOGRR245 Submission); Confidential Ex. F (September 2025 RFI Responses).

Wind thereafter continued working with its OEM and technical consultants to address ERCOT's modeling comments, evaluate the expected electrical-performance impacts of the proposed settings changes, and develop the additional modeling support ERCOT requested.

On December 8, 2025, ERCOT issued a request for information to Hackberry Wind pursuant to NOG § 2.12.1.3(1)(b), identifying information ERCOT considered missing from the extension request.¹⁸ On December 18, 2025, Hackberry Wind responded with supplemental information.¹⁹ ERCOT did not reject the request at that time. Instead, ERCOT continued to review the extension request and later requested additional information.

On December 30, 2025, ERCOT sent a letter to Hackberry Wind stating that ERCOT was "reviewing the information" submitted in connection with Hackberry Wind's extension request under NOG § 2.12.1.3(1).²⁰ ERCOT also referenced NOG § 2.12.1(10), stated that it would not consider the WGR's failure to meet the December 31, 2025 deadline as requiring ERCOT to inform the ERCOT Reliability Monitor, and stated that the WGR's interim compliance obligation was to meet the greater of its documented maximum ride-through capability or its performance requirements in effect on May 1, 2024.²¹

On February 19, 2026, ERCOT issued a second request for information, instructing Hackberry Wind to provide additional information and submit a further model.²² On March 4, 2026, Hackberry Wind responded to the second request and stated that its model and MQT were under revision, with the intended goal of obtaining ERCOT acceptance by April 30, 2025.²³ The reference to April 30, 2025 was a clerical error; the intended date was April 30, 2026. The

¹⁸ Confidential Ex. G (December 2025 RFI Request and Responses).

¹⁹ *Id.*

²⁰ Confidential Ex. I (ERCOT Letter).

²¹ *Id.*

²² Confidential Ex. H (February 2026 RFI Request and Responses).

²³ *Id.*

substance of the response was that Hackberry Wind was actively revising the model and MQT in response to ERCOT's comments and was working toward ERCOT acceptance on an accelerated schedule.

Hackberry Wind has worked with SGRE to identify maximized settings, evaluate the impact of potential modifications on electrical performance, and develop compliant models. On March 21, 2025, SGRE provided a description of technical limitations associated with the applicable turbines, including their grid-connection capabilities and known limitations, which Hackberry Wind provided to ERCOT.²⁴ On September 11, 2025, SGRE prepared a site-specific gap analysis.²⁵ Hackberry Wind also worked with SGRE to evaluate potential VRT settings modifications. In its September 2025 RFI submission, Hackberry Wind stated that although the settings changes available from SGRE appeared to be relatively limited, it was evaluating whether those changes would affect the WGR's electrical performance and therefore require a dynamic model update and further review or approval by the interconnecting TSP and ERCOT.

Since submitting its extension request, Hackberry Wind has implemented or pursued software, firmware, and settings updates intended to allow the WGR to meet applicable FRT requirements under NOG § 2.6.2.1(1)–(5) and applicable LVRT requirements under NOG § 2.9.1.2(1), subject to ERCOT's review and acceptance of any required modeling or settings changes. The principal remaining technical issue requiring verification is HVRT performance, specifically whether the WGR will ride through voltage thresholds of 1.1 pu and above as required by NOG § 2.9.1.2(1).

²⁴ Confidential Ex. C (OFM Attestation: Technical Limitations).

²⁵ See Confidential Ex. J (SGRE Gap Analysis).

On May 6, 2026, ERCOT rejected the extension request on the basis that "Hackberry Wind did not submit the information required in the NOG, including NOG § 2.12.1(3)(c)," and stated that "ERCOT is unable to grant the extension."²⁶

VIII. ARGUMENT

A. ERCOT'S REJECTION WAS PROCEDURALLY DEFICIENT UNDER NOG § 2.12.1.3.

ERCOT rejected Hackberry Wind's extension request on the ground that Hackberry Wind had not submitted information ERCOT considered required by the NOG, including the corrected model and related MQT. ERCOT therefore treated the pending model issue as a dispositive threshold bar to granting the extension, rather than evaluating the extension request under the process and standards established in NOG § 2.12.1.

That approach was inconsistent with the structure of the applicable rules. NOG § 2.12.1.3 establishes an iterative review process. After receiving an extension request, ERCOT must confirm whether the submission is complete or incomplete. If ERCOT determines that a submission is incomplete, ERCOT must identify the missing information and provide instructions for submitting it. The Requesting Entity must then submit the missing information within 10 Business Days or request additional time with an explanation for the delay. During that process, ERCOT and the Requesting Entity must cooperate in requesting and providing relevant information to develop a complete record for review.

Those provisions are important here because the record reflects an active technical review process, not a refusal to provide information. Hackberry Wind timely submitted its extension request, supplemented its submission, responded to ERCOT's requests for information, and informed ERCOT that the model and MQT were under revision. Hackberry Wind was also

²⁶ Ex. A (ERCOT Extension Request Rejection Notice).

coordinating with its OEM and engineering consultants to evaluate settings changes, determine whether those changes affected electrical performance, and develop a model that accurately reflected the WGR's post-maximization performance and remaining technical limitations.

ERCOT's rejection does not show that ERCOT applied the cooperative review framework required by the NOG to those circumstances. Nor does it show that ERCOT treated the model issue as a curable technical item within an ongoing review process. Instead, ERCOT's statement that it was "unable to grant" the extension reflects a threshold-completeness determination. That was procedurally deficient because ERCOT used an ongoing model-revision issue as a categorical basis for rejection without demonstrating that it had completed the NOG § 2.12.1.3 review process or the reliability assessment required by 16 TAC § 25.517(d).

B. ERCOT'S WRITTEN DETERMINATION DOES NOT REFLECT THE RELIABILITY-BASED ASSESSMENT REQUIRED BY 16 TAC § 25.517.

ERCOT's rejection also does not reflect the reliability-based assessment required by 16 TAC § 25.517. Under that rule, ERCOT's assessment must determine whether granting one or more exemptions or extensions would result in a reliability risk requiring denial or conditions under the rule. The assessment must consider, among other things, steady-state and dynamic stability, resource and system performance under reasonable operating conditions, expected topology and dispatch, critical contingencies, technical limitations not reflected in the models, ERCOT's most relevant resource-adequacy outlook, mitigation options, and other information ERCOT deems necessary based on engineering judgment.

ERCOT's rejection letter does not identify any such threshold reliability risk arising from the requested extension. It does not identify the studies ERCOT relied on, the assumptions used, the models ERCOT used, the sensitivities run, or any mitigation options considered. Instead,

ERCOT's stated basis was that Hackberry Wind had not submitted information ERCOT considered required by the NOG.

ERCOT may request accurate models and may require additional information. But where ERCOT denies an extension request, the governing framework requires more than a document-completeness conclusion. ERCOT must connect its decision to the applicable reliability standard and provide a written explanation sufficient to permit meaningful Commission review. On this record, ERCOT's rejection appears to have rested on the administrative status of the model submission rather than on a documented determination that granting the requested extension would create a threshold reliability risk that could not be mitigated through conditions.

C. THE RECORD SUPPORTS CONTINUED REVIEW OR A CONDITIONED EXTENSION UNDER THE NOG'S MAXIMIZATION AND MODELING STANDARDS.

The relevant merits inquiry is not whether Hackberry Wind had completed every model-related item by ERCOT's May 2026 deadline, nor whether Hackberry Wind was required to undertake broader hardware modifications. The relevant inquiry is whether Hackberry Wind pursued and documented the available software, firmware, settings, and parameterization changes necessary to maximize the WGR's FRT and VRT capability within existing Siemens Gamesa equipment limits, and whether any remaining model issue could be addressed through ERCOT's cure, cooperation, and conditioned-extension framework.

For FRT, NOG § 2.6.2.1(6) defines establishing ride-through capability "to the maximum extent the equipment allows" as making software, settings, firmware, and parameterization changes, including memory upgrades needed to accommodate those changes, so long as they do not involve modifying other Resource equipment or components. NOG § 2.9.1.2(8) uses parallel language for VRT. The NOG-defined maximization obligation is therefore bounded by the existing equipment. It does not require broader equipment modifications outside that defined scope.

The record supports Hackberry Wind's diligence under that standard. In evaluating the WGR's FRT and VRT capabilities and preparing its NOGRR 245 submissions, Hackberry Wind took material steps to address ERCOT's identified concerns and maximize the WGR's ride-through capability within the limits of its existing Siemens Gamesa equipment. Those efforts included coordinating with SGRE and multiple engineering consultants, evaluating software, firmware, settings, and parameterization changes, assessing whether those changes would affect electrical performance, and working to develop a compliant model and MQT reflecting the WGR's post-maximization performance.

Hackberry Wind also provided OEM-supported technical information. On March 20, 2025, SGRE provided a detailed description of the technical limitations associated with the applicable turbines, including their grid-connection capabilities and known limitations, which Hackberry Wind provided to ERCOT.²⁷ Hackberry Wind also continued working with SGRE and its consultants to evaluate additional potential settings modifications to meet NOGRR 245 requirements and maximize the WGR's ride-through capability. As reflected in Hackberry Wind's September 2025 RFI responses, although the settings changes available from SGRE appeared to be relatively limited, Hackberry Wind had to determine whether those changes would affect the WGR's electrical performance and therefore require a dynamic model update and further review or approval by the interconnecting TSP and ERCOT.²⁸

Hackberry Wind does not contend that ERCOT review or acceptance was unnecessary where required. To the extent revised settings, model changes, or related operating parameters required ERCOT review, acceptance, or authorization before implementation, Hackberry Wind understood and respected that requirement. Rather, Hackberry Wind was working through that

²⁷ Confidential Ex. C (OFM Attestation: Technical Limitations).

²⁸ Confidential Ex. F (September 2025 RFI Responses).

process in good faith and ERCOT should have evaluated the request against the NOG-defined maximization standard, the documented equipment limitations, and the available mechanisms for further information development or conditioned relief.

The model-revision process was materially more complex than a simple document resubmission. The model had to reflect actual as-built equipment and settings, expected post-maximization performance, technical limitations that could be represented in the model, and technical limitations that could not be accurately represented in the model. It also required coordination among Hackberry Wind, the OEM, third-party engineering consultants, the interconnecting TSP, and ERCOT. The resulting timing was driven by engineering complexity, OEM dependency, and ERCOT's iterative review process—not by refusal to provide information or failure to pursue compliance.

Since submitting its extension request, Hackberry Wind has implemented or pursued software, firmware, and settings updates intended to allow the WGR to meet the applicable FRT requirements under NOG § 2.6.2.1(1)–(5) and the applicable LVRT requirements under NOG § 2.9.1.2(1), subject to ERCOT's review and acceptance of any required modeling or settings changes. The principal remaining technical issue requiring verification is HVRT performance, specifically whether the WGR will ride through voltage thresholds of 1.1 pu and above as required by NOG § 2.9.1.2(1).

ERCOT's rejection was therefore based on ERCOT's view of the completeness and sufficiency of the submitted information, not on any finding that Hackberry Wind failed to undertake maximization efforts, refused to cooperate with ERCOT, or created an unmitigable reliability risk. That distinction is central. A documentation or model-review dispute should be evaluated under the NOG's completeness, cooperation, and substantive-review provisions; it

should not be treated as proof that the Resource Entity failed to satisfy the underlying maximization obligation.

D. ERCOT’S REJECTION WAS DISPROPORTIONATE AND UNREASONABLE IN LIGHT OF THE INTERIM-COMPLIANCE FRAMEWORK AND THE AVAILABILITY OF LESS SEVERE REMEDIES.

ERCOT has discretion under NOG § 2.12.1, but that discretion is not unbounded. The extension standard requires ERCOT to exercise sole *and reasonable* discretion. Reasonableness requires ERCOT to consider the full record, apply the NOG’s procedural protections, account for documented technical limitations, and distinguish between a Resource Entity that refuses to comply and one that is actively working through a technically complex model-review process.

The record here supports the latter. Hackberry Wind timely submitted its extension request, supplemented the request, responded to ERCOT’s RFIs, coordinated with the OEM and engineering consultants, evaluated available settings changes, worked toward a compliant model and MQT, and remained subject to the interim ride-through obligation under NOG § 2.12.1(10). ERCOT’s rejection penalized Hackberry Wind for a model issue that was being actively addressed and that arose from the technical complexity of accurately modeling actual equipment limitations and post-maximization performance.

The interim-compliance framework reinforces that conclusion. Under NOG § 2.12.1(10), until the exemption, extension, or appeal process is finalized, an IBR with an SGIA prior to August 1, 2024 that timely submitted an extension request and the required documentation by April 1, 2025 must meet the greater of its documented maximum ride-through capability or its performance requirements in effect on May 1, 2024, until there is a non-appealable PUCT final order. That provision prevents an unresolved extension or exemption process from being treated as immediate noncompliance while preserving a concrete interim performance obligation.

ERCOT confirmed the applicability of that interim framework in its December 30, 2025 letter. In that letter, ERCOT stated that it was “reviewing the information” submitted in connection with Hackberry Wind’s extension request under NOG § 2.12.1.3(1), expressly invoked NOG § 2.12.1(10), and stated that it would not treat the WGR’s failure to meet the December 31, 2025 deadline as requiring referral to the ERCOT Reliability Monitor so long as the WGR met the applicable interim ride-through obligation.²⁹ ERCOT also confirmed that the WGR’s interim obligation was to meet the greater of its documented maximum ride-through capability or its performance requirements in effect on May 1, 2024.

That correspondence matters. As of December 30, 2025—after the April 2025 initial submission deadline, the September 15 supplemental deadline, ERCOT’s October 2025 model return, ERCOT’s December 2025 request for information, and Hackberry Wind’s December 2025 supplemental response—ERCOT treated Hackberry Wind’s extension request as pending and under review. ERCOT also treated the WGR as remaining within the interim-compliance framework while the technical and modeling issues were being addressed. ERCOT’s later rejection should therefore be evaluated against that procedural posture, rather than as if Hackberry Wind had failed to participate in the NOGRR245 process.

Outright rejection was also disproportionate because less severe remedies were available. ERCOT could have continued the information-development process, required periodic status reports, imposed a model-completion milestone, required additional mitigation, or supported conditioned relief consistent with § 25.517 and Commission review under § 22.251(r)(5). Instead, ERCOT rejected the extension request outright without identifying an unmitigable threshold

²⁹ Confidential Ex. I (ERCOT Letter).

reliability risk or explaining why less severe alternatives were unavailable. On this basis, ERCOT's decision was not a reasonable exercise of discretion.

E. THE COMMISSION SHOULD REVIEW DISPUTED FACTS DE NOVO AND, IN THIS FIRST-IN-KIND PROCEEDING, ESTABLISH A PRECEDENT THAT PRESERVES THE EVIDENCE-BASED AND CONDITIONED-RELIEF FRAMEWORK UNDER NOGRR 245 AND 16 TAC § 25.517.

The Commission should resolve disputed factual issues de novo. Under 16 TAC § 22.251(m), if factual determinations related to the ERCOT conduct complained of have not been provided or established in a manner satisfying the rule's procedural standards, or if factual determinations necessary to resolve the complaint have not been provided or established, the Commission resolves factual issues on a de novo basis. The rule applies a more deferential standard only where factual findings were made in a proceeding to which the parties voluntarily agreed to participate and by an impartial third party under procedures consistent with the due process protections of the Texas Administrative Procedure Act ("APA").

ERCOT's extension-review process does not satisfy that standard. ERCOT was the reviewing entity and the decision-maker. It did not act as an impartial third-party adjudicator. Nor did ERCOT's rejection letter resolve the material factual issues necessary for Commission review, including: whether Hackberry Wind acted diligently; whether the model timeline was driven by technical complexity and OEM dependency; whether the WGR had maximized or was actively maximizing capability within existing equipment limits; whether any remaining limitations could be modeled or otherwise described; whether continued operation under NOG § 2.12.1(10) created a reliability risk requiring denial or conditions; and whether conditions could adequately protect reliability.

De novo review is particularly important here because this appears to be among the first Commission proceedings applying the new § 25.517 exemption and extension framework to an

ERCOT ride-through determination. The Commission’s decision will therefore do more than resolve an individual resource dispute; it will establish the practical precedent for how ERCOT’s NOGRR 245 extension and exemption process will operate for existing IBRs and WGRs with documented technical limitations.

That precedent matters beyond this individual WGR. Existing IBR owners, OEMs, lenders, offtakers, and investors are watching how the Commission applies § 25.517 in its first cases because NOGRR 245 already required substantial new technical work by owners and operators with IBRs and WGRs that were designed, financed, built, and interconnected under earlier requirements. The Commission’s order should therefore reinforce—not undermine—the central balance struck in NOGRR245 and Project 57374: improve ride-through performance, require rigorous documentation and ERCOT oversight, protect reliability through evidence-based conditions, and avoid converting good-faith technical and modeling disputes into automatic rejection, enforcement exposure, or de facto operational impairment.

That balance is especially important now. ERCOT is facing extraordinary load growth and an urgent need to preserve investment signals for both new and existing generation. A precedent that treats a Resource Entity’s active, costly, OEM-dependent compliance effort as insufficient merely because a model remained under revision would send the wrong market signal. It would confirm the very concern raised throughout the NOGRR245 and Project 57374 proceedings: that existing Resource Entities could make substantial expenditures to maximize capability and cooperate with ERCOT, yet still face disproportionate consequences because of technical limitations inherent in legacy equipment or because the modeling process could not be completed on ERCOT’s preferred timeline.³⁰ That result would not advance reliability; it would increase

³⁰ See e.g., NOGRR245, Joint Commenters Comments (Apr. 15, 2024) at <https://www.ercot.com/files/docs/2024/04/15/245NOGRR->

regulatory uncertainty, discourage investment in existing assets, and undermine confidence at the precise moment the ERCOT market needs clear, stable, and practical implementation of reliability standards.

During the NOGRR 245 and Project 57374 stakeholder processes, IBR owners, OEMs, technical experts, and generation owners repeatedly raised concerns that retroactive application of new ride-through requirements to existing equipment could create regulatory uncertainty, undermine investment-backed expectations, and expose existing resources to disproportionate operational or economic consequences where compliance depends on OEM capability, complex modeling, evolving test standards, equipment limitations, commercial availability, or costly modifications.³¹ The Commission should avoid setting a precedent that validates those concerns.

74%20Joint%20Commenters%20Comments%20041524_1.pdf, and PUC Proj. No. 57374, Joint Comments of Invenergy Renewables LLC, Nextera Energy Resources LLC, Southern Power Company, Avangrid Renewables, and Clearway Renew, LLC (Feb. 18, 2025) at https://interchange.puc.texas.gov/Documents/57374_29_1469872.PDF.

³¹ See e.g., NOGRR245, specifically comments by: Advanced Power Alliance (Oct. 23, 2023) (explaining that Resource Entities could not meaningfully respond without OEM inputs and that the RFI required complex, resource-specific analyses dependent on OEM capability, POIB studies, and equipment-availability information); GE Vernova (Jan. 19, 2024) (explaining that product compatibility and solution development require final requirements, due diligence, simulations, lab/prototype testing, certification, and IEEE readiness); Advanced Power Alliance Comments (Jan. 23, 2024) (warning that ERCOT's proposal could cause premature retirements, contract disruption, reduced investment, and loss of market certainty during increasing demand); Joint Commenters (Jan. 23, 2024) (warning of substantial capital investment not contemplated at facility design, increased resource-adequacy risk, premature retirement, restricted operations, and chilled investment); Joint Commenters (Mar. 22, 2024) (describing the proposed compromise as balancing reliability with economic, technological, and operational realities, and stating that technically infeasible or impracticable requirements for existing resources do not improve reliability); Elevate Energy Consulting (Apr. 15, 2024) (explaining that OEMs use established requirements to specify and build equipment, and that software-based maximization and evidence-based reliability studies should guide implementation); Joint Commenters (June 10, 2024) (warning that NOGRR245 could impose arbitrary costs, authorize indefinite shuttering of existing resources, and depart from prior precedent with-out a reasoned reliability justification).

See also, PUC Proj. No. 57374, specifically comments by: TCPA (Feb. 18, 2025) (stating that existing resources invested in ERCOT based on the rules then in place and that retroactive requirements requiring replacement or substantial modification of as-built equipment should be carefully evaluated before adoption; supporting time-limited exemptions where reliability risk can be managed through curtailment or other mitigation, and urged a narrow definition of "unacceptable reliability risk"); NextEra (Feb. 18, 2025) (warning that the proposed rule could undermine regulatory certainty for existing resources, conflict with ongoing NOGRR245 maximization efforts, potentially take needed megawatts off the grid, and negatively affect investment propositions for existing and future resources); Invenergy (Feb. 18, 2025) (stating that the proposed rule could inject regulatory uncertainty into ERCOT generation investment, interfere with reasonable investment-backed expectations, and send negative market signals by allowing ERCOT to deny extensions or exemptions in a way that could force existing resources offline or require commercially unreasonable hardware updates); Vistra (Feb. 18, 2025) (emphasizing that extensions and exemptions should preserve

An order affirming outright rejection based on the status of a model still under active technical revision—without de novo evaluation of diligence, technical limitations, interim compliance, reliability risk, and available conditions—would risk transforming a reliability-improvement framework into an unpredictable compliance trap for existing Resources.

The record here does not support that outcome. Hackberry Wind did not ignore NOGRR245. It timely entered the process, provided OEM-supported technical limitations, responded to ERCOT’s RFIs, coordinated with its OEM and engineering consultants, evaluated available software, firmware, settings, and parameterization changes, worked through the model and MQT process, respected ERCOT and TSP review requirements, and continued operating under the interim-compliance framework. Hackberry Wind also has expended substantial financial and technical resources in an effort to meet and exceed the applicable ride-through standards, including costs associated with OEM engagement, engineering analysis, settings evaluation, modeling, MQT work, and related compliance support. Those expenditures are directly relevant to the Commission’s public-interest review because they demonstrate diligence, reliance, and the operational and economic impacts of ERCOT’s rejection.³²

The Commission also has broad remedial authority under 16 TAC § 22.251(r)(5). In a complaint involving ERCOT’s decision on an extension or exemption request, the Commission may grant or deny an extension or exemption, with or without conditions, if doing so is in the public interest. The Commission may consider any relevant information, including reliability risks to the grid and operational or economic impacts to the Resource Entity, and may impose conditions as appropriate to protect the public interest. That authority is not limited to affirming or reversing

generation availability unless an unacceptable and unavoidable reliability risk exists, and that technical feasibility should account for cost, commercial availability, supply-chain constraints, and mitigation options).

³² Confidential Ex. B (NOGRR 245 Submission); Ex. C (OEM Technical Limitation Attestation); Confidential Ex. F (September 2025 RFI Responses).

ERCOT's rejection letter on the same record or rationale ERCOT used. It permits the Commission to tailor relief to the actual risk and record before it.³³

That authority should be exercised here to grant a conditioned extension. ERCOT's rejection was based on ERCOT's view of the completeness and sufficiency of submitted information, not on a finding that the WGR's continued operation would create an unmitigable threshold reliability risk. The alleged deficiency is therefore not refusal to comply, but completion and acceptance of modeling support for a Resource that has been actively working to maximize ride-through capability within existing equipment limits. If the remaining issue is completion and acceptance of the model and MQT, the remedy should address that issue directly through enforceable conditions while preserving ERCOT's ability to verify the Resource's post-maximization performance and impose any reliability-based mitigation shown to be necessary.³⁴

Appropriate conditions could include model and MQT completion milestones, periodic status reports, continued compliance with NOG § 2.12.1(10), ERCOT review and acceptance of any settings changes requiring approval, documentation of any technical limitation that cannot be accurately modeled, and any additional operational or technical mitigation shown to be necessary based on ERCOT's reliability-risk assessment. Those conditions would protect reliability, respect ERCOT's technical oversight role, and preserve the integrity of the exemption and extension process for existing resources that are diligently pursuing compliance.³⁵

On de novo review, the record supports reversal of ERCOT's rejection and entry of an order granting the requested extension, or at minimum a conditioned extension requiring completion of the remaining model and MQT work on a Commission-approved schedule. That

³³ 16 TAC § 22.251(r)(5).

³⁴ Ex. A (ERCOT Rejection Letter); 16 TAC § 25.517(d); NOG § 2.12.1.3.

³⁵ 16 TAC § 22.251(r)(5); 16 TAC § 25.517(d); NOG § 2.12.1(10).

result would protect reliability, recognize Hackberry Wind's substantial compliance expenditures and good-faith efforts, and establish an appropriate early precedent under § 25.517: existing resources with documented technical limitations should be evaluated through an evidence-based, procedurally fair, and condition-oriented framework, rather than rejected outright where a curable modeling issue remains under active technical review.

**IX. REQUEST FOR SUSPENSION OF ERCOT CONDUCT
PURSUANT TO 16 TAC § 22.251(j)**

Hackberry Wind reserves the right to seek suspension of ERCOT's rejection while this Complaint is pending, pursuant to § 22.251(j). Under § 22.251(j), ERCOT conduct remains in effect while the complaint is pending unless the presiding officer orders suspension. If Hackberry Wind seeks suspension and ERCOT does not agree, good cause for suspension must be demonstrated, considering: (a) harm to the Hackberry Wind if suspension is denied; (b) harm to others if suspension is granted; (c) likelihood of success on the merits; and (d) any other relevant factors.

Hackberry Wind notes that NOG § 2.12.1(10) already provides interim protection during the pendency of an appeal, requiring the WGR to meet the greater of its documented maximum ride-through capability or its performance requirements in effect on May 1, 2024, until a non-appealable PUCT final order. A formal suspension request is a belt-and-suspenders measure to eliminate ambiguity regarding interim enforcement exposure. Without suspension, the WGR is exposed to potential enforcement action for not having "maximized" ride-through performance despite being compliant with legacy standards. Likelihood of success is high given legacy compliance and ERCOT's failure to conduct a reliability analysis. No harm to others results from maintaining compliant operation.

X. RELIEF REQUESTED

Hackberry Wind respectfully requests that the Commission:

- (1) Grant this Complaint and reverse ERCOT's May 6, 2026 Extension Request Rejection Notice for Hackberry Wind's (HWF_HWFG1) WGR.
- (2) Grant the requested extensions for the WGR under NOG §§ 2.6.2.1(1) and 2.9.1.2(1) through December 31, 2026, or such later date as the Commission determines appropriate, with any conditions the Commission finds necessary to protect the public interest under 16 TAC § 22.251(r)(5).
- (3) In the alternative, if the Commission declines to grant the requested extensions directly, remand the matter to ERCOT with instructions to evaluate Hackberry Wind's extension request on the merits under NOG § 2.12.1.3 and 16 TAC § 25.517(d), including a reliability-risk assessment, consideration of technical limitations not fully reflected in the model, evaluation of mitigation or conditioned-relief options, and a written explanation sufficient to permit Commission review.
- (4) Confirm that the undefined "required time period" for notice of appeal to ERCOT under NOG § 2.12.1.3 does not bar direct Commission review under 16 TAC § 22.251(r), including where ERCOT's own rejection notice or governing rules do not clearly establish an exclusive or mandatory ERCOT appeal deadline.
- (5) Confirm that, during the pendency of this Complaint and until a non-appealable Commission final order is issued, the WGR remains subject to the interim compliance framework in NOG § 2.12.1(10), including the obligation to meet the greater of its documented maximum ride-through capability or its ride-through performance requirements in effect on May 1, 2024
- (6) To the extent necessary to preserve the status quo, suspend the effect of ERCOT's May 6, 2026 rejection during the pendency of this Complaint under 16 TAC § 22.251(j), or grant other interim relief necessary to prevent the rejection from producing enforcement, referral, or operational consequences before Commission review is complete

- (7) Grant such other and further relief to which Hackberry Wind may be entitled.

XI. QUESTIONS OF FACT REQUIRING EVIDENTIARY HEARING

Hackberry Wind submits that the following questions of fact require an evidentiary hearing to the extent ERCOT disputes them or relies on evidence outside the written rejection notice and the record submitted with this Complaint. These questions are material to the Commission's de novo review under 16 TAC § 22.251(m), the Commission's authority to resolve this complaint under 16 TAC § 22.251(r), ERCOT's assessment obligations under 16 TAC § 25.517(d), and ERCOT's extension-review obligations under NOG § 2.12.1.3.

- (1) Whether ERCOT conducted the assessment required by 16 TAC § 25.517(d)(1) before issuing the May 6, 2026 Extension Request Rejection Notice, including whether ERCOT assessed steady-state and dynamic stability, resource and system performance under reasonable operating conditions, expected topology, equipment status, dispatch, critical contingencies, resource adequacy, new resources approved for energization, mitigation options, and any other information ERCOT deemed necessary based on engineering judgment.
- (2) If ERCOT contends that it conducted a § 25.517(d) assessment, what studies, models, assumptions, inputs, sensitivities, contingencies, operating conditions, and engineering judgments ERCOT used, and whether ERCOT's written rejection notice accurately and completely identified that information.
- (3) Whether granting the requested extension, or granting the extension with conditions, would result in a threshold reliability risk as defined in 16 TAC § 25.517(b)(6), including instability, cascading outages, uncontrolled separation, loss of generation capacity equal to or greater than 500 MW in aggregate from one or more resources other than the WGR, loss of load equal to or greater than 300 MW, or equipment damage.

- (4) Whether any technical limitations described by Hackberry Wind were not included in the model submitted to ERCOT, and if so, whether ERCOT assessed the expected impact of those limitations based on ERCOT's engineering judgment as required by 16 TAC § 25.517(d)(1)(E).
- (5) Whether ERCOT made a reasonable effort, before issuing its final rejection, to work with Hackberry Wind to identify technical or operational options mutually acceptable to ERCOT and Hackberry Wind to mitigate any threshold reliability risk associated with the WGR's continued operation, as required by 16 TAC § 25.517(d)(2).
- (6) Whether a feasible solution acceptable to both ERCOT and Hackberry Wind was available, or was reasonably expected to become available within a reasonable time, such that ERCOT could have granted an extension or an extension with conditions under 16 TAC § 25.517(d)(3)(C).
- (7) Whether ERCOT treated the status of the corrected model and MQT as a dispositive completeness bar to granting the extension, rather than as information to be considered in the reliability-risk assessment and mitigation process required by 16 TAC § 25.517(d).
- (8) Whether Hackberry Wind provided, or was actively working to provide, models that accurately represent expected resource performance and reflect the WGR's actual as-built equipment, settings, and technical limitations before and after maximization, including any technical limitation that could not be accurately represented in the model.
- (9) Whether Hackberry Wind adequately described technical limitations that could not be accurately represented in a model, including limitations identified by the OEM, third-party engineering consultants, or the site-specific gap analysis.
- (10) Whether the model and MQT timeline was driven by technical complexity, OEM dependency, site-specific analysis, engineering-consultant work, interconnecting

TSP review, ERCOT review, or other circumstances beyond Hackberry Wind's reasonable control.

- (11) Whether Hackberry Wind acted diligently and in good faith to minimize the duration of the requested extension, including by timely submitting its extension request, responding to ERCOT's requests for information, coordinating with the OEM and engineering consultants, evaluating settings changes, and working to complete the corrected model and MQT.
- (12) Whether Hackberry Wind maximized, or was actively working to maximize, the WGR's FRT and VRT capability through available software, firmware, settings, and parameterization changes within the limits of the existing Siemens Gamesa equipment, as contemplated by NOG §§ 2.6.2.1(6) and 2.9.1.2(8).
- (13) Whether the WGR currently satisfies the applicable Legacy FRT requirements under NOG § 2.6.2.1(1)–(5), based on current settings, software, firmware, parameterization, engineering analysis, and any updated model or MQT information.
- (14) Whether the WGR currently satisfies the applicable LVRT requirements under NOG § 2.9.1.2(1), based on current settings, software, firmware, parameterization, engineering analysis, and any updated model or MQT information.
- (15) Whether the remaining technical issue, if any, concerns HVRT performance at voltage thresholds of 1.1 pu and above under NOG § 2.9.1.2(1), and whether that issue is capable of being resolved or mitigated through modeling verification, settings changes, operating conditions, or other technical or operational measures.
- (16) Whether ERCOT's December 30, 2025 correspondence treated Hackberry Wind's extension request as pending and under active review under NOG § 2.12.1.3(1), and whether ERCOT treated the WGR as subject to the interim compliance framework in NOG § 2.12.1(10).

- (17) Whether, during the pendency of ERCOT's review and this Complaint, the WGR has complied with the interim requirement to meet the greater of its documented maximum ride-through capability or the ride-through performance requirements in effect on May 1, 2024, as provided in NOG § 2.12.1(10).
- (18) Whether ERCOT complied with NOG § 2.12.1.3(1)(b) by identifying all missing information in Hackberry Wind's submission and providing instructions for submitting it, including whether ERCOT's December 2025 and February 2026 requests identified all deficiencies later used as grounds for rejection.
- (19) Whether ERCOT complied with NOG § 2.12.1.3(2) by providing Hackberry Wind the required opportunity to submit missing information within ten Business Days or request additional time with an explanation for the delay.
- (20) Whether ERCOT and Hackberry Wind cooperated, or whether ERCOT failed to cooperate, in requesting and providing relevant information to develop a complete record for review as contemplated by NOG § 2.12.1.3(4).
- (21) Whether ERCOT acknowledged a complete request for extension and, if so, whether ERCOT designated a senior representative with decision-making authority to participate in discussions with Hackberry Wind regarding the extension request as contemplated by NOG § 2.12.1.3(3).
- (22) Whether ERCOT made reasonable efforts to complete the extension-request process within 180 days after receiving a complete request for extension, or otherwise provided Hackberry Wind an estimate of the additional time needed to complete review as contemplated by NOG § 2.12.1.3(5).
- (23) Whether Hackberry Wind submitted all information reasonably necessary for ERCOT to determine whether the requested extension should be granted, granted with conditions, or denied under NOG § 2.12.1 and 16 TAC § 25.517(d).
- (24) Whether conditions short of outright rejection would adequately protect reliability, including model and MQT completion milestones, periodic status reporting,

continued compliance with NOG § 2.12.1(10), ERCOT review and acceptance of settings changes requiring approval, documentation of unmodeled limitations, operational limitations, curtailment, or other mitigation measures.

- (25) Whether ERCOT's rejection of the extension request caused or threatens to cause operational, compliance, enforcement, referral, economic, or investment-related harm to Hackberry Wind, including whether Hackberry Wind has incurred substantial costs for OEM engagement, engineering analysis, settings evaluation, modeling, MQT work, and related compliance support.
- (26) Whether Hackberry Wind's history of violations of reliability-related ERCOT Protocols, Operating Guides, or other binding documents supports or undermines the requested extension, conditioned extension, or other relief under 16 TAC § 22.251(r)(3)–(5).
- (27) Whether the public interest is better served by granting the requested extension, granting a conditioned extension, or remanding to ERCOT for further review, taking into account reliability risks to the grid, operational impacts to the WGR, economic impacts to Hackberry Wind, and any condition necessary to protect the public interest under 16 TAC § 22.251(r)(5).

Hackberry Wind reserves the right to identify additional questions of fact requiring an evidentiary hearing based on ERCOT's response, Commission Staff's comments, intervenor filings, or any evidence ERCOT identifies in support of the May 6, 2026 rejection.

XII. PROPOSED PROCEDURAL SCHEDULE

Hackberry Wind respectfully request that the Commission adopt the following proposed procedural schedule for the Complaint:

EVENT:	DEADLINE:
Complaint Filed	June 10, 2026 (within 35 days of the May 6, 2026 ERCOT conduct)
Deadline for ERCOT to provide Notice of the Complaint	June 24, 2026 (within 14 days of receipt of the Complaint)
ERCOT Response to the Complaint	July 8, 2026 (within 28 days after receipt of the Complaint)
Intervention Deadline	July 27, 2026 (45 th day after filing; next business day)
Commission Staff Comments	July 27, 2026 (45 th day after filing; next business day)
Intervenor Response(s) to the Complaint	July 27, 2026 (45 th day after filing; next business day)
Hackberry Wind Reply to ERCOT's Response, Commission Staff Comments, and Intervenor Response(s)	August 4, 2026 (within 55 days after the Complaint is filed)
Parties to identify whether disputed Questions of Fact require an Evidentiary Hearing or SOAH Referral	August 18, 2026 (14 days after Hackberry Wind's Reply)
Parties to file a Joint Proposed Procedural Schedule for any Evidentiary Phase (if necessary)	August 25, 2026
Target date for Commission Consideration if no Evidentiary Hearing is required	First available Open Meeting after August 25, 2026

This schedule is consistent with 16 TAC § 22.251(e), (f), (g), (h), and (i). If the Commission determines that factual determinations must be made to resolve the Complaint, Hackberry Wind requests that the Presiding Officer establish an evidentiary schedule consistent with 16 TAC § 22.251(m) and (n), including referral to SOAH if appropriate. If the Commission determines that the Complaint can be resolved without an evidentiary hearing, Hackberry Wind requests that the

Commission decide the Complaint based on the Complaint, the record, ERCOT's Response, Commission Staff's Comments, Intervenor Responses, and Complainant's Reply.

XIII. REQUEST FOR ENTRY OF PROTECTIVE ORDER

Hackberry Wind expects that, throughout this proceeding, it may be required to file certain documents considered by Hackberry Wind to be Protected materials or Highly Sensitive Protected materials that are not subject to public disclosure in addition to the confidential materials in its initial complaint.

Hackberry Wind respectfully requests that the Administrative Law Judge issue a Protective Order protecting confidential and highly sensitive protected materials that may be produced in this proceeding and order all parties to this proceeding to abide by the Protective Order. A courtesy copy of the standard form of Protective Order used in PUC proceedings is attached to this motion as Attachment A.

Respectfully submitted on June 10, 2026,



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ATTORNEYS FOR Hackberry Wind LLC

CERTIFICATE OF SERVICE

I certify that on June 10, 2026, notice of the filing of the foregoing instrument with the Commission was served on ERCOT's General Counsel and the Office of Public Utility Counsel by electronic service in accordance 16 Tex. Admin. Code § 22.74 relating to service of Pleadings and Documents.


Juliana Sersen

RECORD OF EXHIBITS

Attached hereto is a certified or sworn copy of the following documents constituting or evidencing the matter complained of, as required by § 22.251(e)(2)(H):

Exhibit A:	ERCOT Extension Request Rejection Notice
Confidential Exhibit B:	NOGRR 245 Submission
Confidential Exhibit C:	OEM Attestation: Technical Limitations
Confidential Exhibit D:	Initial Frequency Ride-Through Capability Report
Confidential Exhibit E:	Initial Voltage Ride-Through Capability Report
Confidential Exhibit F:	September 2025 RFI Responses
Confidential Exhibit G:	December 2025 RFI Request and Responses
Confidential Exhibit H:	February 2026 RFI Request and Responses
Confidential Exhibit I:	ERCOT Letter
Confidential Exhibit J:	Siemens Gamesa Renewable Energy (SGRE) Gap Analysis
Confidential Exhibit K:	ERCOT RFI Request

DOCKET NO.

COMPLAINT OF HACKBERRY WIND § PUBLIC UTILITY COMMISSION
LLC AGAINST THE ELECTRIC §
RELIABILITY COUNCIL OF TEXAS, § OF TEXAS
INC.

PROTECTIVE ORDER

This Protective Order governs the use of all information deemed confidential (Protected Materials) or highly confidential (Highly Sensitive Protected Materials), including information whose confidentiality is currently under dispute, by a party providing information to the Public Utility Commission of Texas (Commission) or to any other party to this proceeding.

It is ORDERED that:

1. **Designation of Protected Materials.** Upon producing or filing a document, including, but not limited to, records on a computer disk or other similar electronic storage medium in this proceeding, the producing party may designate that document, or any portion of it, as confidential pursuant to this Protective Order by typing or stamping on its face "PROTECTED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. _____" (or words to this effect) and consecutively Bates Stamping each page. Protected Materials and Highly Sensitive Protected Materials include the documents so designated, as well as the substance of the information contained in the documents and any description, report, summary, or statement about the substance of the information contained in the documents.
2. **Materials Excluded from Protected Materials Designation.** Protected Materials must not include any information or document contained in the public files of the Commission or any other federal or state agency, court, or local governmental authority subject to the Public Information Act.¹ Protected Materials also must not include documents or information which at the time of, or prior to disclosure in, a proceeding is or was public

¹ Tex. Gov. Code § 552.001-.353.

knowledge, or which becomes public knowledge other than through disclosure in violation of this Protective Order.

3. **Reviewing Party.** For the purposes of this Protective Order, a "Reviewing Party" is any party to this docket.
4. **Procedures for Designation of Protected Materials.** On or before the date the Protected Materials or Highly Sensitive Protected Materials are provided to the Commission, the producing party is required to file with the Commission and deliver to each party to the proceeding a written statement, which may be in the form of an objection, indicating: (a) any exemptions to the Public Information Act claimed to apply to the alleged Protected Materials; (b) the reasons supporting the producing party's claim that the responsive information is exempt from public disclosure under the Public Information Act and subject to treatment as protected materials; and (c) that counsel for the producing party has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure under the Public Information Act and merits the Protected Materials designation.
5. **Persons Permitted Access to Protected Materials.** Except as otherwise provided in this Protective Order, a Reviewing Party may access Protected Materials only through its "Reviewing Representatives" who have signed the Protective Order Certification Form (see Attachment A). Reviewing Representatives of a Reviewing Party include its counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by the Reviewing Party and directly engaged in this proceeding. At the request of the PUC Commissioners, copies of Protected Materials may be produced by Commission Staff. The Commissioners and their staff must be informed of the existence and coverage of this Protective Order and will observe the restrictions of the Protective Order.
6. **Highly Sensitive Protected Material Described.** The term "Highly Sensitive Protected Materials" is a subset of Protected Materials and refers to documents or information that a producing party claims is of such a highly sensitive nature that making copies of such

documents or information or providing access to such documents to employees of the Reviewing Party (except as specified herein) would expose a producing party to unreasonable risk of harm. Highly Sensitive Protected Materials include but are not limited to: (a) customer-specific information protected by § 32.101(c) of the Public Utility Regulatory Act,² (b) contractual information pertaining to contracts that specify that their terms are confidential or that are confidential pursuant to an order entered in litigation to which the producing party is a party; (c) market-sensitive fuel price forecasts, wholesale transactions information and/or market-sensitive marketing plans; or (d) business operations or financial information that is commercially sensitive. Documents or information so classified by a producing party shall bear the designation "HIGHLY SENSITIVE PROTECTED MATERIALS PROVIDED PURSUANT TO PROTECTIVE ORDER ISSUED IN DOCKET NO. _____" (or words to this effect) and shall be consecutively Bates Stamped. The provisions of this Protective Order pertaining to Protected Materials also apply to Highly Sensitive Protected Materials, except where this Protective Order provides for additional protections for Highly Sensitive Protected Materials. In particular, the procedures herein for challenging the producing party's designation of information as Protected Materials also apply to information that a producing party designates as Highly Sensitive Protected Materials.

7. Restrictions on Copying and Inspection of Highly Sensitive Protected Material.

Except as expressly provided herein, only one copy may be made of any Highly Sensitive Protected Materials except that additional copies may be made to have sufficient copies for introduction of the material into the evidentiary record if the material is to be offered for admission into the record. The Reviewing Party is required to maintain a record of all copies made of Highly Sensitive Protected Material and must send a duplicate of the record to the producing party when the copy or copies are made. The record must specify the location and the person possessing the copy. Highly Sensitive Protected Material must be made available for inspection only at the location or locations provided by the producing party, except as specified by Paragraph 9. Limited notes may be made of Highly Sensitive Protected Materials, and such notes must themselves be treated as Highly

² Tex. Util. Code Ann. §§ 11.001-66.016 ("PURA").

Sensitive Protected Materials unless such notes are limited to a description of the document and a general characterization of its subject matter in a manner that does not state any substantive information contained in the document.

8. **Restricting Persons Who May Have Access to Highly Sensitive Protected Material.**

With the exception of Commission Staff, the Office of the Attorney General (OAG), and the Office of Public Utility Counsel (OPC), and except as provided herein, the Reviewing Representatives for the purpose of access to Highly Sensitive Protected Materials may be persons who are (a) outside counsel for the Reviewing Party, (b) outside consultants for the Reviewing Party working under the direction of Reviewing Party's counsel, or (c) employees of the Reviewing Party working with and under the direction of Reviewing Party's counsel who have been authorized by the presiding officer to review Highly Sensitive Protected Materials. The Reviewing Party must limit the number of Reviewing Representatives that review Highly Sensitive Protected Materials to the minimum number of persons necessary. The Reviewing Party is under a good faith obligation to limit access to each portion of any Highly Sensitive Protected Materials to two Reviewing Representatives whenever possible. Reviewing Representatives for Commission Staff, OAG, and OPC, for the purpose of access to Highly Sensitive Protected Materials, must consist of their respective counsel of record in this proceeding and associated attorneys, paralegals, economists, statisticians, accountants, consultants, or other persons employed or retained by them and directly engaged in these proceedings.

9. **Copies Provided of Highly Sensitive Protected Material.** A producing party is required to provide one copy of Highly Sensitive Protected Materials specifically requested by the Reviewing Party to the person designated by the Reviewing Party who must be a person authorized to review Highly Sensitive Protected Material under Paragraph 8. Representatives of the Reviewing Party who are authorized to view Highly Sensitive Protected Material may review the copy of Highly Sensitive Protected Materials at the office of the Reviewing Party's representative designated to receive the information. Any Highly Sensitive Protected Materials provided to a Reviewing Party may not be copied except as provided in Paragraph 7. The restrictions contained herein

do not apply to Commission Staff, OPC, and the OAG when the OAG is a representing a party to the proceeding.

10. **Procedures in Paragraphs 10-14 Apply to Commission Staff, OPC, ERCOT, and the OAG and Control in the Event of Conflict.** The procedures in Paragraphs 10 through 14 apply to responses to requests for documents or information that the producing party designates as Highly Sensitive Protected Materials and provides to Commission Staff, OPC, and the OAG in recognition of their purely public functions. To the extent the requirements of Paragraphs 10 through 14 conflict with any requirements contained in other paragraphs of this Protective Order, the requirements of these Paragraphs control.
11. **Copy of Highly Sensitive Protected Material to be Provided to Commission Staff, OPC and the OAG.** When, in response to a request for information by a Reviewing Party, the producing party makes available for review documents or information claimed to be Highly Sensitive Protected Materials, the producing party is required to also deliver one copy of the Highly Sensitive Protected Materials to the Commission Staff OPC (if OPC is a party), and the OAG (if the OAG is representing a party) in Austin, Texas. Provided however, that in the event such Highly Sensitive Protected Materials are voluminous, the materials will be made available for review by Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) at the designated office in Austin, Texas. The Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) may request such copies as are necessary of such voluminous material under the copying procedures specified herein.
12. **Delivery of the Copy of Highly Sensitive Protected Material to Commission Staff and Outside Consultants.** The Commission Staff, OPC (if OPC is a party), and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive Protected Materials received by them to the appropriate members of their staff for review, provided such staff members first sign the certification specified by Paragraph 15. After obtaining the agreement of the producing party, Commission Staff OPC (if OPC is a party), and the OAG (if the OAG is representing a party) may deliver the copy of Highly Sensitive

Protected Materials received by it to the agreed, appropriate members of their outside consultants for review, provided such outside consultants first sign the certification in Attachment A.

13. **Restriction on Copying by Commission Staff, OPC and the OAG.** Except as allowed by Paragraph 7, Commission Staff OPC and the OAG may not make additional copies of the Highly Sensitive Protected Materials furnished to them unless the producing party agrees in writing otherwise, or, upon a showing of good cause, the presiding officer directs otherwise. Commission Staff, OPC, and the OAG may make limited notes of Highly Sensitive Protected Materials furnished to them, and all such handwritten notes will be treated as Highly Sensitive Protected Materials as are the materials from which the notes are taken.
14. **Public Information Requests.** In the event of a request for any of the Highly Sensitive Protected Materials under the Public Information Act, an authorized representative of the Commission, OPC, or the OAG may furnish a copy of the requested Highly Sensitive Protected Materials to the Open Records Division at the OAG together with a copy of this Protective Order after notifying the producing party that such documents are being furnished to the OAG. Such notification may be provided simultaneously with the delivery of the Highly Sensitive Protected Materials to the OAG.
15. **Required Certification.** Each person who inspects the Protected Materials must, before such inspection, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket, and that I have been given a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials must not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC will be used only for the purpose of the proceeding in Docket No. [___]. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information

contained in the Protected Materials is obtained from independent public sources, the understanding stated herein must not apply.

In addition, Reviewing Representatives who are permitted access to Highly Sensitive Protected Material under the terms of this Protective Order must, before inspection of such material, agree in writing to the following certification found in Attachment A to this Protective Order:

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

The Reviewing Party is required to provide a copy of each signed certification to Counsel for the producing party and serve a copy upon all parties of record.

16. **Disclosures between Reviewing Representatives and Continuation of Disclosure Restrictions after a Person is no Longer Engaged in the Proceeding.** Any Reviewing Representative may disclose Protected Materials, other than Highly Sensitive Protected Materials, to any other person who is a Reviewing Representative provided that, if the person to whom disclosure is to be made has not executed and provided for delivery of a signed certification to the party asserting confidentiality, that certification must be executed prior to any disclosure. A Reviewing Representative may disclose Highly Sensitive Protected Material to other Reviewing Representatives who are permitted access to such material and have executed the additional certification required for persons who receive access to Highly Sensitive Protected Material. In the event that any Reviewing Representative to whom Protected Materials are disclosed ceases to be engaged in these proceedings, access to Protected Materials by that person must be terminated and all notes, memoranda, or other information derived from the protected material must either be destroyed or given to another Reviewing Representative of that party who is authorized pursuant to this Protective Order to receive the protected materials. Any person who has agreed to the foregoing certification is required to continue to be bound by the provisions of this Protective Order so long as it is in effect, even if no longer engaged in these proceedings.

17. **Producing Party to Provide One Copy of Certain Protected Material and Procedures for Making Additional Copies of Such Materials.** Except for Highly Sensitive Protected Materials, which must be provided to the Reviewing Parties under Paragraph 9, and voluminous Protected Materials, the producing party is required to provide a Reviewing Party one copy of the Protected Materials upon receipt of the signed certification described in Paragraph 15. Except for Highly Sensitive Protected Materials, a Reviewing Party may make further copies of Protected Materials for use in this proceeding according to this Protective Order, but a record must be maintained as to the documents reproduced and the number of copies made, and upon request the Reviewing Party is required to provide the party asserting confidentiality with a copy of that record.
18. **Procedures Regarding Voluminous Protected Materials.** 16 Texas Administrative Code (TAC) § 22.144(h) will govern production of voluminous Protected Materials. Voluminous Protected Materials will be made available in the producing party's voluminous room, in Austin, Texas, or at a mutually agreed upon location, Monday through Friday, 9:00 a.m. to 5:00 p.m. (except on state or Federal holidays), and at other mutually convenient times upon reasonable request.
19. **Reviewing Period Defined.** The Protected Materials may be reviewed only during the Reviewing Period, which will commence upon entry of this Protective Order and continue until the expiration of the Commission's plenary jurisdiction. The Reviewing Period will reopen if the Commission regains jurisdiction due to a remand as provided by law. Protected materials that are admitted into the evidentiary record or accompanying the evidentiary record as offers of proof may be reviewed throughout the pendency of this proceeding and any appeals.
20. **Procedures for Making Copies of Voluminous Protected Materials.** Other than Highly Sensitive Protected Materials, Reviewing Parties may take notes regarding the information contained in voluminous Protected Materials made available for inspection or they may make photographic, mechanical or electronic copies of the Protected Materials, subject to the conditions in this Protective Order; provided, however, that before photographic, mechanical or electronic copies may be made, the Reviewing Party seeking photographic, mechanical or electronic copies must provide written confirmation of the receipt of copies

listed on Attachment B of this Protective Order identifying each piece of Protected Materials or portions thereof the Reviewing Party will need.

21. **Protected Materials to be Used Solely for the Purposes of These Proceedings.** All Protected Materials must be made available to the Reviewing Parties and their Reviewing Representatives solely for the purposes of these proceedings. Access to the Protected Materials may not be used in the furtherance of any other purpose, including, without limitation: (a) any other pending or potential proceeding involving any claim, complaint, or other grievance of whatever nature, except appellate review proceedings that may arise from or be subject to these proceedings; or (b) any business or competitive endeavor of whatever nature. Because of their statutory regulatory obligations, these restrictions do not apply to Commission Staff or OPC.

22. **Procedures for Confidential Treatment of Protected Materials and Information Derived from Those Materials.** Protected Materials, as well as a Reviewing Party's notes, memoranda, or other information regarding or derived from the Protected Materials are to be treated confidentially by the Reviewing Party and must not be disclosed or used by the Reviewing Party except as permitted and provided in this Protective Order. Information derived from or describing the Protected Materials must be maintained in a secure place and must not be placed in the public or general files of the Reviewing Party except in accordance with the provisions of this Protective Order. A Reviewing Party must take all reasonable precautions to ensure that the Protected Materials including notes and analyses made from Protected Materials that disclose Protected Materials are not viewed or taken by any person other than a Reviewing Representative of a Reviewing Party.

23. **Procedures for Submission of Protected Materials.** If a Reviewing Party tenders for filing any Protected Materials, including Highly Sensitive Protected Materials, or any written testimony, exhibit, brief motion or other type of pleading or other submission at the Commission or before any other judicial body that quotes from Protected Materials or discloses the content of Protected Materials, the confidential portion of such submission must be filed and sewed in sealed envelopes or other appropriate containers endorsed to

the effect that they contain Protected Material or Highly Sensitive Protected Material and are sealed pursuant to this Protective Order. If filed at the Commission, such documents must be marked "PROTECTED MATERIAL" and must be filed under seal with the presiding officer and served under seal to the counsel of record for the Reviewing Parties. The presiding officer may subsequently, on his/her own motion or on motion of a party, issue a ruling respecting whether or not the inclusion, incorporation or reference to Protected Materials is such that such submission should remain under seal. If filing before a judicial body, the filing party: (a) must notify the party which provided the information within sufficient time so that the producing party may seek a temporary sealing order; and (b) must otherwise follow the procedures in Rule 76a, Texas Rules of Civil Procedure.

24. **Maintenance of Protected Status of Materials during Pendency of Appeal of Order**

Holding Materials are not Protected Materials. In the event that the presiding officer at any time in the course of this proceeding finds that all or part of the Protected Materials are not confidential or proprietary, by finding, for example, that such materials have entered the public domain or materials claimed to be Highly Sensitive Protected Materials are only Protected Materials, those materials will nevertheless be subject to the protection afforded by this Protective Order for three (3) full working days, unless otherwise ordered, from the date the party asserting confidentiality receives notice of the presiding officer's order. Such notification will be by written communication. This provision establishes a deadline for appeal of a presiding officer's order to the Commission. In the event an appeal to the Commissioners is filed within those three (3) working days from notice, the Protected Materials must be afforded the confidential treatment and status provided in this Protective Order during the pendency of such appeal. Neither the party asserting confidentiality, nor any Reviewing Party waives its right to seek additional administrative or judicial remedies after the Commission's denial of any appeal.

25. **Notice of Intent to Use Protected Materials or Change Materials Designation.**

Parties intending to use Protected Materials must notify the other parties prior to offering them into evidence or otherwise disclosing such information into the record of the proceeding. During the pendency of Docket No. _____ at the Commission, in the event that a Reviewing Party wishes to disclose Protected Materials to any person to whom disclosure

is not authorized by this Protective Order, or wishes to have changed the designation of certain information or material as Protected Materials by alleging, for example, that such information or material has entered the public domain, such Reviewing Party must first file and serve on all parties written notice of such proposed disclosure or request for change in designation, identifying with particularity each of such Protected Materials. A Reviewing Party will at any time be able to file a written motion to challenge the designation of information as Protected Materials.

26. **Procedures to Contest Disclosure or Change in Designation.** In the event that the party asserting confidentiality wishes to contest a proposed disclosure or request for change in designation, the party asserting confidentiality must file with the appropriate presiding officer its objection to a proposal, with supporting affidavits, if any, within five (5) working days after receiving such notice of proposed disclosure or change in designation. Failure of the party asserting confidentiality to file such an objection within this period will be deemed a waiver of objection to the proposed disclosure or request for change in designation. Within five (5) working days after the party asserting confidentiality files its objection and supporting materials, the party challenging confidentiality may respond. Any such response must include a statement by counsel for the party challenging such confidentiality that he or she has reviewed all portions of the materials in dispute and, without disclosing the Protected Materials, a statement as to why the Protected Materials should not be held to be confidential under current legal standards, or that the party asserting confidentiality for some reason did not allow such counsel to review such materials. If either party wishes to submit the material in question for in camera inspection, it must do so no later than five (5) working days after the party challenging confidentiality has made its written filing.
27. **Procedures for Presiding Officer Determination Regarding Proposed Disclosure or Change in Designation.** If the party asserting confidentiality files an objection, the appropriate presiding officer will determine whether the proposed disclosure or change in designation is appropriate. Upon the request of either the producing or Reviewing Party or upon the presiding officer's own initiative, the presiding officer may conduct a preheating conference. The burden is on the party asserting confidentiality to show that such proposed

disclosure or change in designation should not be made. If the presiding officer determines that such proposed disclosure or change in designation should be made, disclosure must not take place earlier than three (3) full working days after such determination unless otherwise ordered. No party waives any right to seek additional administrative or judicial remedies concerning such presiding officer's ruling.

28. **Maintenance of Protected Status during Periods Specified for Challenging Various**

Orders. Any party electing to challenge, in the courts of this state, a Commission or presiding officer determination allowing disclosure or a change in designation will have a period of ten (10) days from: (a) the date of an unfavorable Commission order; or (b) if the Commission does not rule on an appeal of an interim order, the date an appeal of an interim order to the Commission is overruled by operation of law, to obtain a favorable ruling in state district court. Any party challenging a state district court determination allowing disclosure or a change in designation will have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from a state appeals court. Finally, any party challenging a determination of a state appeals court allowing disclosure or a change in designation will have an additional period of ten (10) days from the date of the order to obtain a favorable ruling from the state supreme court, or other appellate court. All Protected Materials must be afforded the confidential treatment and status provided for in this Protective Order during the periods for challenging the various orders referenced in this paragraph. For purposes of this paragraph, a favorable ruling of a state district court, state appeals court, Supreme Court or other appellate court includes any order extending the deadlines in this paragraph.

29. **Other Grounds for Objection to Use of Protected Materials Remain Applicable.**

Nothing in this Protective Order precludes any party from objecting to the use of Protected Materials on grounds other than confidentiality, including the lack of required relevance. Nothing in this Protective Order constitutes a waiver of the right to argue for more disclosure, provided, however, that unless the Commission or a court orders such additional disclosure, all parties will abide by the restrictions imposed by the Protective Order.

30. **Protection of Materials from Unauthorized Disclosure.** All notices, applications, responses or other correspondence must be made in a manner which protects Protected Materials from unauthorized disclosure.
31. **Return of Copies of Protected Materials and Destruction of Information Derived from Protected Materials.** Following the conclusion of these proceedings, each Reviewing Party must, no later than thirty (30) days following receipt of the notice described below, return to the party asserting confidentiality all copies of the Protected Materials provided by that party pursuant to this Protective Order and all copies reproduced by a Reviewing Party, and counsel for each Reviewing Party must provide to the party asserting confidentiality a letter by counsel that, to the best of his or her knowledge, information, and belief, all copies of notes, memoranda, and other documents regarding or derived from the Protected Materials (including copies of Protected Materials) that have not been so returned, if any, have been destroyed, other than notes, memoranda, or other documents which contain information in a form which, if made public, would not cause disclosure of the substance of Protected Materials. As used in this Protective Order, "conclusion of these proceedings" refers to the exhaustion of available appeals, or the running of the time for the making of such appeals, as provided by applicable law. If, following any appeal, the Commission conducts a remand proceeding, then the "conclusion of these proceedings" is extended by the remand to the exhaustion of available appeals of the remand, or the conning of the time for making such appeals of the remand, as provided by applicable law. Promptly following the conclusion of these proceedings, counsel for the party asserting confidentiality will send a written notice to all other parties, reminding them of their obligations under this Paragraph. Nothing in this Paragraph prohibits counsel for each Reviewing Party from retaining two (2) copies of any filed testimony, brief, application for rehearing, hearing exhibit or other pleading which refers to Protected Materials provided that any such Protected Materials retained by counsel will remain subject to the provisions of this Protective Order.

32. **Applicability of Other Law.** This Protective Order is subject to the requirements of the Public Information Act, the Open Meetings Act,³ the Texas Securities Act⁴ and any other applicable law, provided that parties subject to those acts will notify the party asserting confidentiality, if possible, under those acts, prior to disclosure pursuant to those acts. Such notice is not required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.
33. **Procedures for Release of Information under Order.** If required by order of a governmental or judicial body, the Reviewing Party may release to such body the confidential information required by such order; provided, however, that: (a) the Reviewing Party must notify the producing party of the order requiring the release of such information within five (5) calendar days of the date the Reviewing Party has notice of the order; (b) the Reviewing Party must notify the producing party at least five (5) calendar days in advance of the release of the information to allow the producing party to contest any release of the confidential information; and (c) the Reviewing Party must use its best efforts to prevent such materials from being disclosed to the public. The terms of this Protective Order do not preclude the Reviewing Party from complying with any valid and enforceable order of a state or federal court with competent jurisdiction specifically requiring disclosure of Protected Materials earlier than contemplated herein. The notice specified in this section is not required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.
34. **Best Efforts Defined.** The term "best efforts" as used in the preceding paragraph requires that the Reviewing Party attempt to ensure that disclosure is not made unless

³ Tex. Gov. Code §§ 551.001-146

⁴ Tex. Rev. Civ. Stat. Ann. Arts. 581-1 to 581-43.

such disclosure is pursuant to a final order of a Texas governmental or Texas judicial body, the written opinion of the Texas Attorney General sought in compliance with the Public Information Act, or the request of governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials. The Reviewing Party is not required to delay compliance with a lawful order to disclose such information but is simply required to timely notify the party asserting confidentiality, or its counsel, that it has received a challenge to the confidentiality of the information and that the Reviewing Party will either proceed under the provisions of §552.301 of the Public Information Act, or intends to comply with the final governmental or court order. Provided, however, that no notice is required where the Protected Materials are sought by governmental officials authorized to conduct a criminal or civil investigation that relates to or involves the Protected Materials, and those governmental officials aver in writing that such notice could compromise the investigation and that the governmental entity involved will maintain the confidentiality of the Protected Materials.

35. **Notify Defined.** “Notify” for purposes of Paragraphs 32, 33 and 34 means written notice to the party asserting confidentiality at least five (5) calendar days prior to release; including when a Reviewing Party receives a request under the Public Information Act. However, the Commission, OAG, OPC, or ERCOT may provide a copy of Protected Materials to the Open Records Division of the OAG as provided herein.
36. **Requests for Non-Disclosure.** If the producing party asserts that the requested information should not be disclosed at all, or should not be disclosed to certain parties under the protection afforded by this Protective Order, the producing party must tender the information for in camera review to the presiding officer within ten (10) calendar days of the request. At the same time, the producing party is required to file and serve on all parties its argument, including any supporting affidavits, in support of its position of non-disclosure. The burden is on the producing party to establish that the material should not be disclosed. The producing party must serve a copy of the information under the classification of Highly Sensitive Protected Material to all parties requesting the

information that the producing party has not alleged should be prohibited from reviewing the information.

Parties wishing to respond to the producing party's argument for non-disclosure must do so within five working days. Responding parties should explain why the information should be disclosed to them, including why disclosure is necessary for a fair adjudication of the case if the material is determined to constitute a trade secret. If the presiding officer finds that the information should be disclosed as Protected Material under the terms of this Protective Order, the presiding officer will stay the order of disclosure for such period of time as the presiding officer deems necessary to allow the producing party to appeal the ruling to the Commission.

37. **Sanctions Available for Abuse of Designation.** If the presiding officer finds that a producing party unreasonably designated material as Protected Material or as Highly Sensitive Protected Material, or unreasonably attempted to prevent disclosure pursuant to Paragraph 36, the presiding officer may sanction the producing party pursuant to 16 TAC § 22.161.
38. **Modification of Protective Order.** Each party will have the right to seek changes in this Protective Order as appropriate from the presiding officer.
39. **Breach of Protective Order.** In the event of a breach of the provisions of this Protective Order, the producing party, if it sustains its burden of proof required to establish the right to injunctive relief, will be entitled to an injunction against such breach without any requirements to post bond as a condition of such relief. The producing party will not be relieved of proof of any element required to establish the right to injunctive relief. In addition to injunctive relief, the producing party will be entitled to pursue any other form of relief to which it is entitled.

ATTACHMENT A

Protective Order Certification

I certify my understanding that the Protected Materials are provided to me pursuant to the terms and restrictions of the Protective Order in this docket and that I have received a copy of it and have read the Protective Order and agree to be bound by it. I understand that the contents of the Protected Materials, any notes, memoranda, or any other form of information regarding or derived from the Protected Materials must not be disclosed to anyone other than in accordance with the Protective Order and unless I am an employee of the Commission or OPC will be used only for the purpose of the proceeding in Docket No. _____. I acknowledge that the obligations imposed by this certification are pursuant to such Protective Order. Provided, however, if the information contained in the Protected Materials is obtained from independent public sources, the understanding stated here will not apply.

Signature

Party Represented

Printed Name

Date

I certify that I am eligible to have access to Highly Sensitive Protected Material under the terms of the Protective Order in this docket.

Signature

Party Represented

Printed Name

Date

ATTACHMENT B

I request to view/copy the following documents:

Document Requested	# of Copies	Non-Confidential	Protected Materials and/or Highly Sensitive Protected Materials

Signature

Party Represented

Printed Name

Re: Extension Request Rejection Notice

Date: May 6, 2026

On September 26, 2024, the Public Utility Commission of Texas (PUCT) approved Nodal Operating Guide (NOG) Revision Request 245 (NOGRR245), Inverter-Based Resource (IBR) Ride-Through Requirements, to be effective October 1, 2024. NOGRR245 required Resource Entities (REs) to submit extension requests and notices of intent to request an exemption from a frequency or voltage ride-through requirement, along with supporting documentation, by April 1, 2025. See NOG §§ 2.11.1(1), 2.11.2(1), 2.12.1(1). Subsequently, ERCOT extended that deadline to April 15, 2025. See Market Notice [M-A010825-05](#).

After receiving initial submissions not containing the minimum level of information required by the NOG, ERCOT allowed REs to submit all the required information for a Resource by September 15, 2025. See Market Notice [M-A010825-06](#). The Market Notice highlighted the importance of submitting **“a model accurately representing post-modification expected performance reflecting all technical limitations.”** *Id.* ERCOT has since worked with REs to identify missing information so the RE could provide that missing information.

Hackberry Wind LLC has requested an extension for NOG §§ 2.6.2.1(1) and 2.9.1.2(1) for the Hackberry Wind Farm (HWF_HWFG1) Resource.

ERCOT’s records show Hackberry Wind submitted a model after the September 15, 2025 deadline (October 9, 2025). ERCOT’s Dynamics group returned that model seven days later (October 16, 2025) for correction because it was missing the Model Quality Test comparing pre-maximization and post-maximization models in PSS/e format and pre-maximization and post-maximization models in the ERCOT template format.

ERCOT reviewed Hackberry Wind’s September 2025 extension request and information submission and found it incomplete. Consequently, ERCOT sent a Missing Information Request (MIR) to Hackberry Wind on December 9, 2025 pursuant to NOG § 2.12.1.3(1)(b) indicating the submission was missing information related to frequency ride-through items (f), (g), (h), (k) and (l) and voltage ride-through items (e), (g), (h), (j), (k) and (l).

Hackberry Wind responded to the MIR on December 18, 2025, but ERCOT found that submission still incomplete. On February 19, 2026, ERCOT sent Hackberry Wind a second MIR instructing Hackberry Wind to submit, among other things, an acceptable model.

On March 4, 2026, Hackberry Wind responded to the second MIR indicating its model and Model Quality Test were in revision. As of May 1, 2026, Hackberry Wind has not submitted the required correct model.

Because Hackberry Wind did not submit the information required in the NOG, including NOG § 2.12.1(3)(c), ERCOT is unable to grant the extension and hereby rejects the extension request.

Pursuant to NOG §2.12.1.3(6), the Requesting Entity may appeal this decision directly to the PUCT without the need to comply with the Alternative Dispute Resolution Procedure in Protocol § 20.

Please note, even though ERCOT has rejected the extension request, the NOG still requires Hackberry Wind LLC to: (i) ensure the Resource's frequency ride-through capability is set to the maximum level the equipment allows to meet or exceed the requirements of NOG § 2.6.2.1(1) - (5); and (ii) maximize the performance of the Resource's protection systems, controls, and other plant equipment to meet and, if possible, exceed the performance requirements in NOG § 2.9.1.2(1) - (7).

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2025 NOGRR245 IBR RFI

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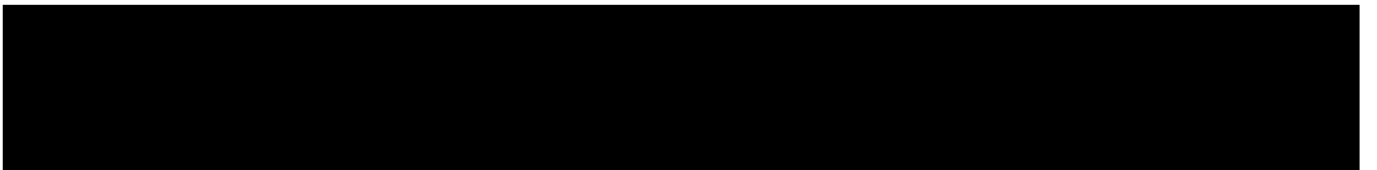
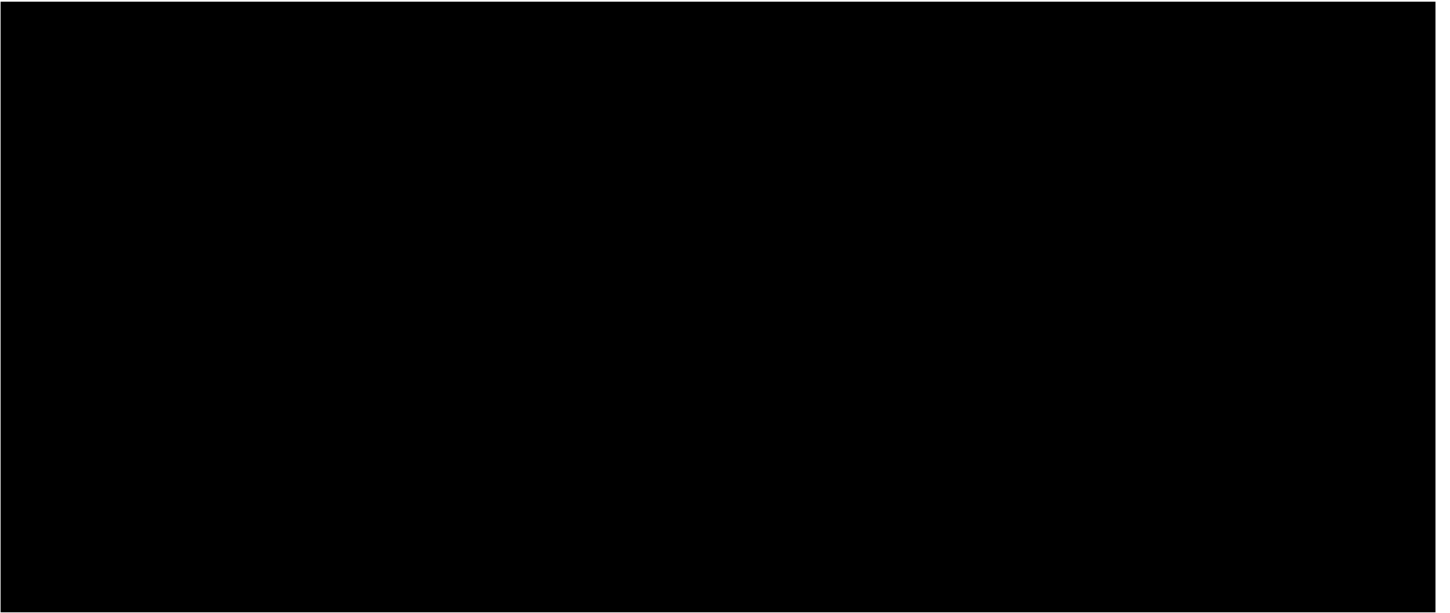
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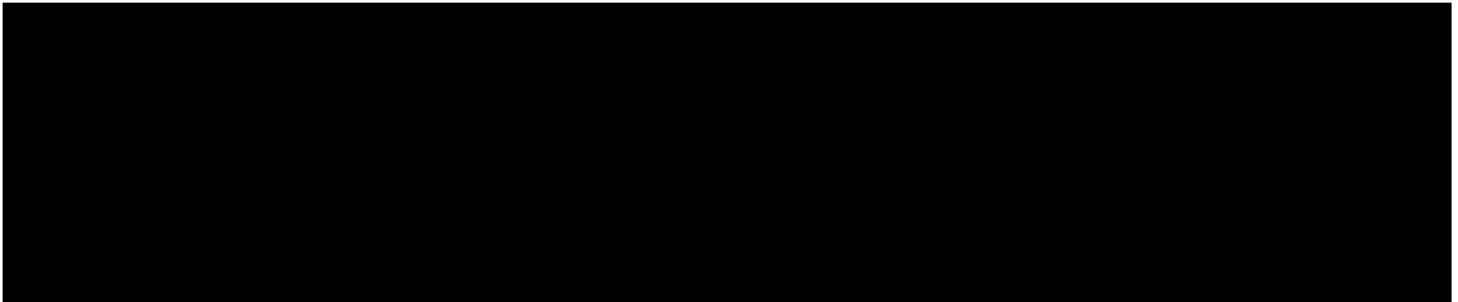
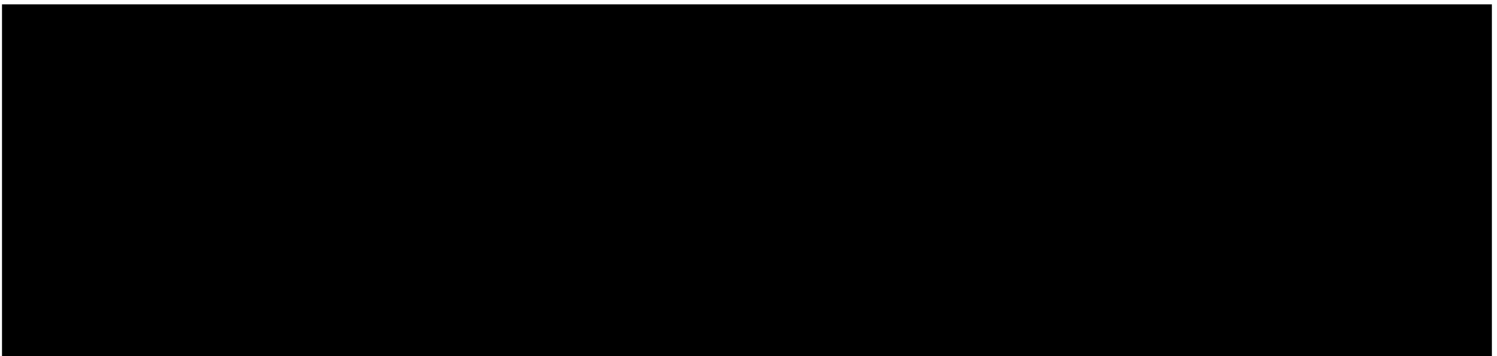
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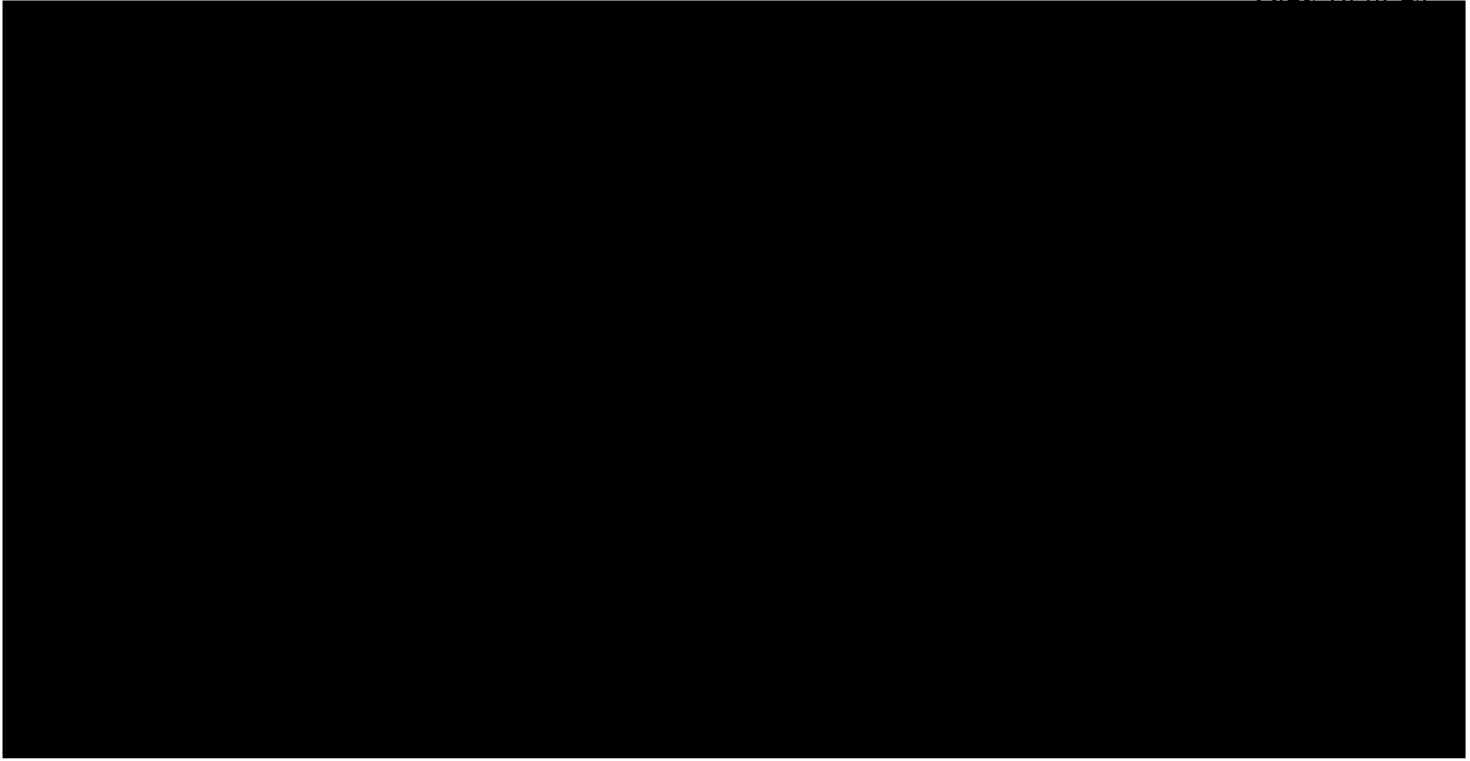
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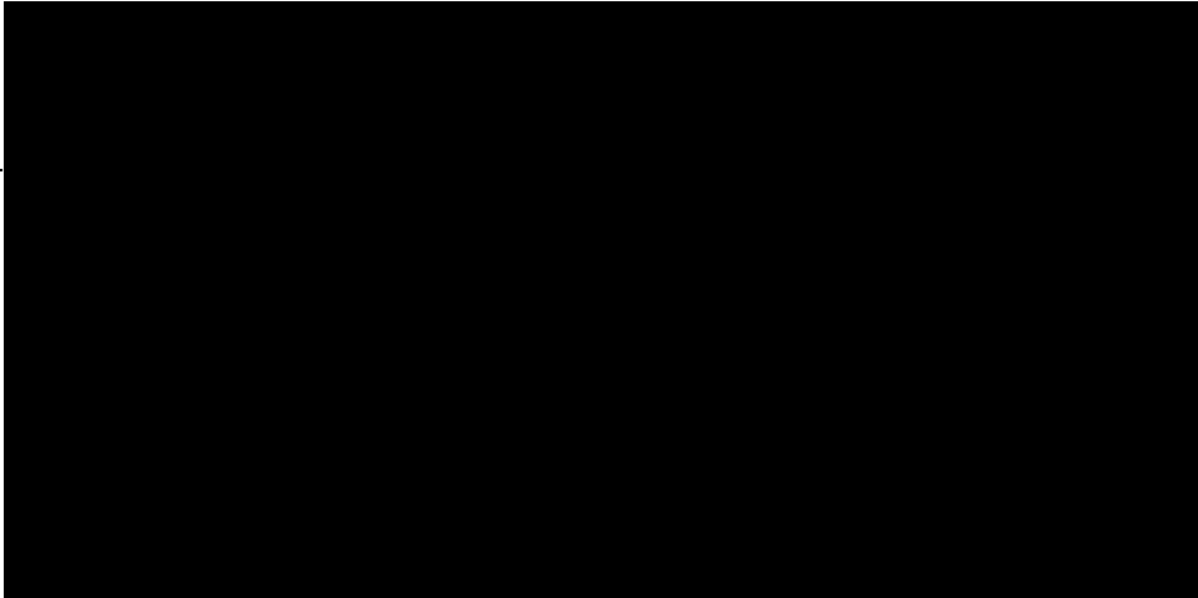


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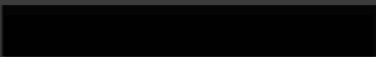
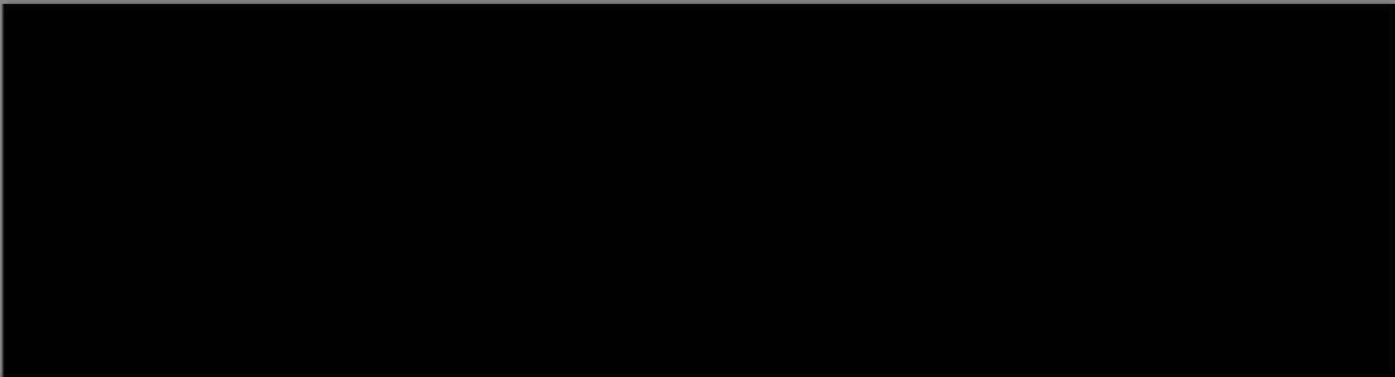


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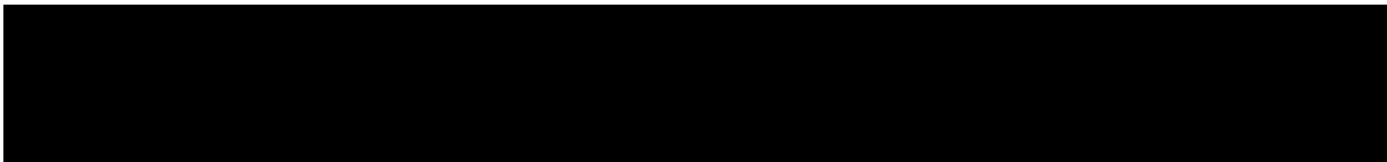
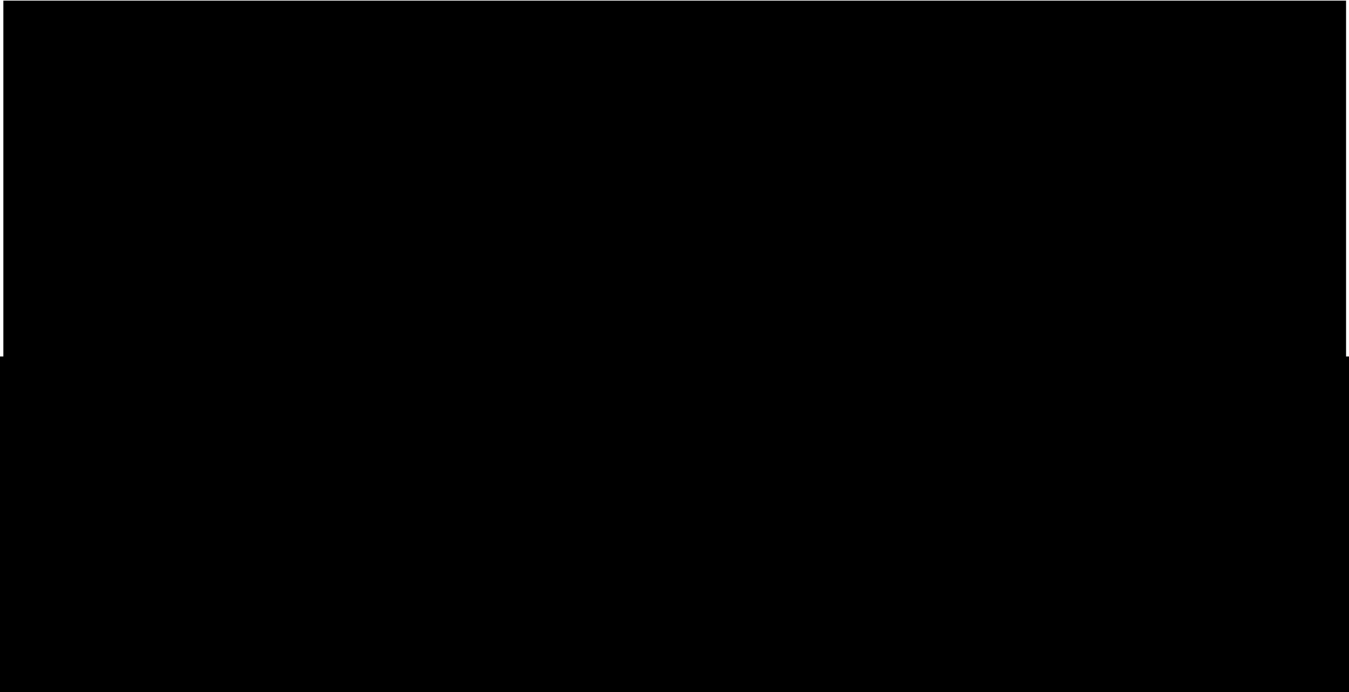
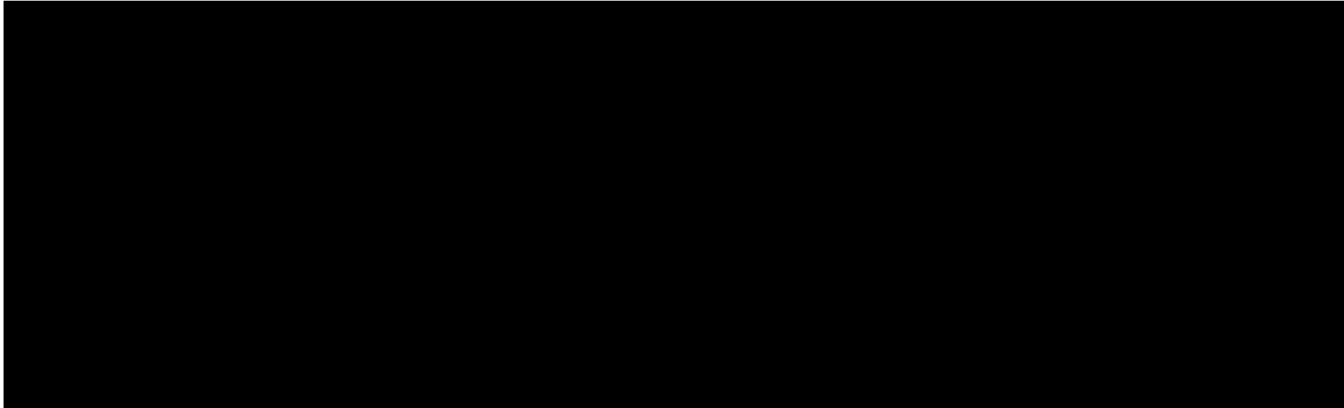
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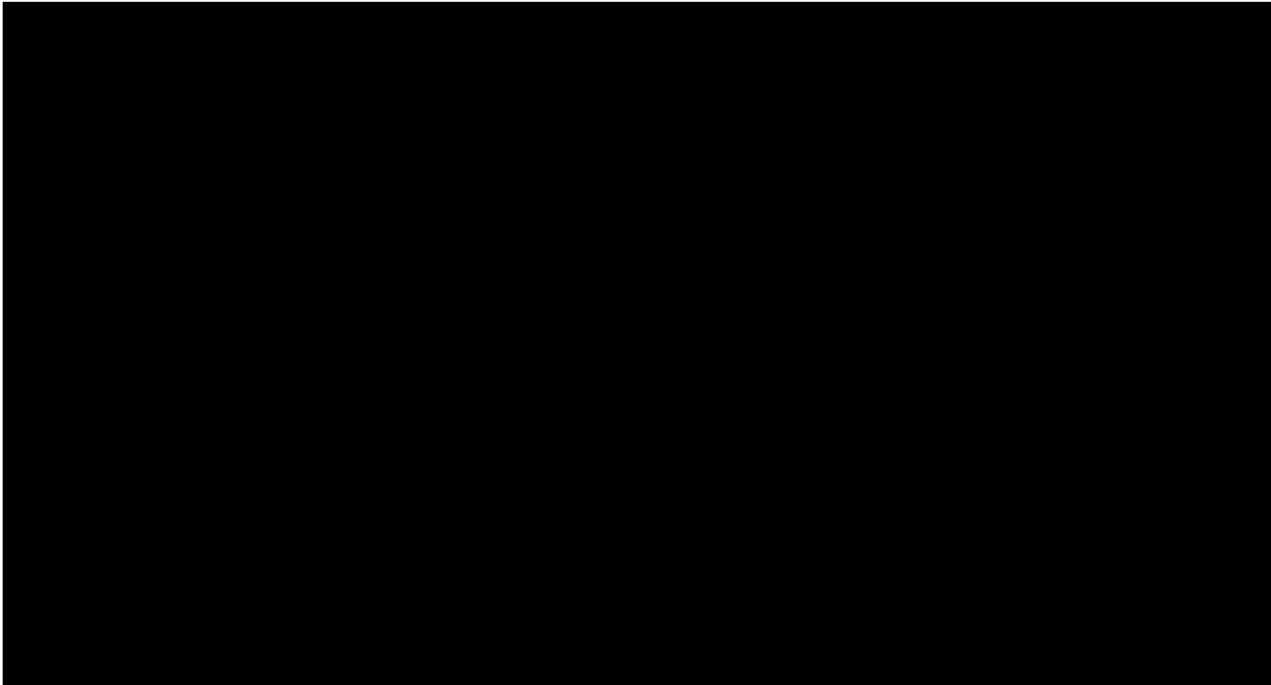
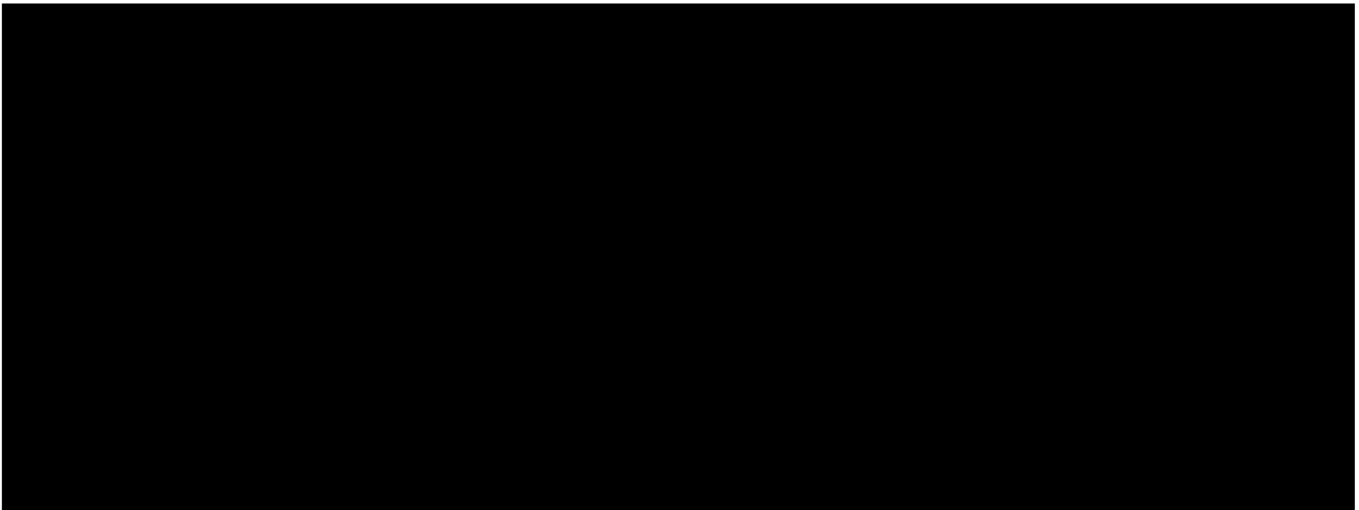
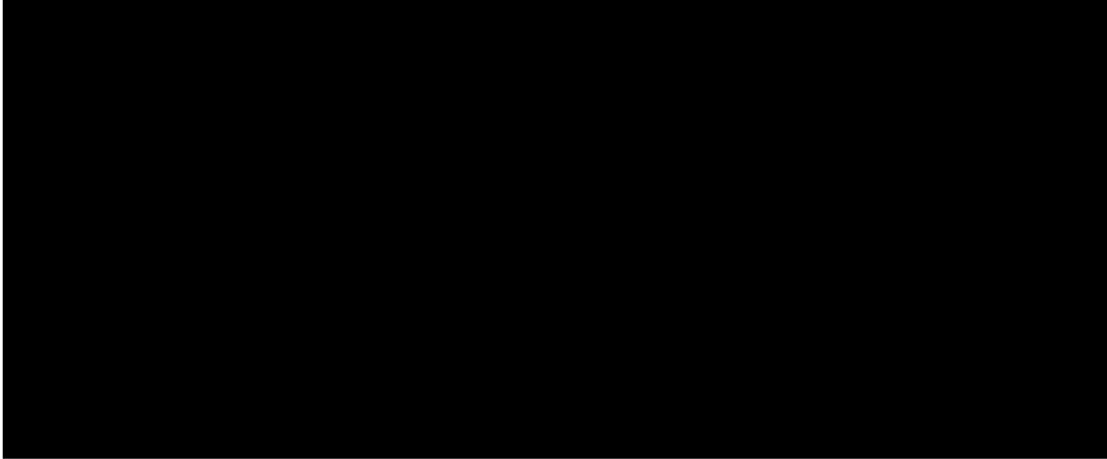
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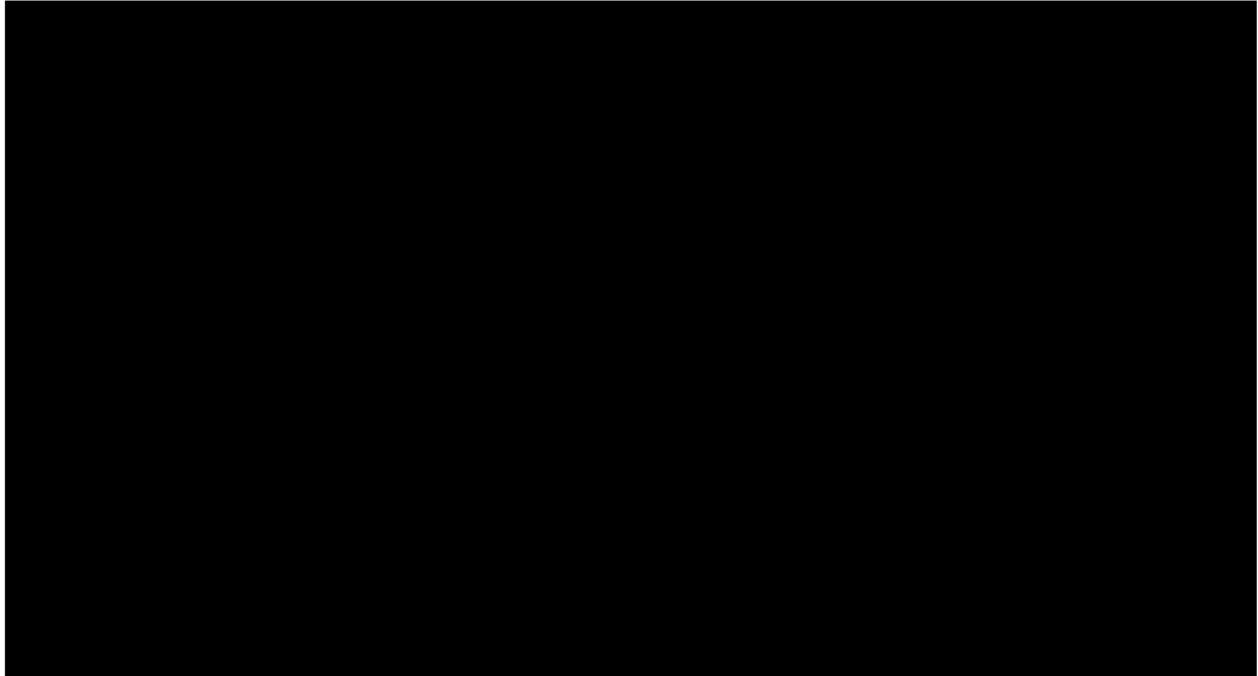
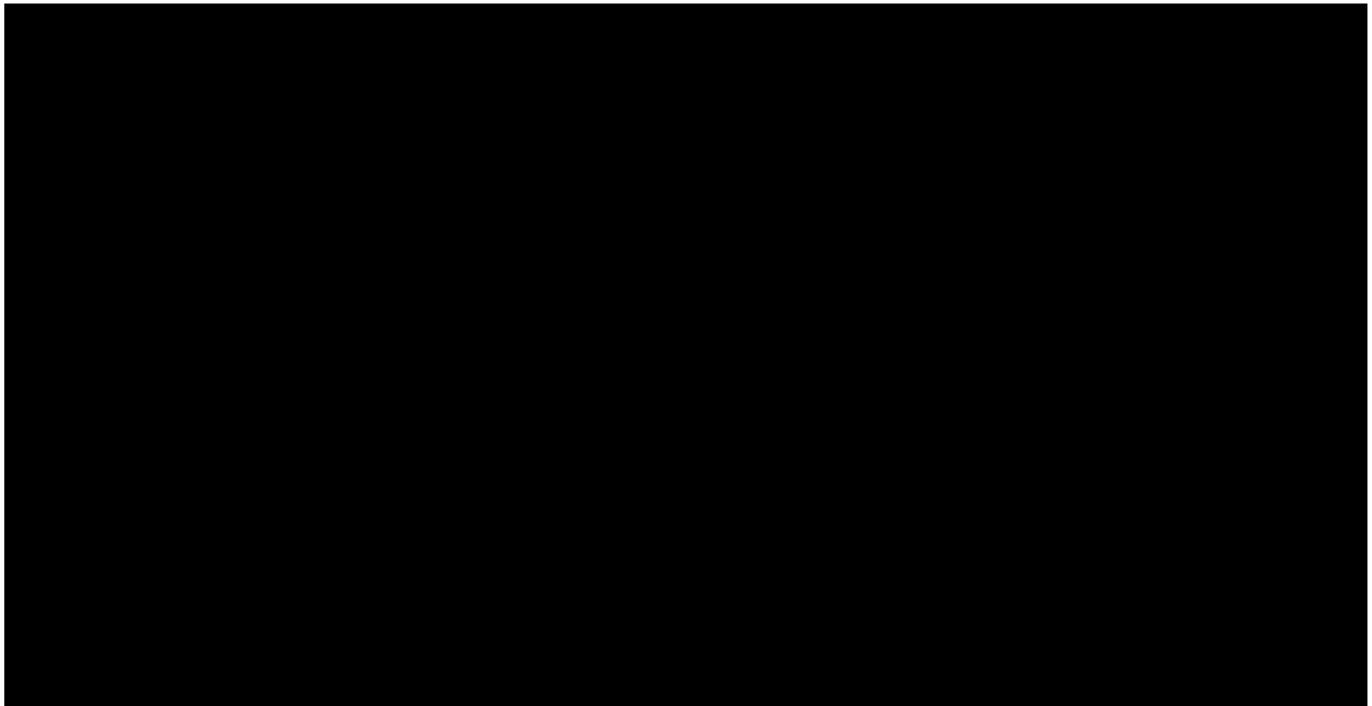
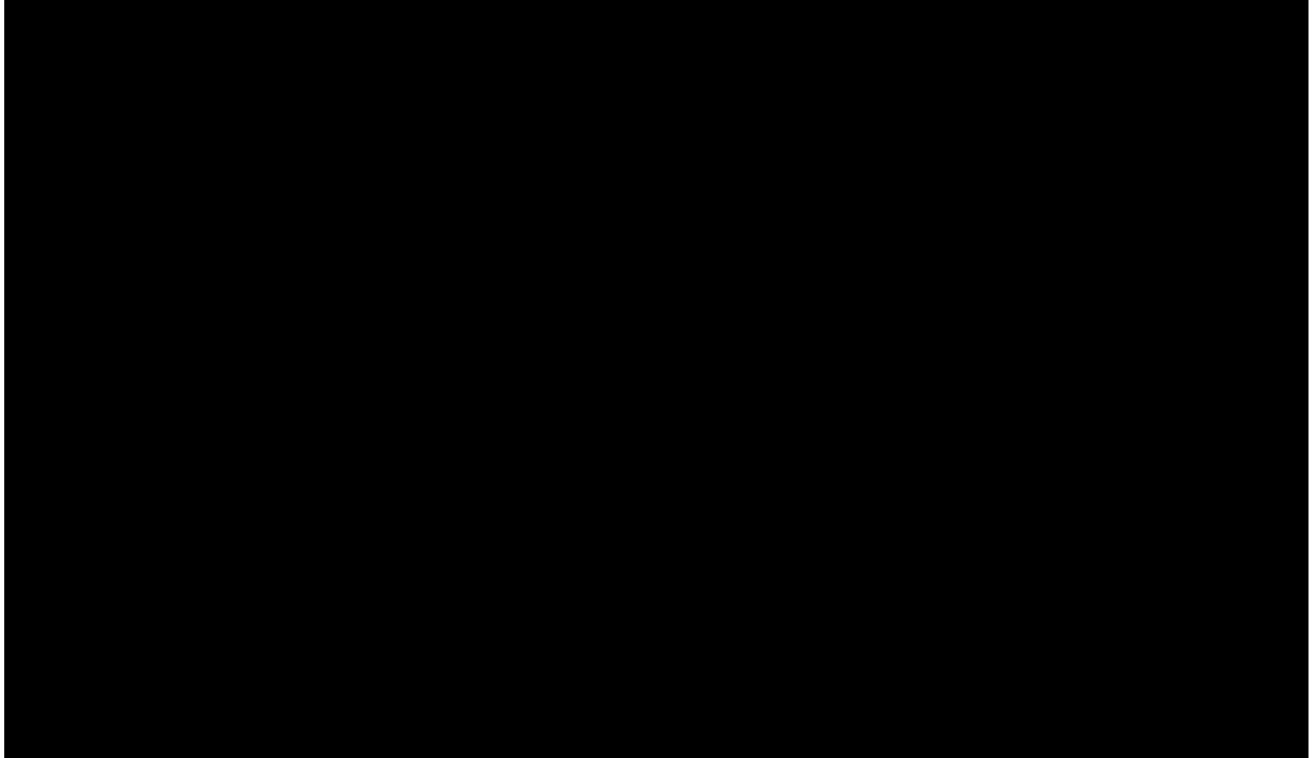


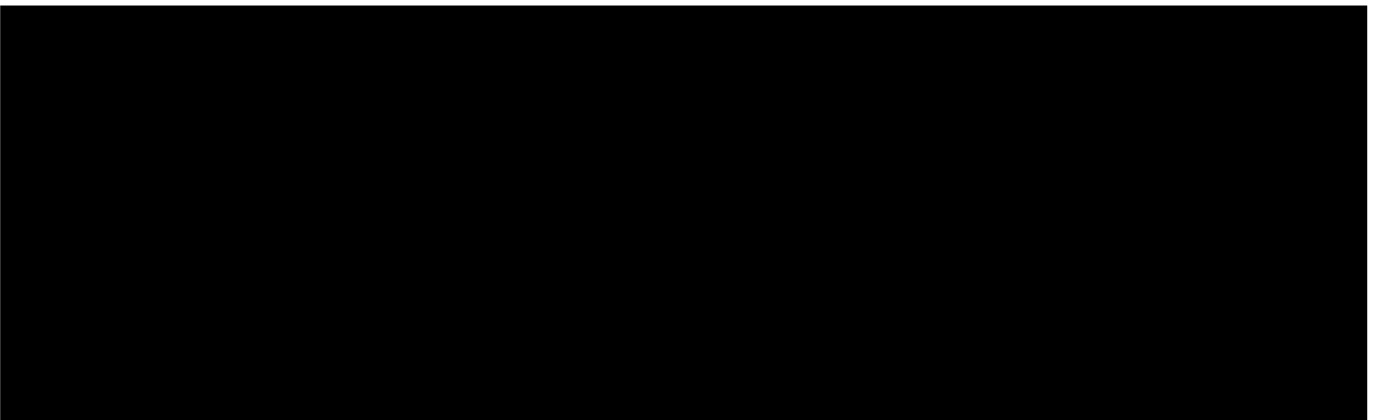
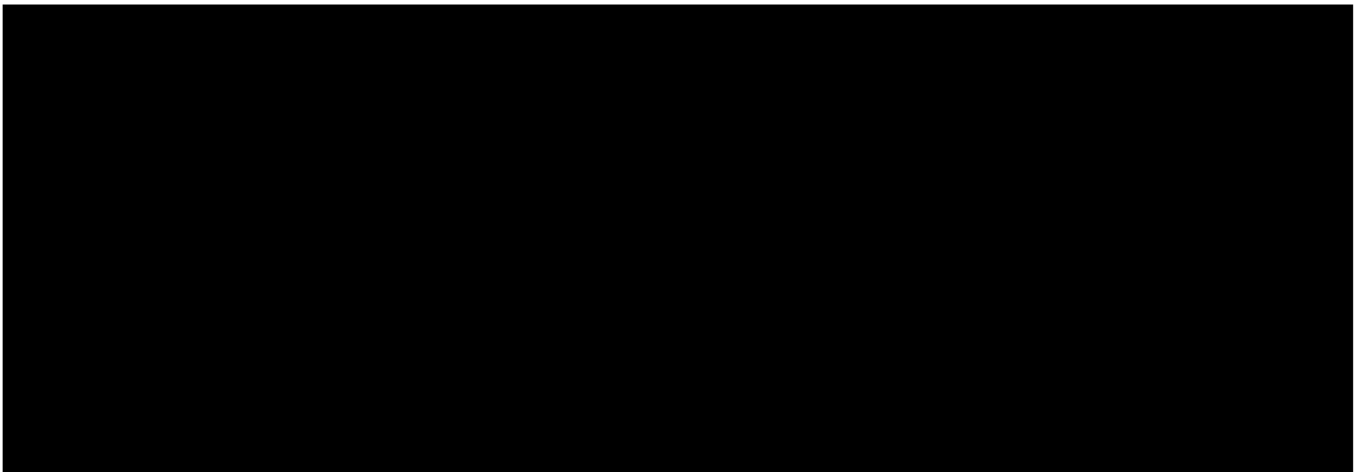
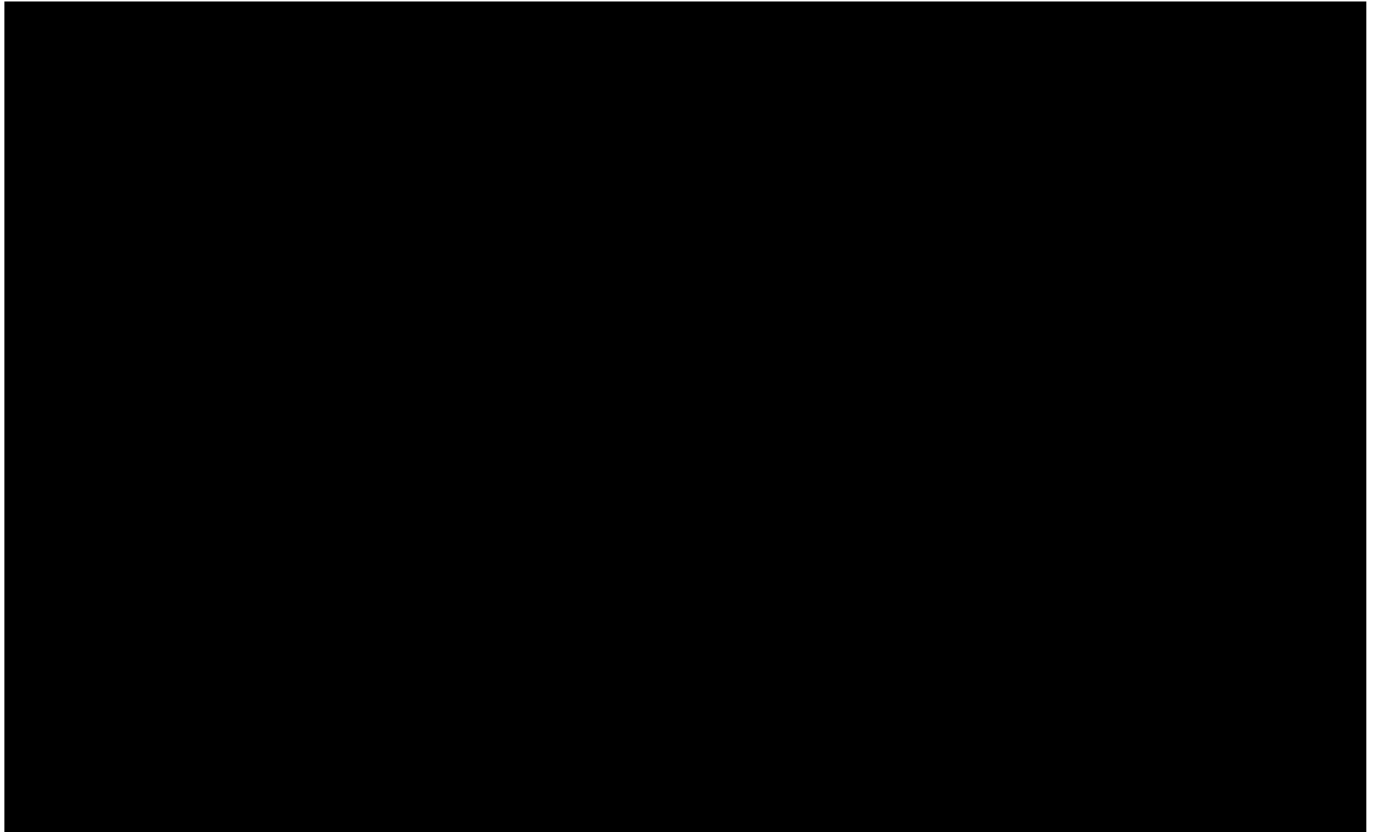
Figure 2 Frequency Ride-Through limits comparison (present settings)



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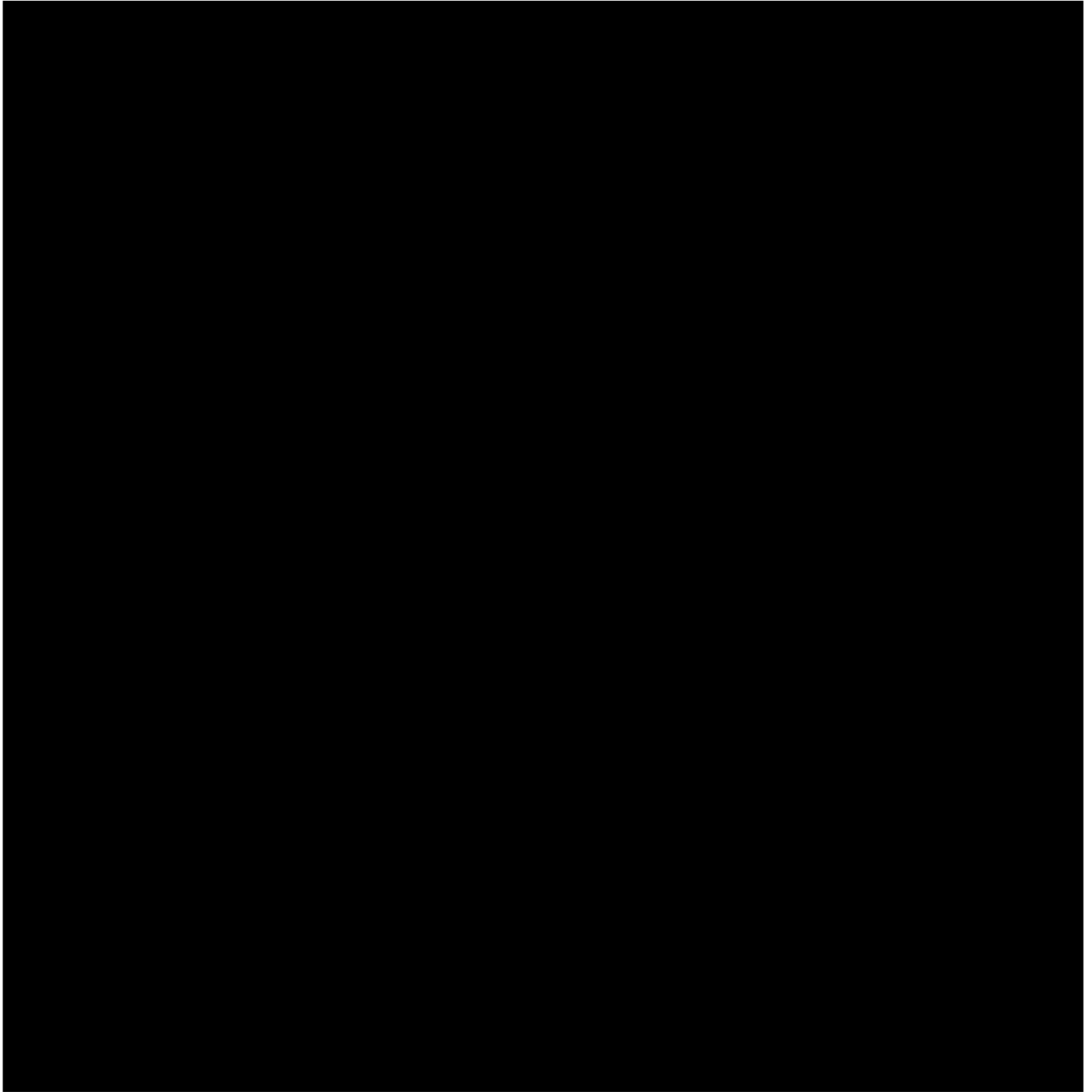
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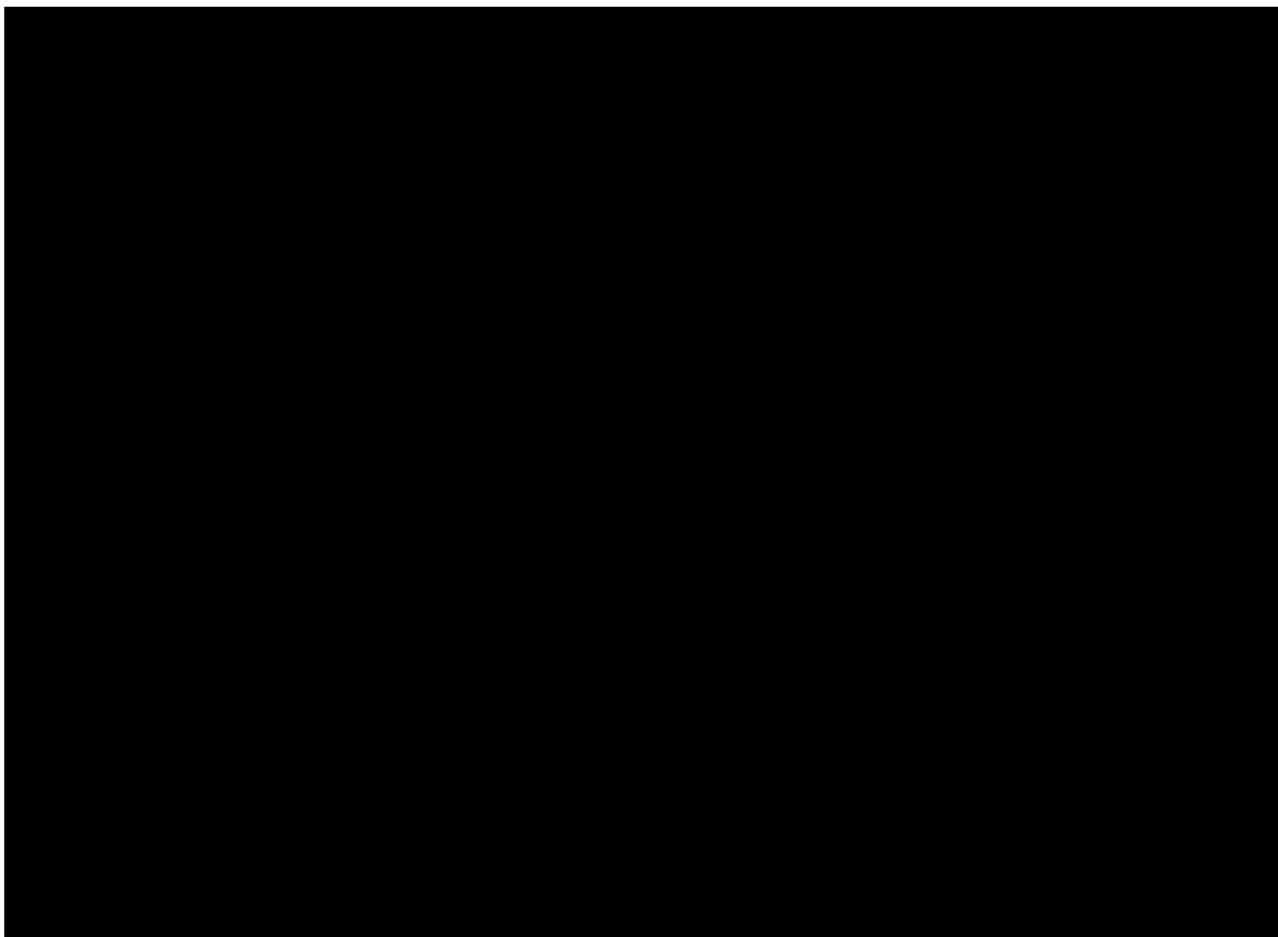
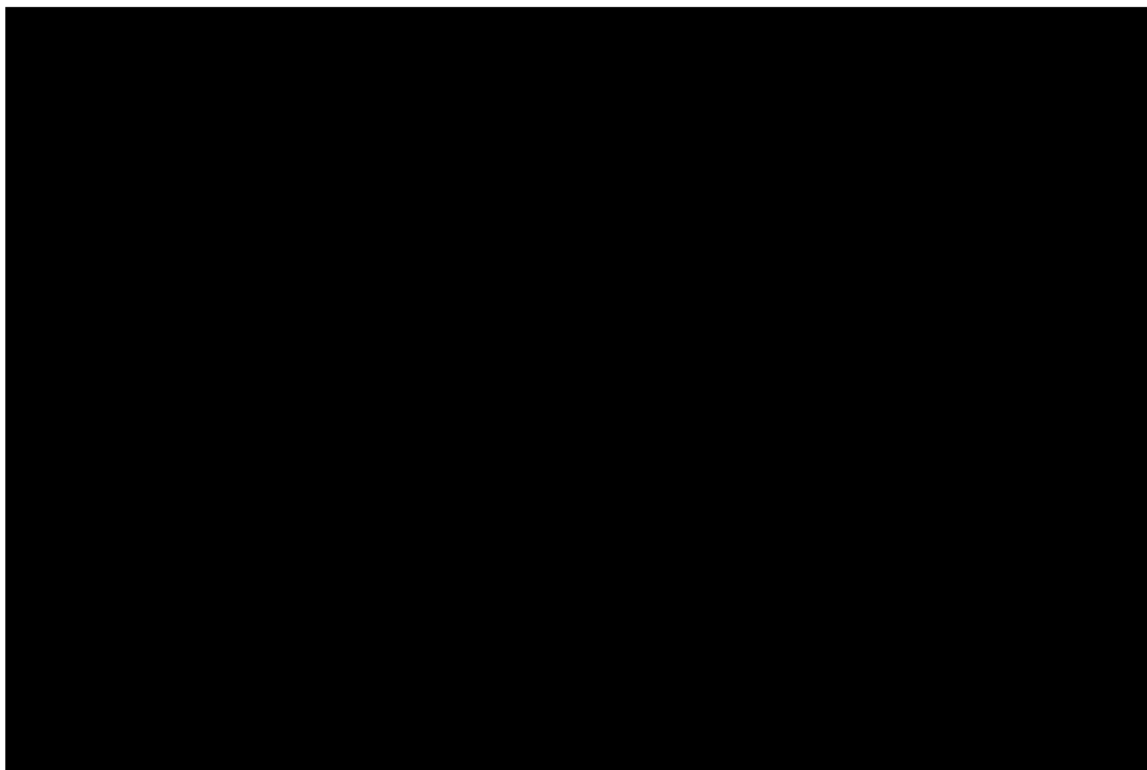
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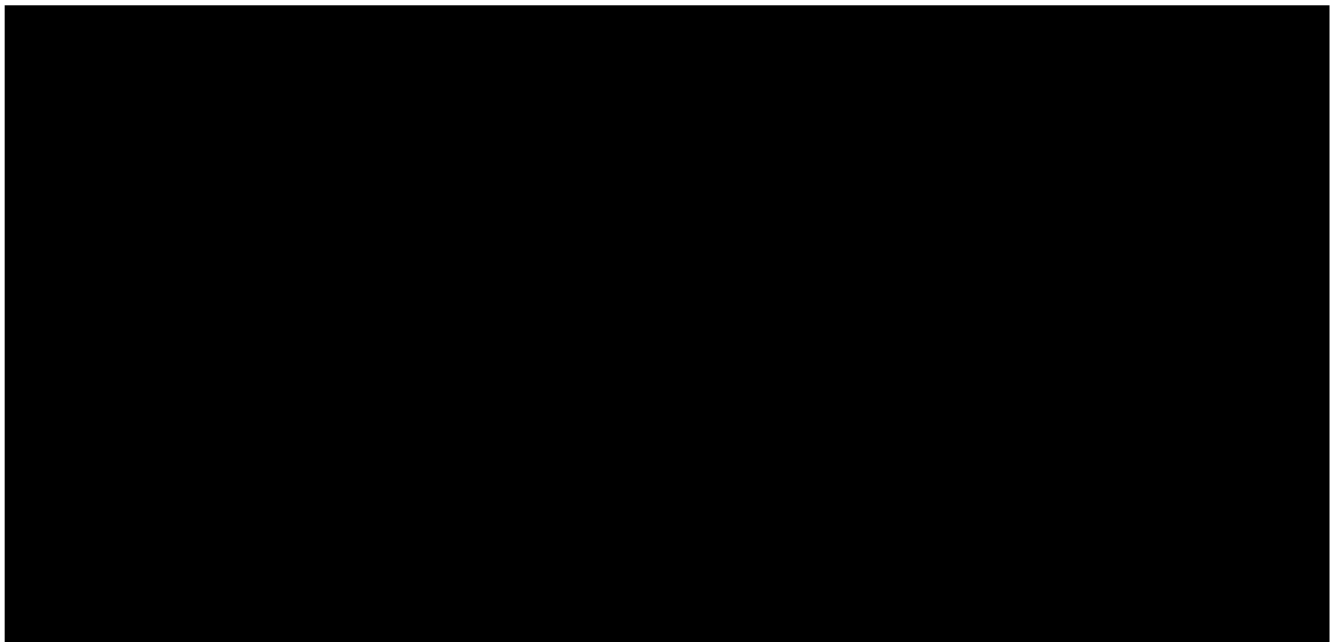
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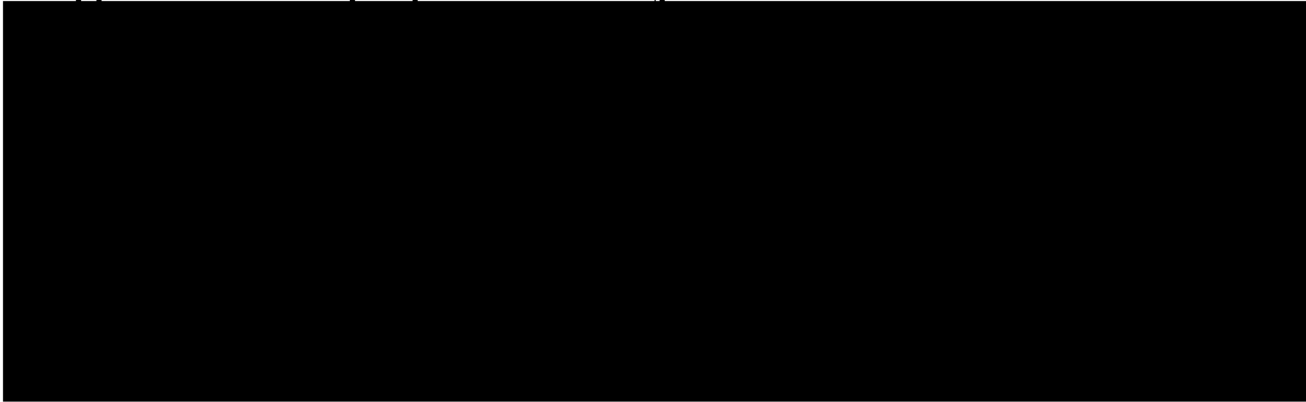
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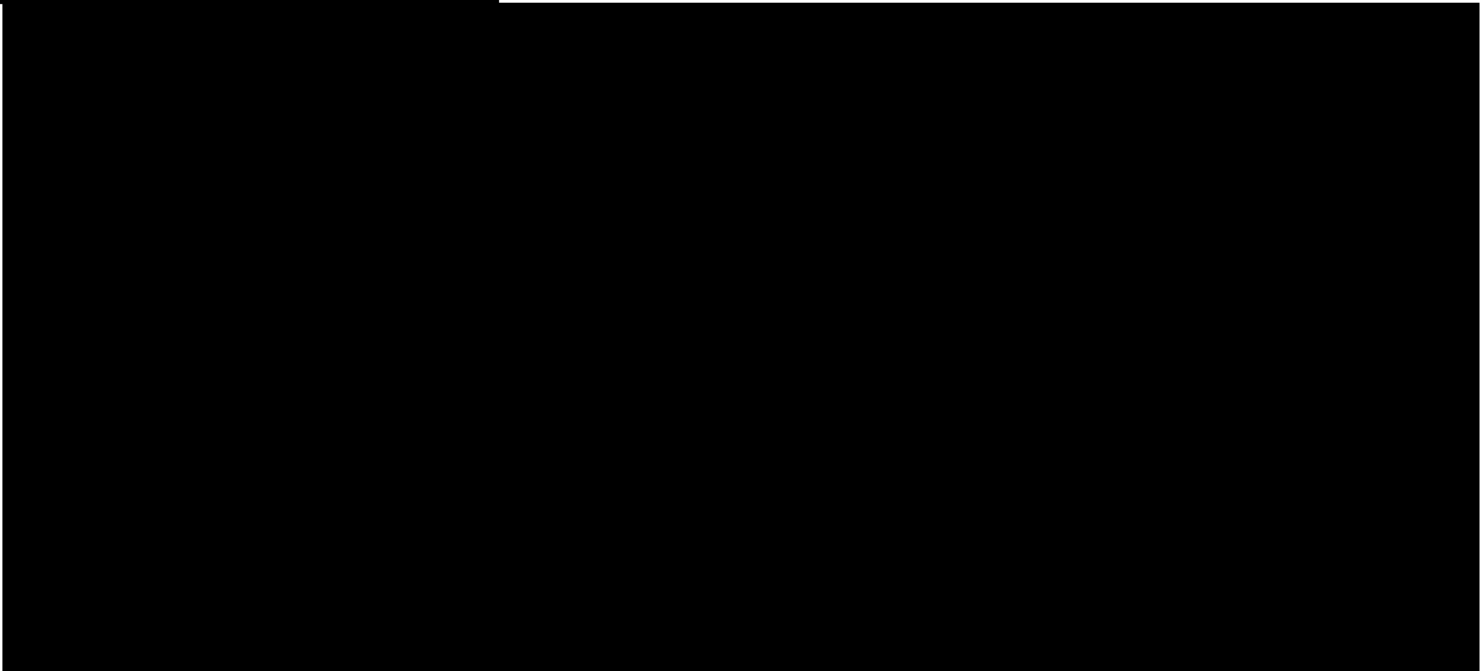
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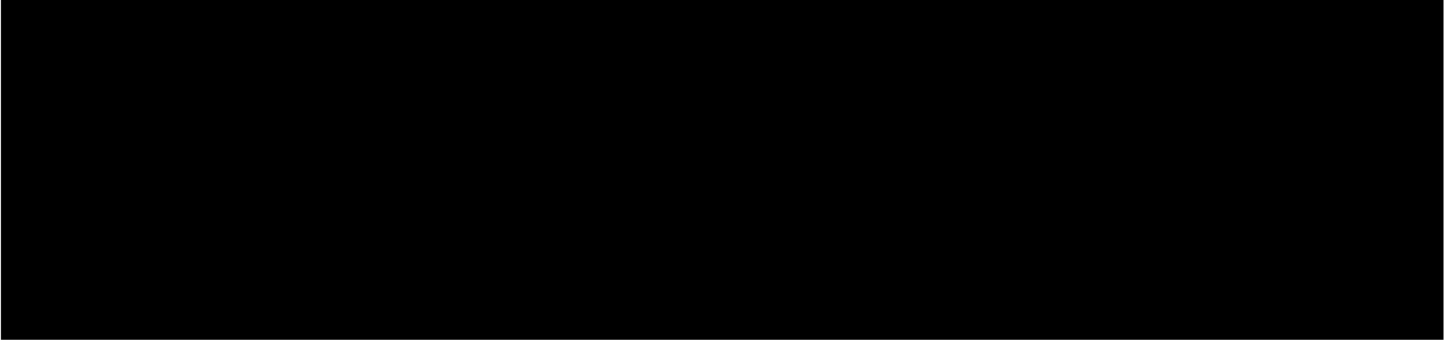
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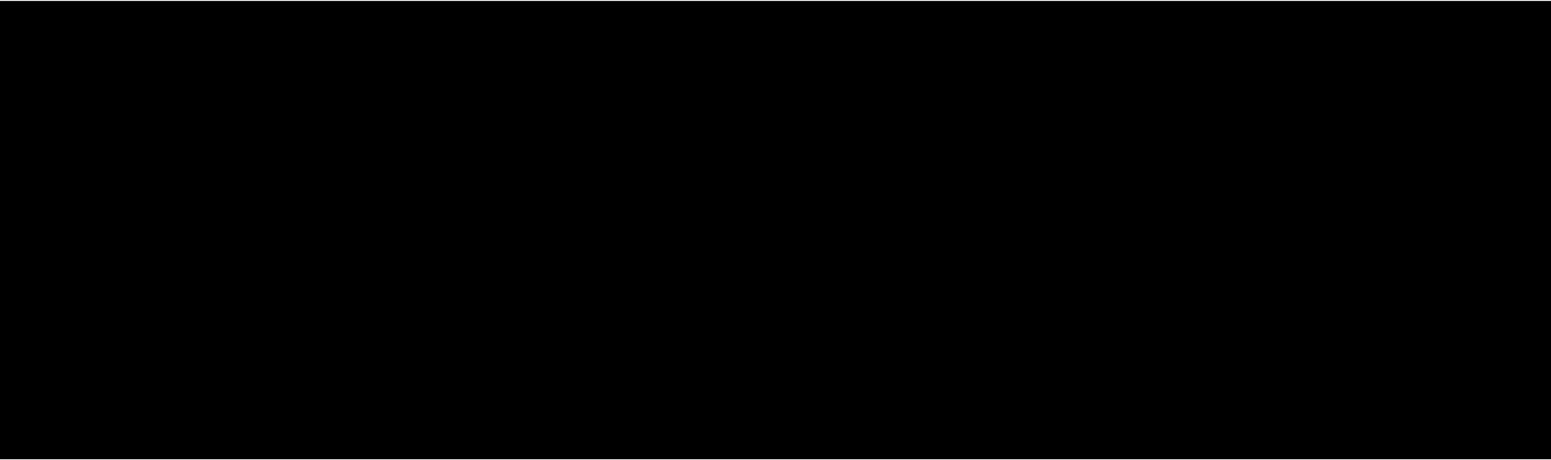
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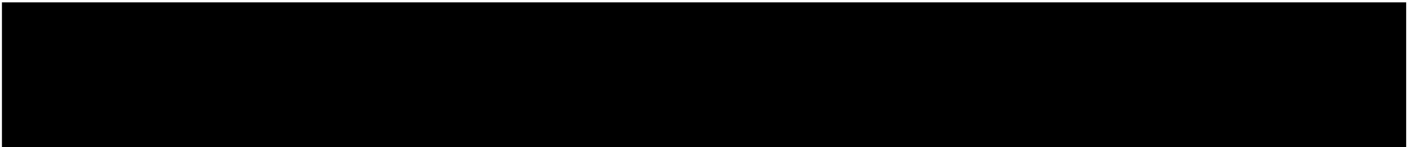
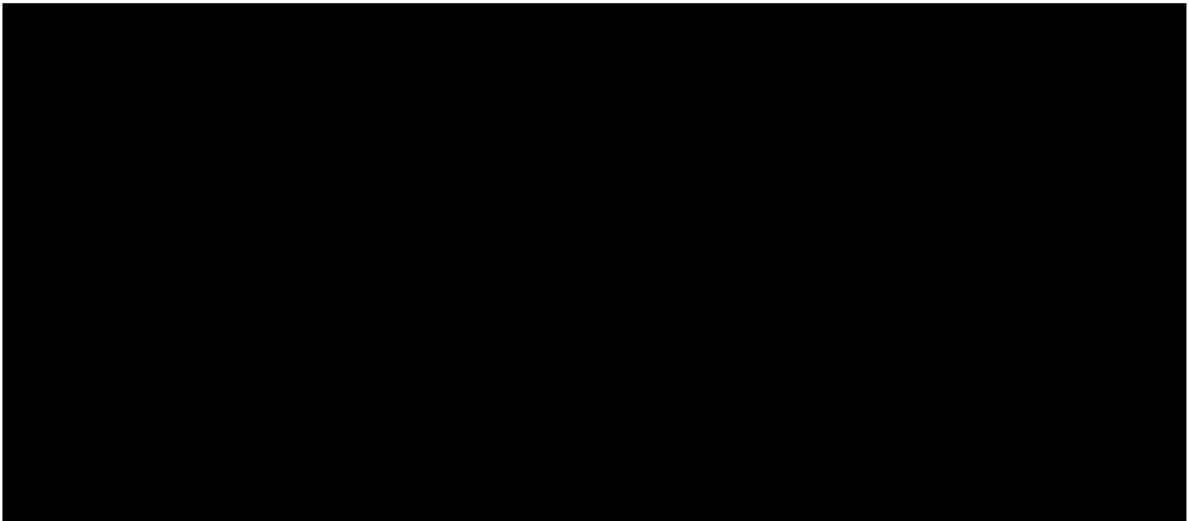
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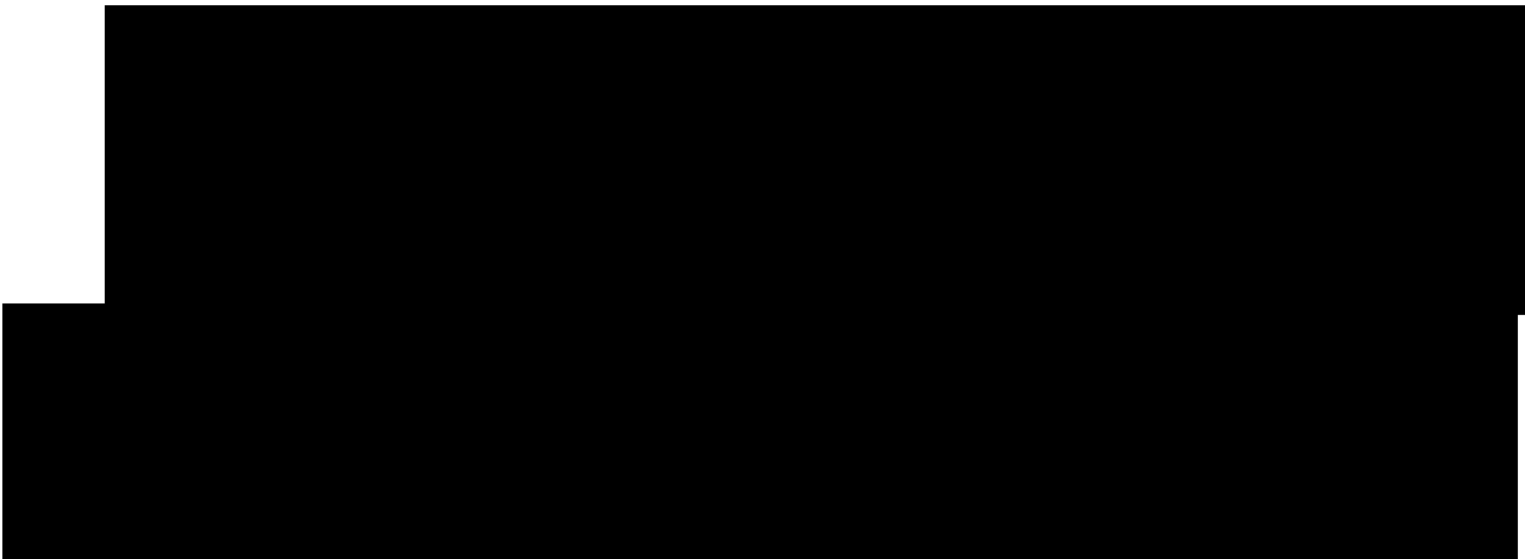
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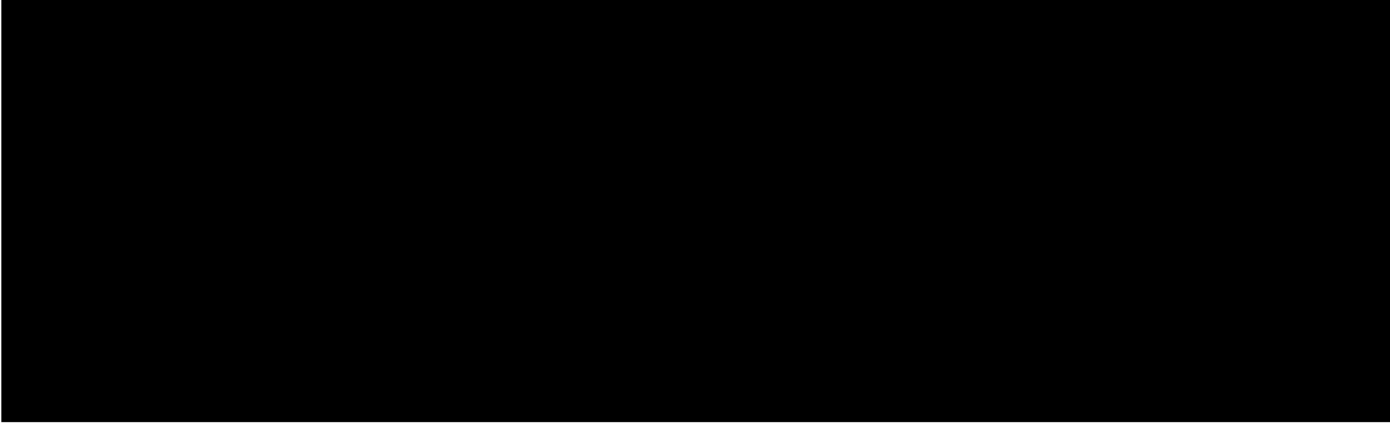
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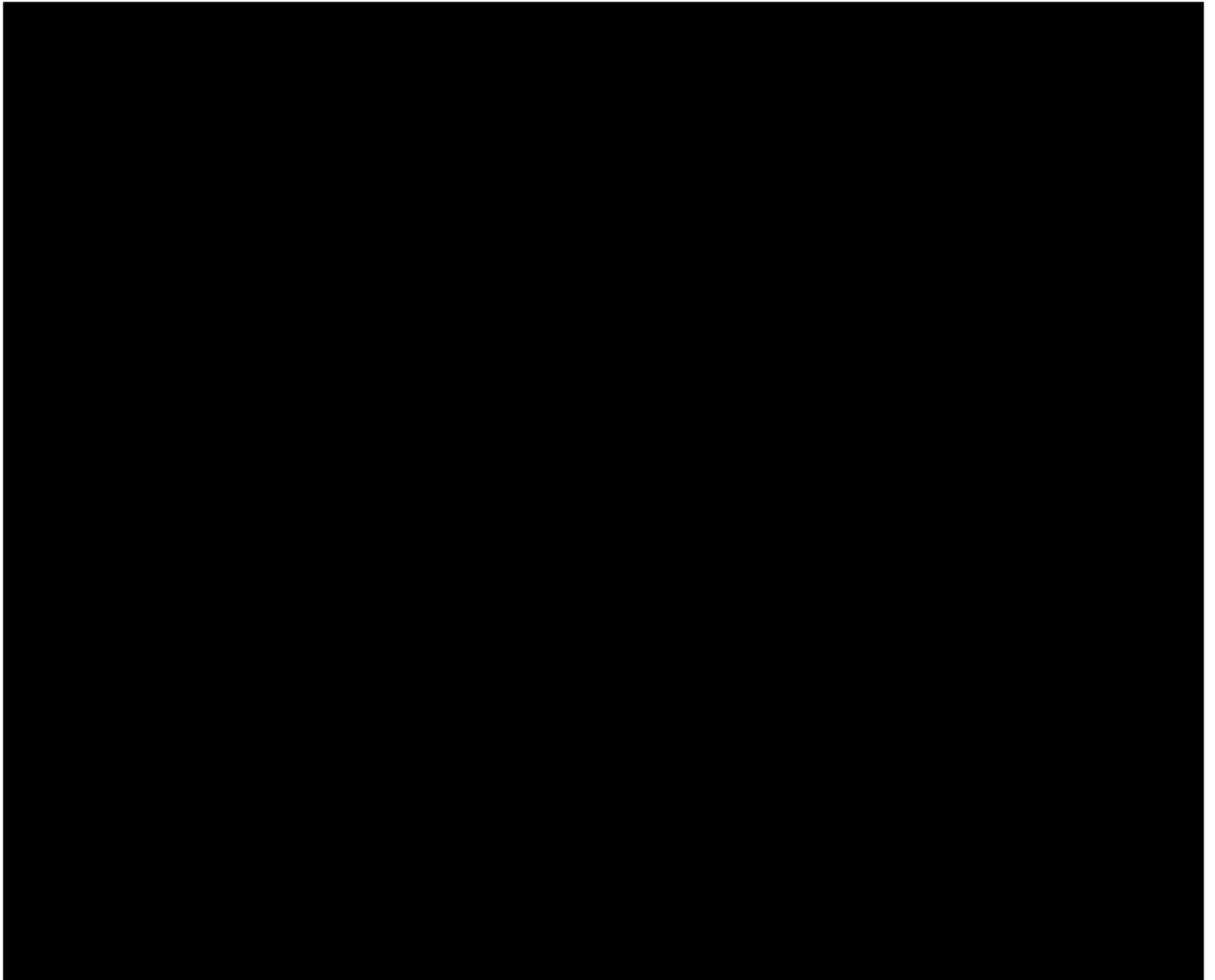
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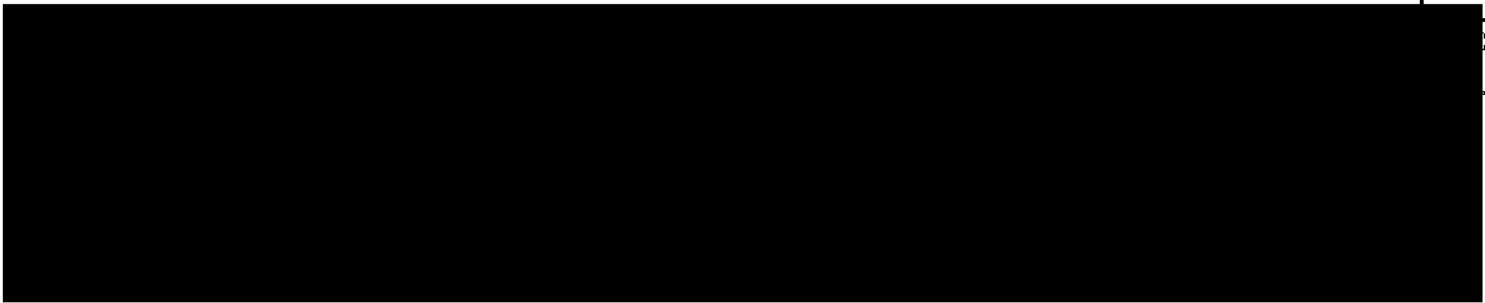
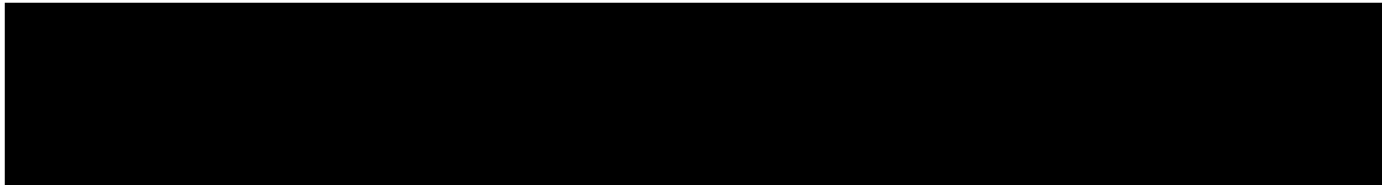


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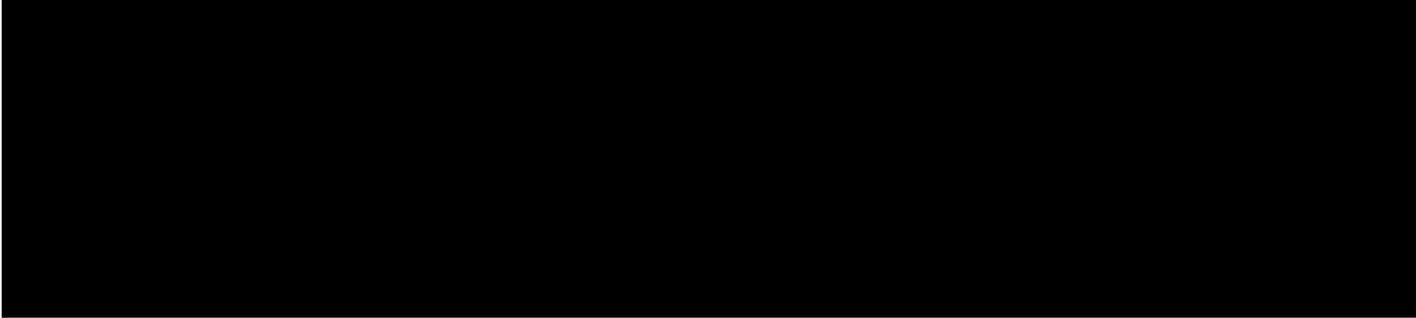
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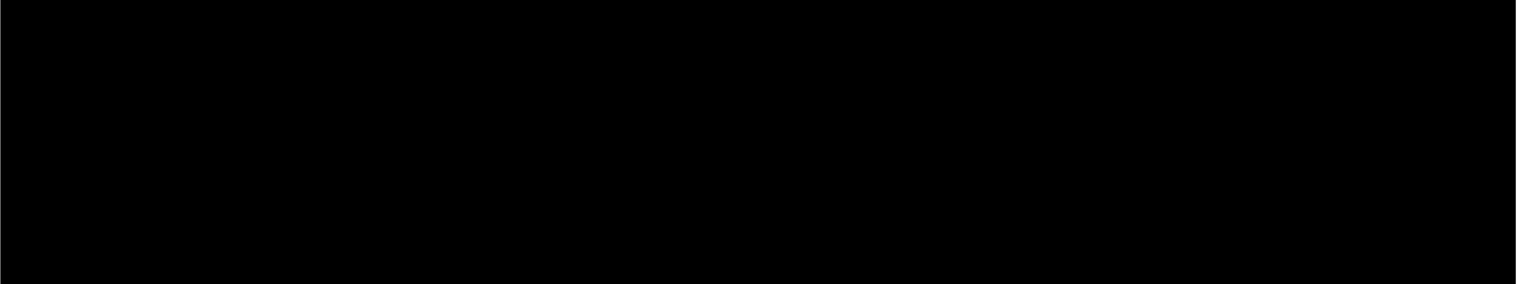
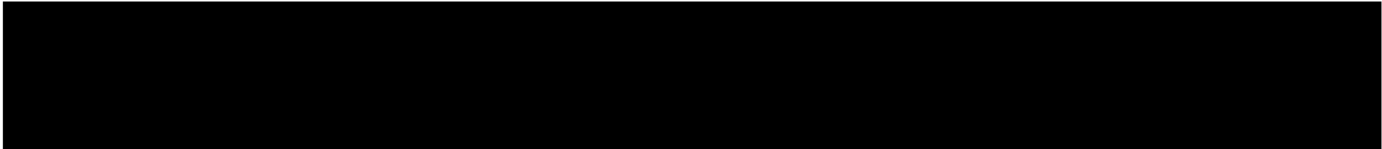
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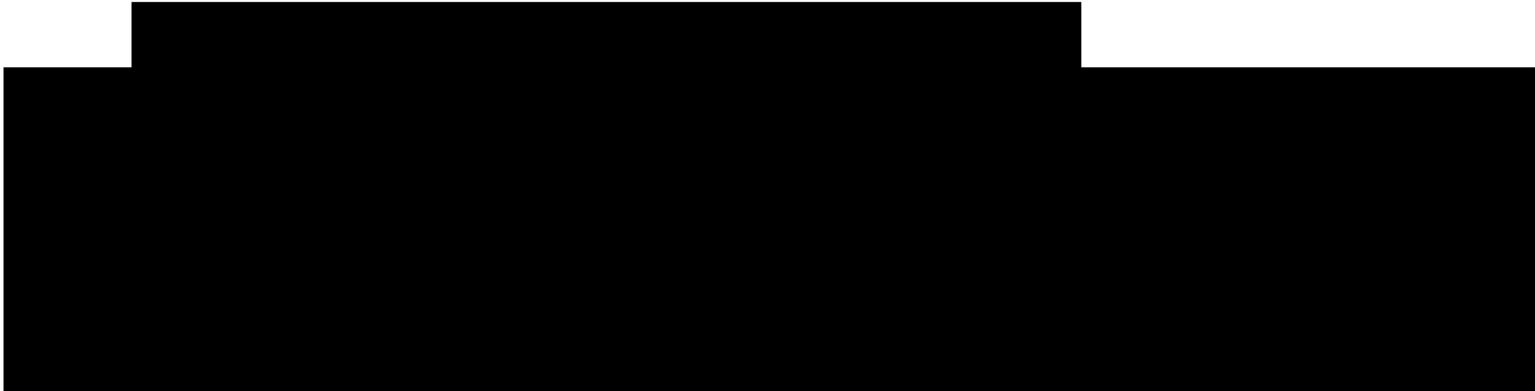
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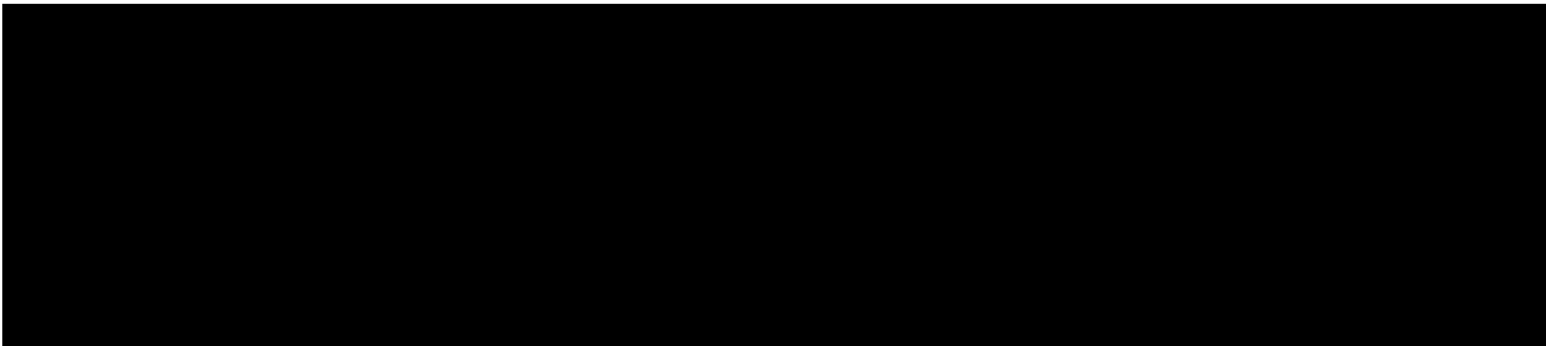
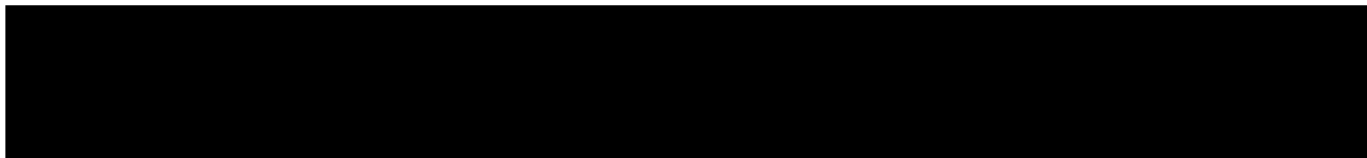
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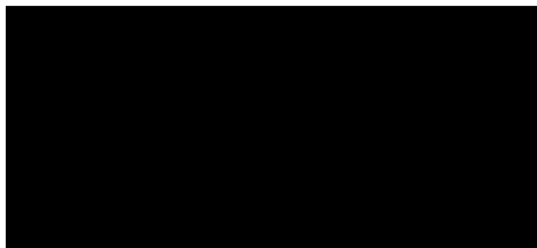
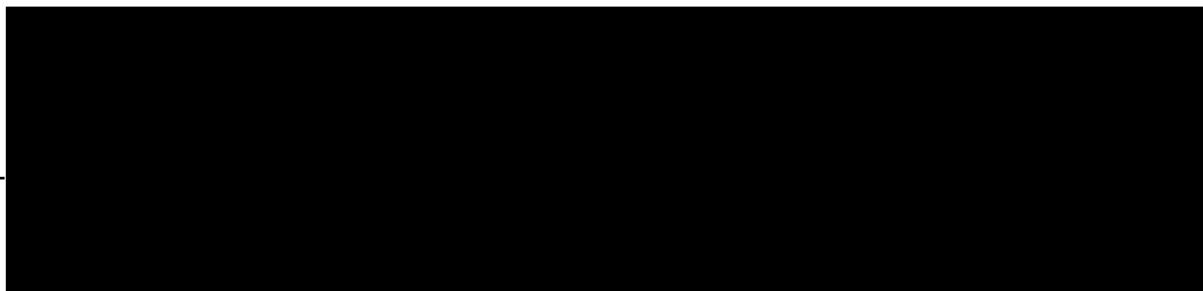
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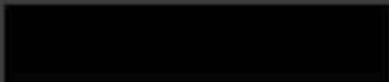
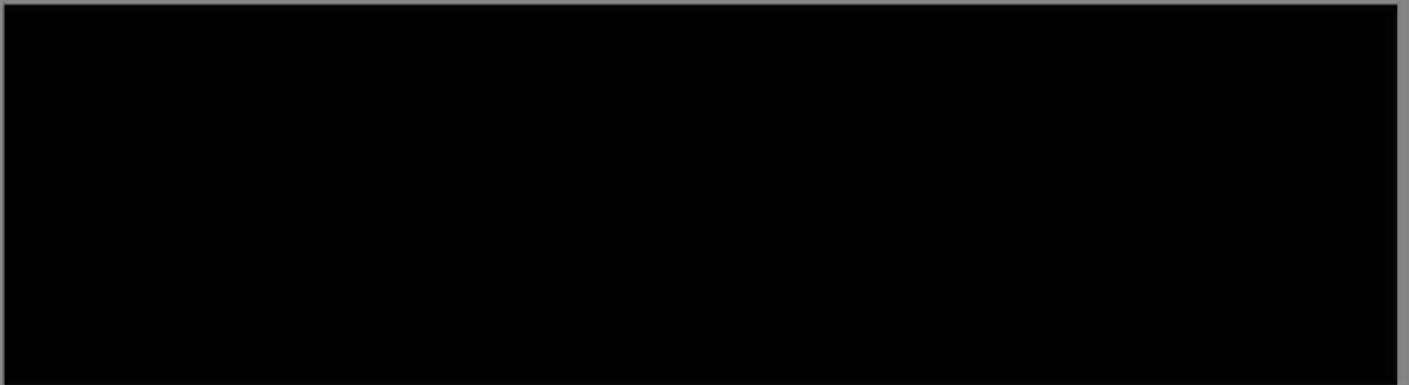
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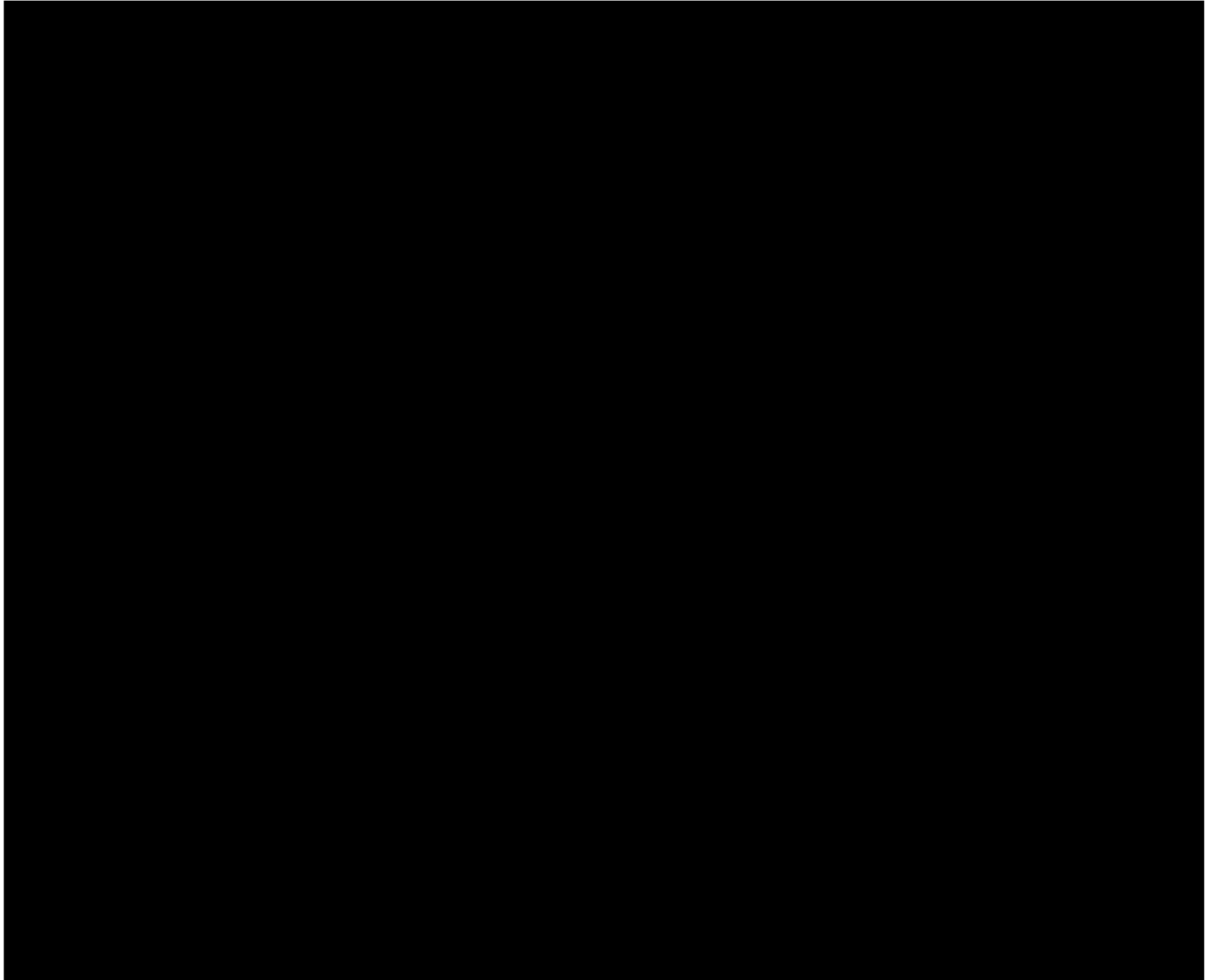
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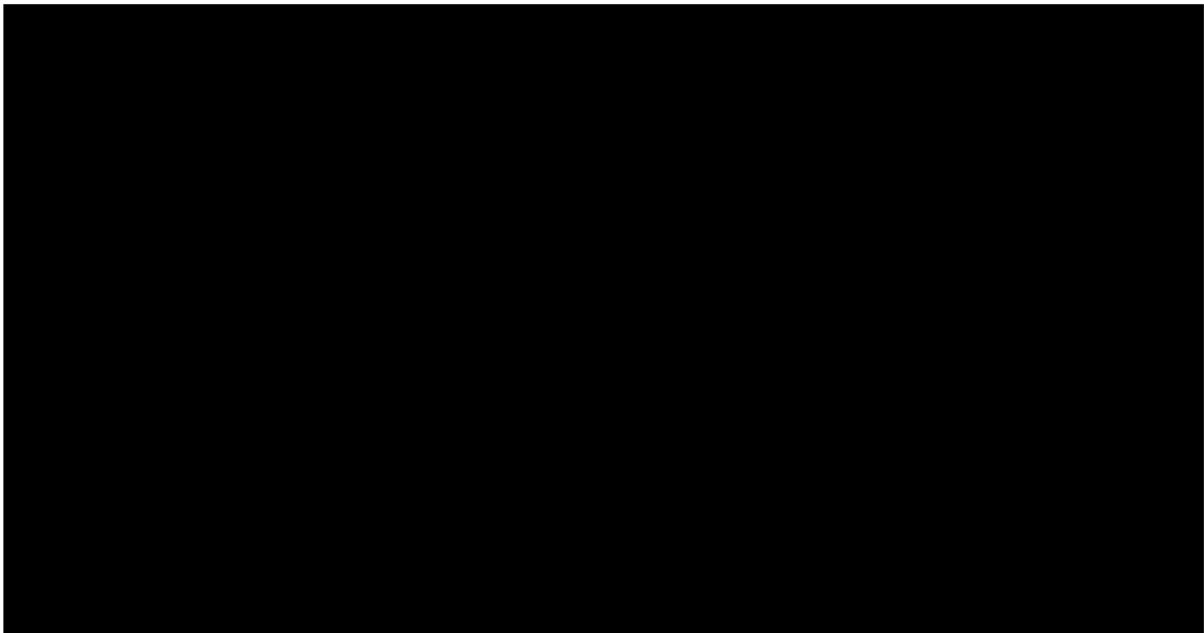
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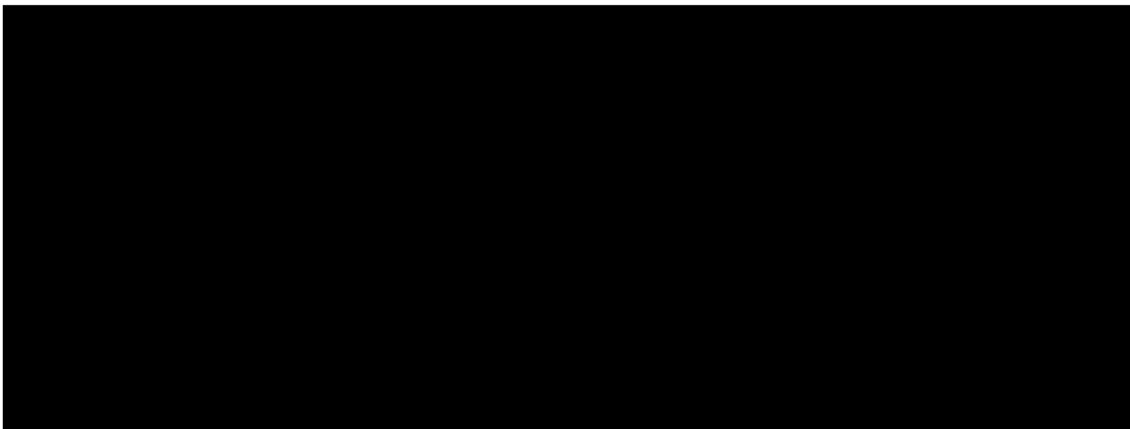
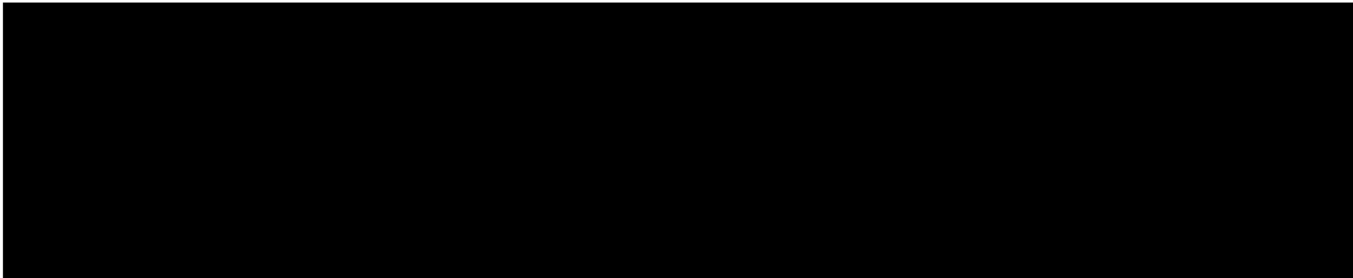
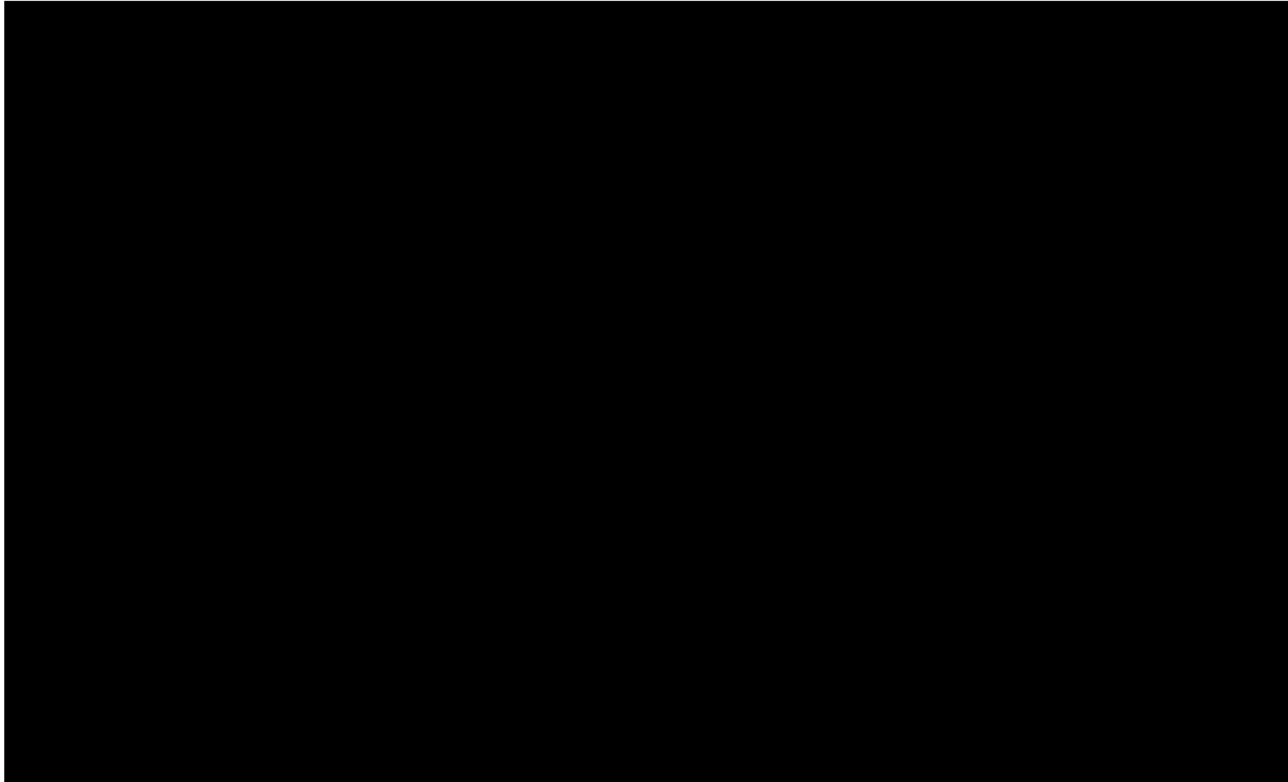
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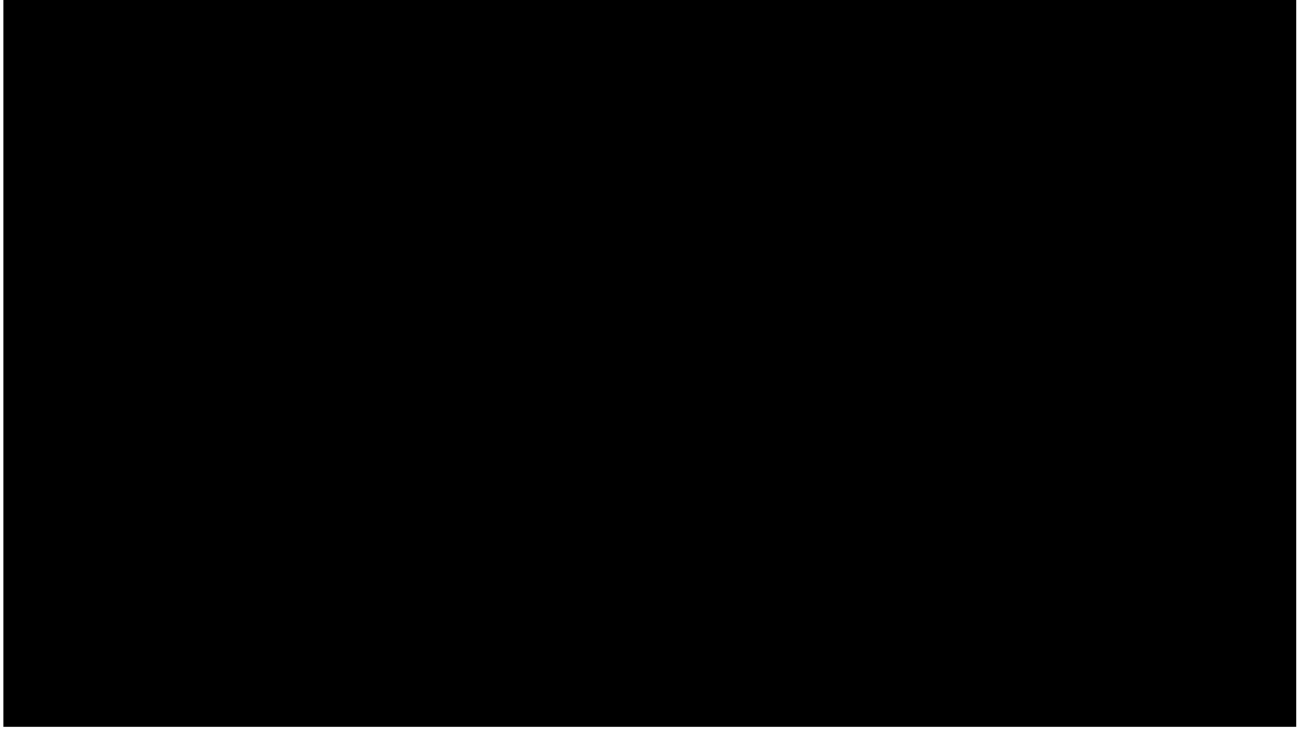
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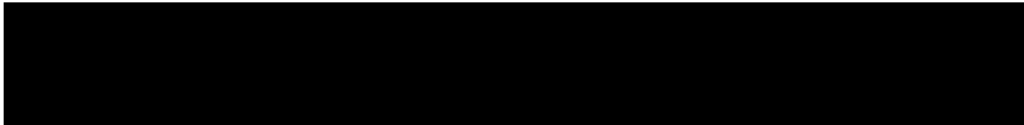
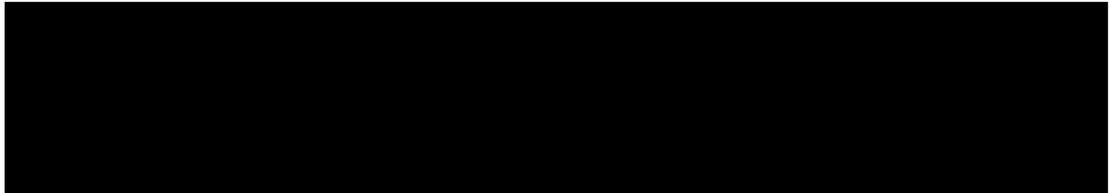
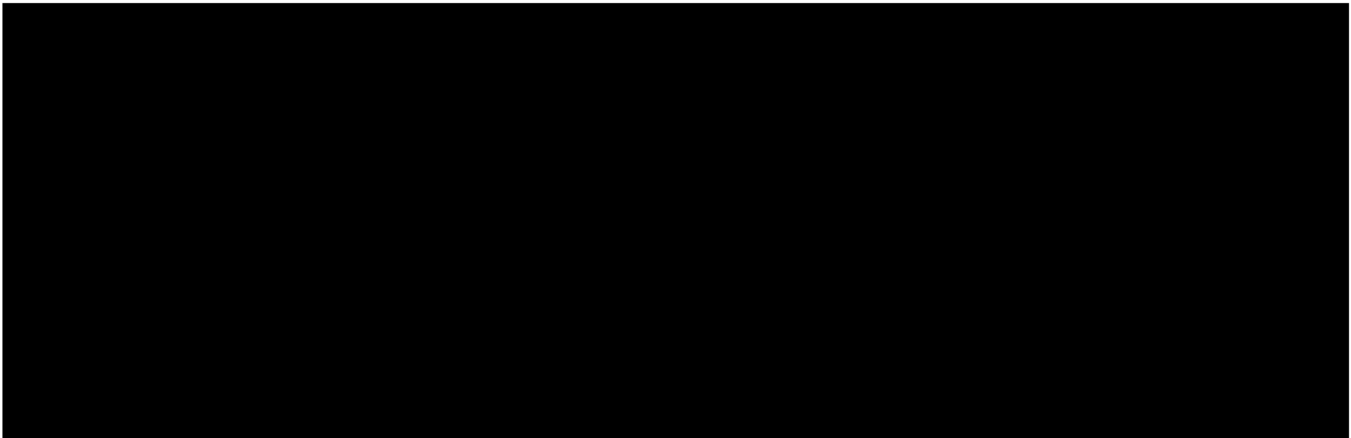
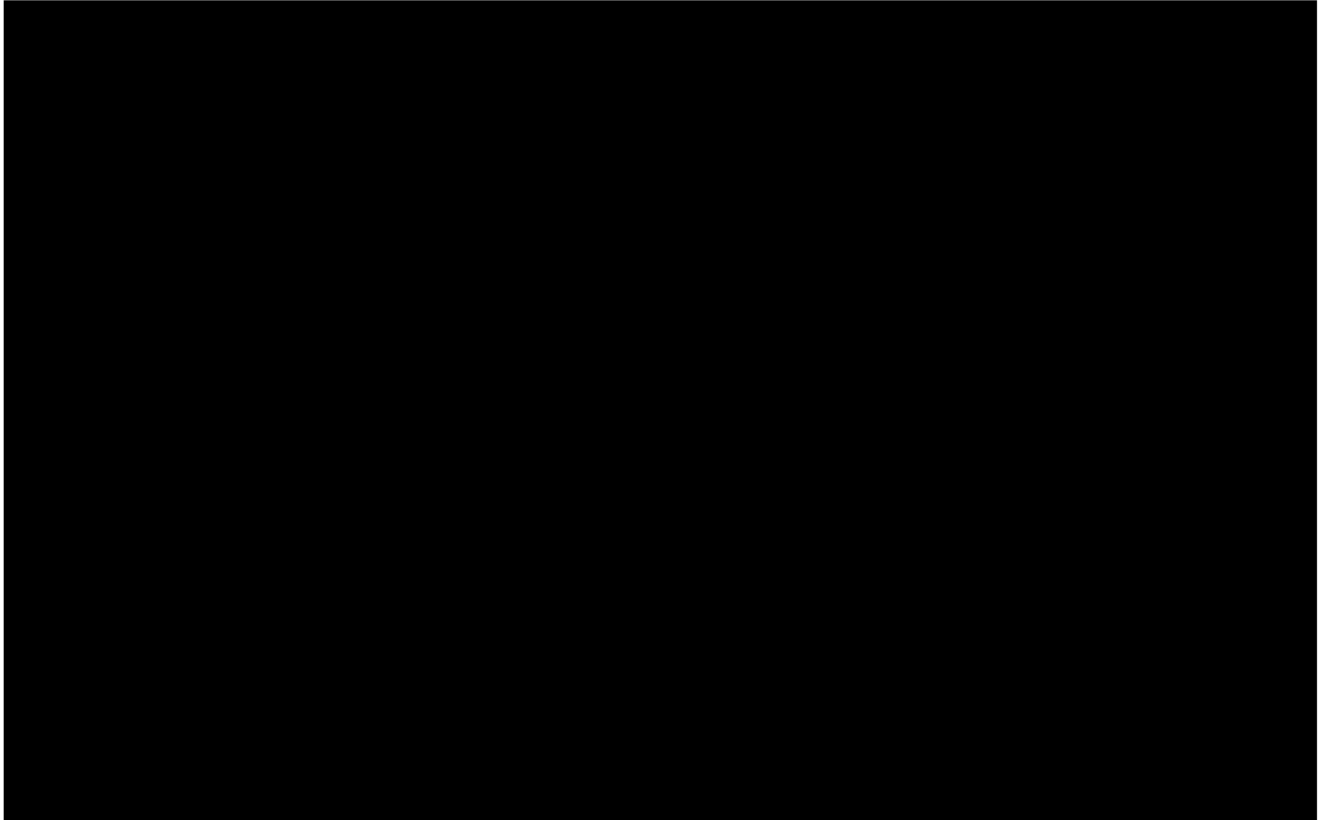
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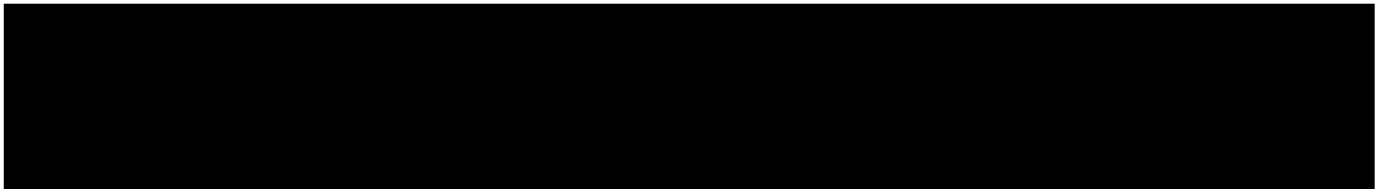
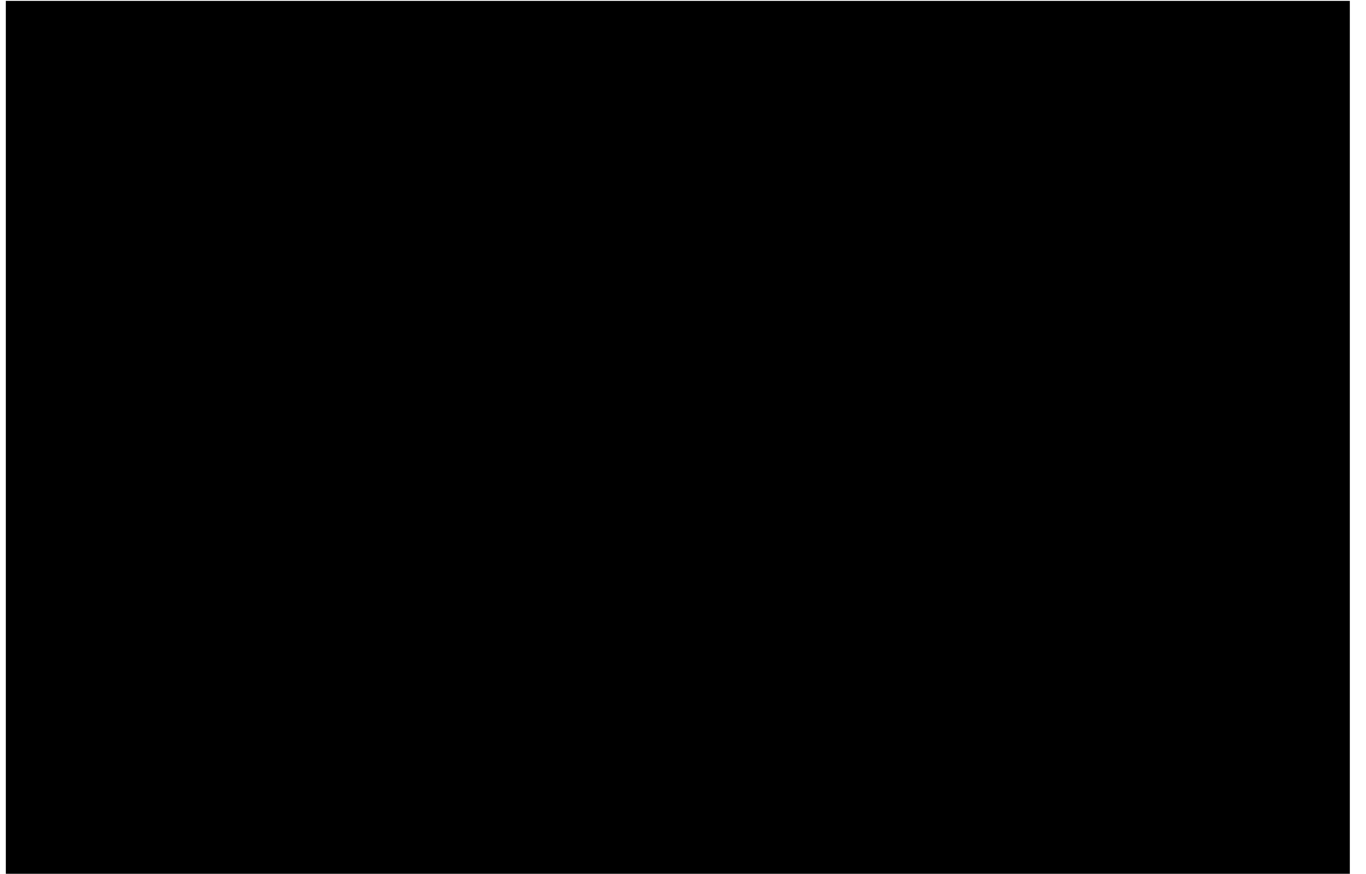
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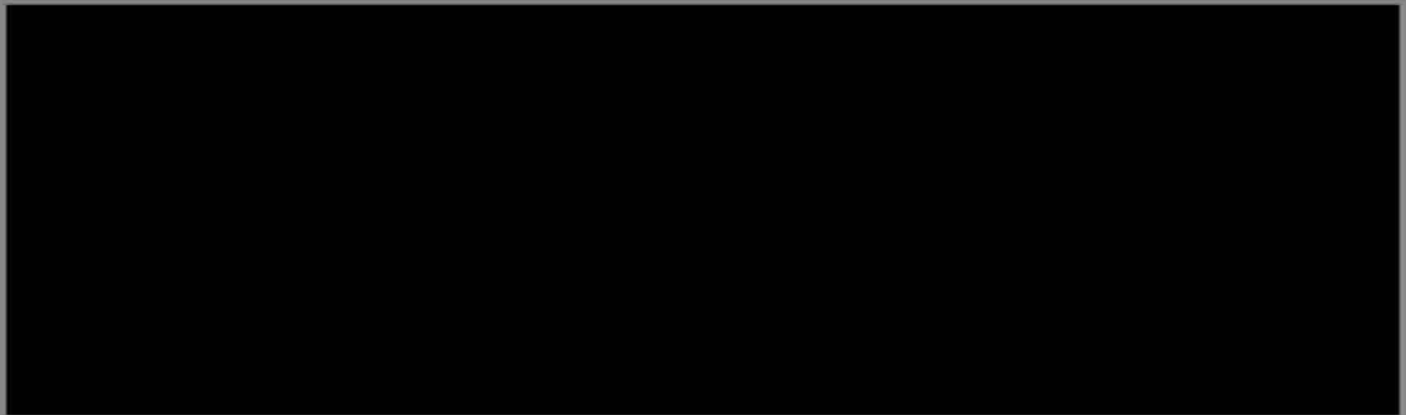
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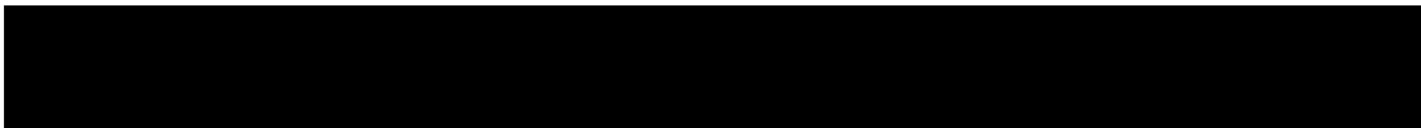
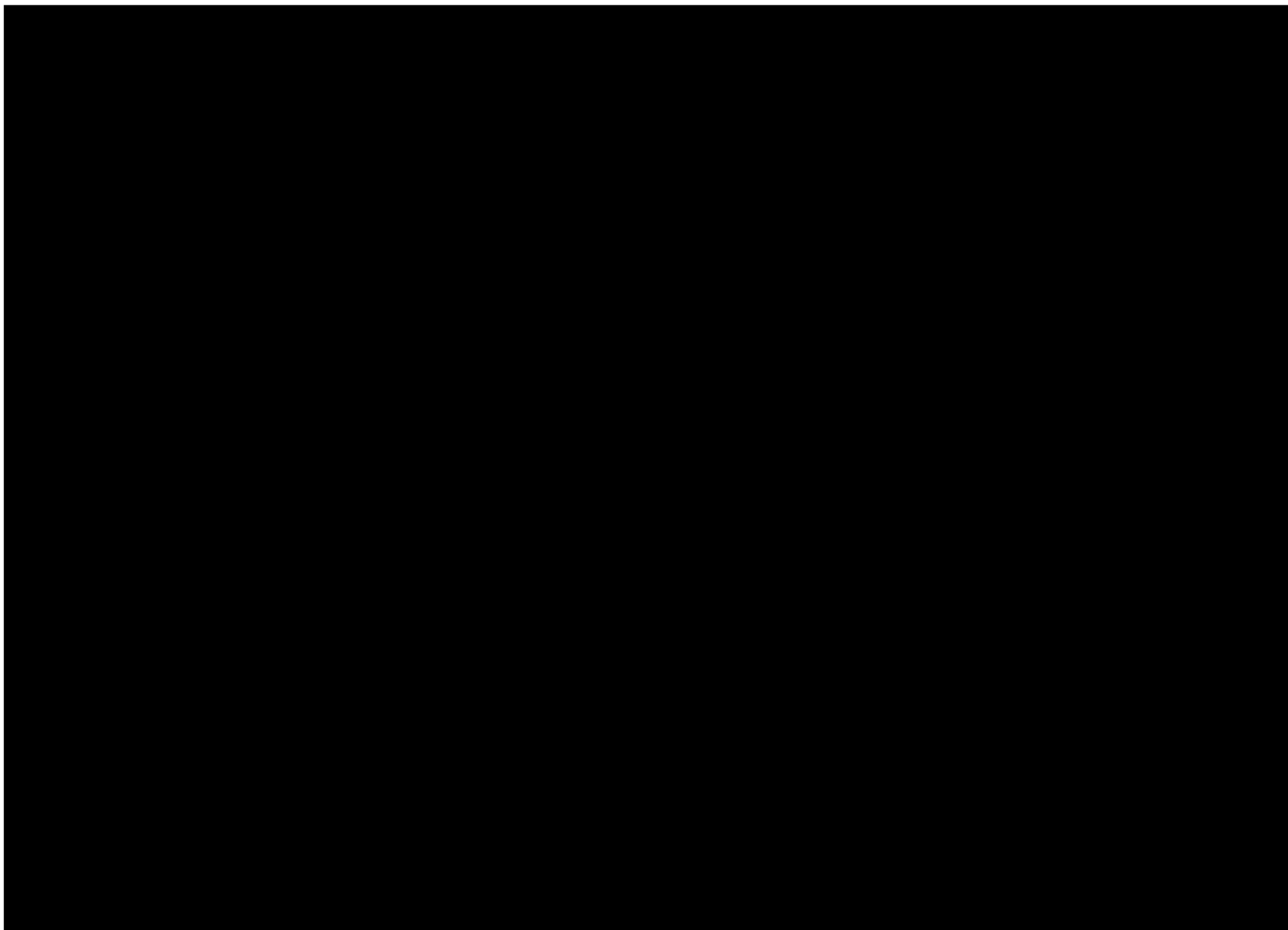


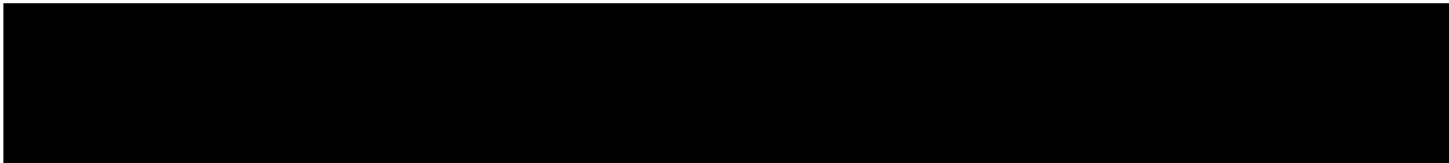
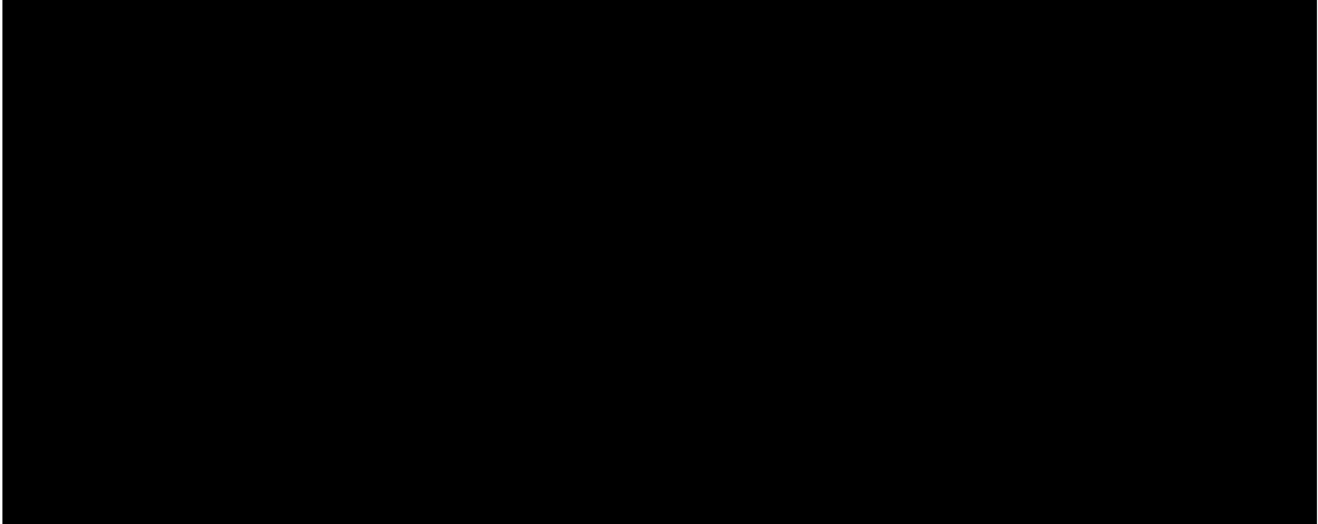
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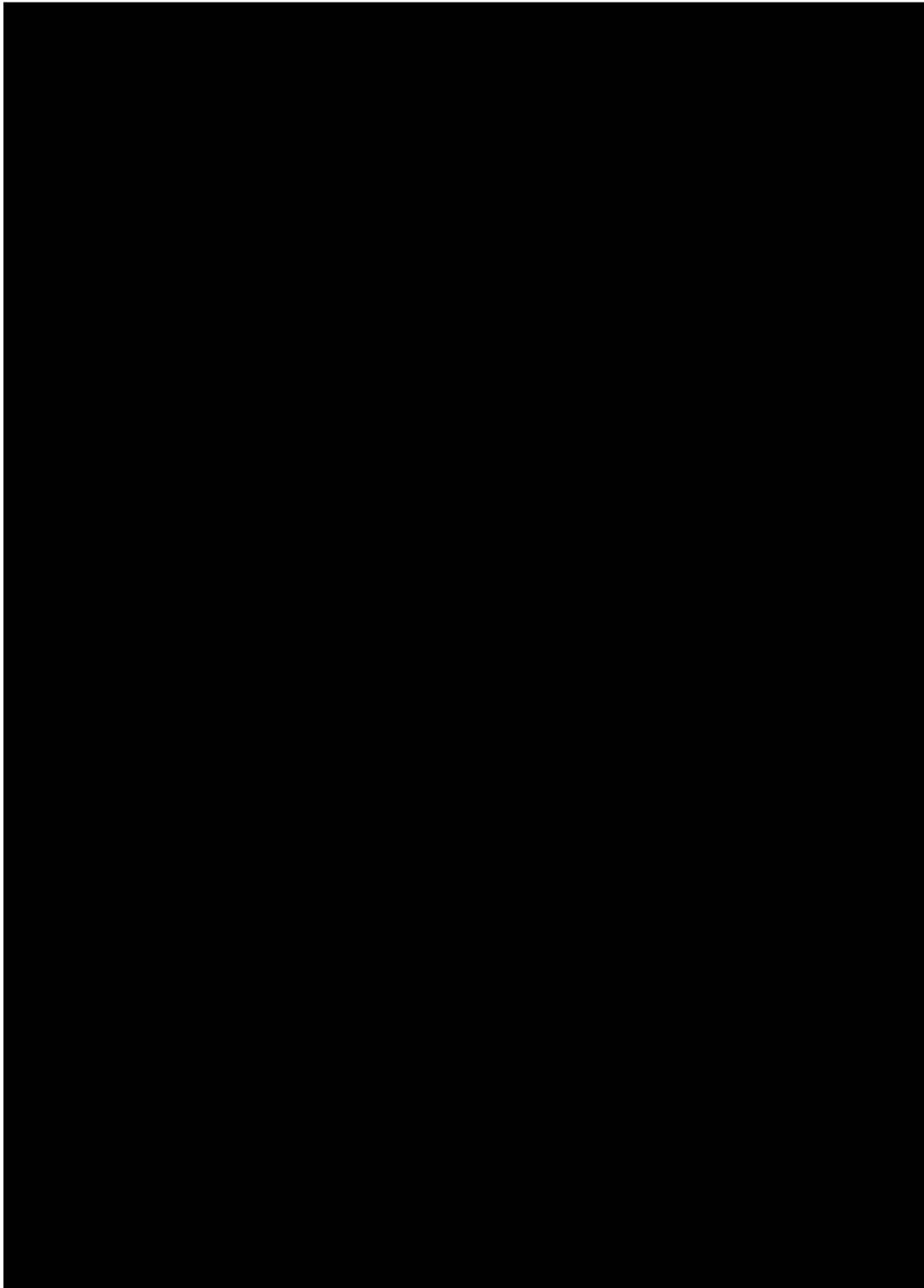
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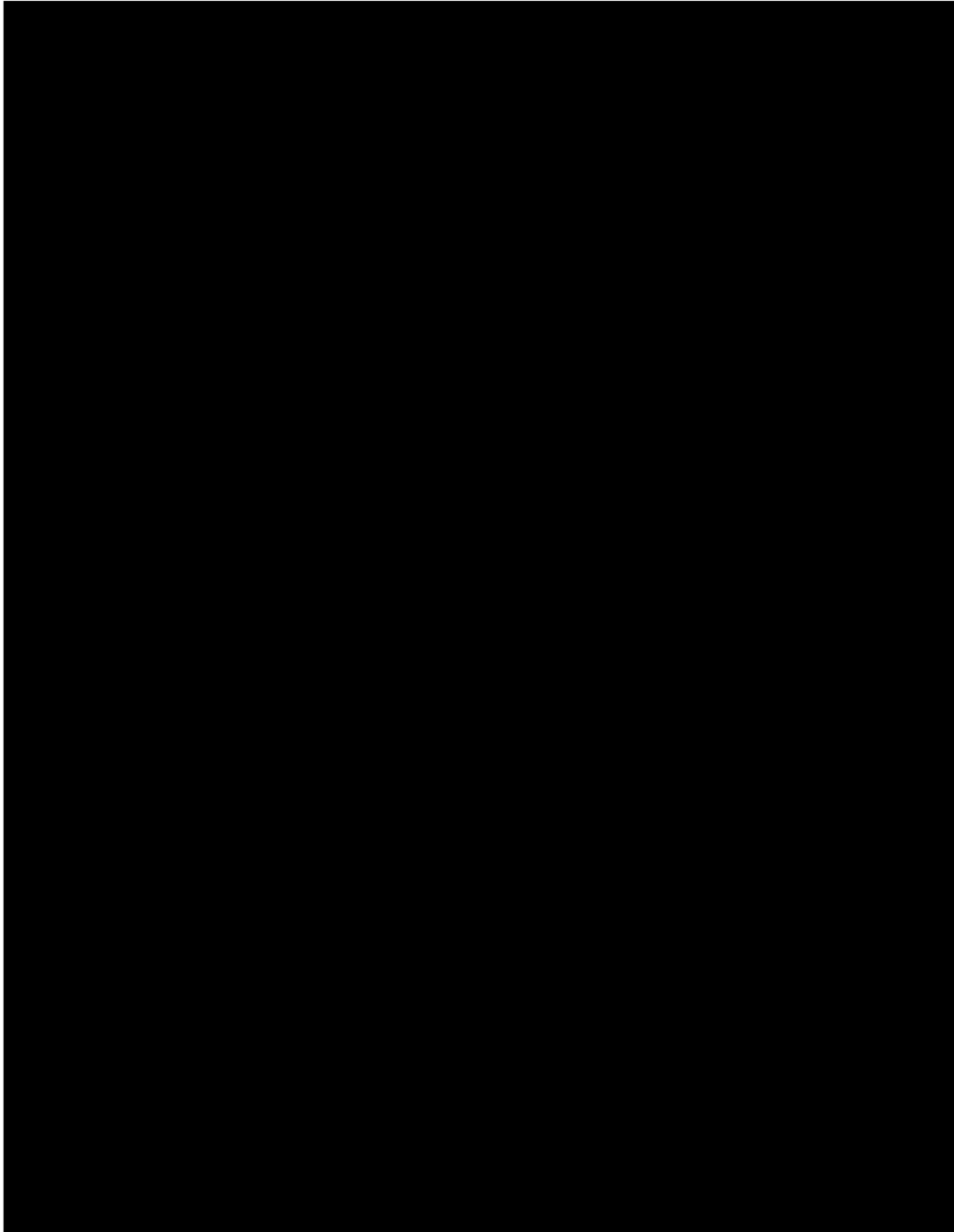
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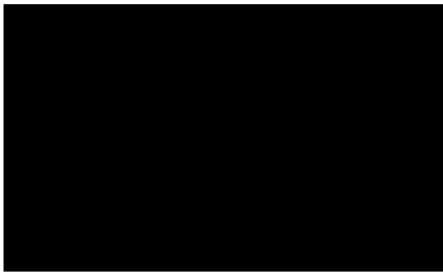
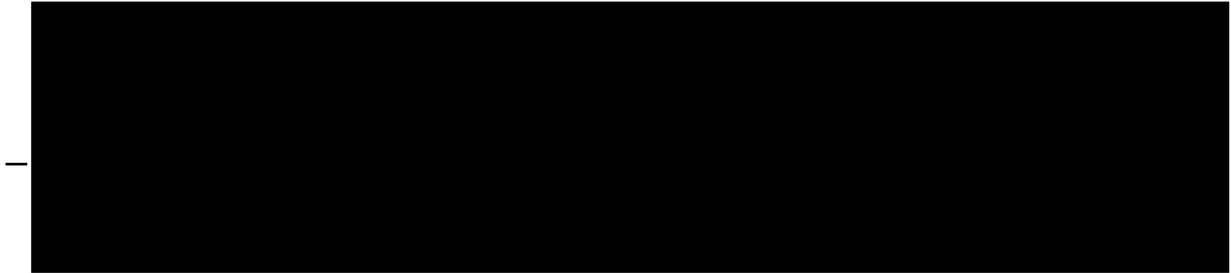
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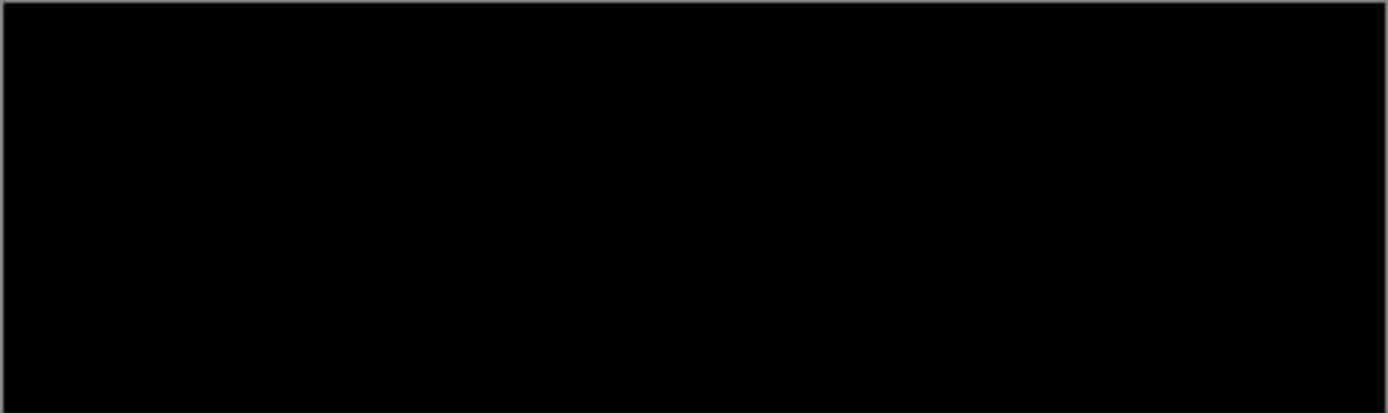
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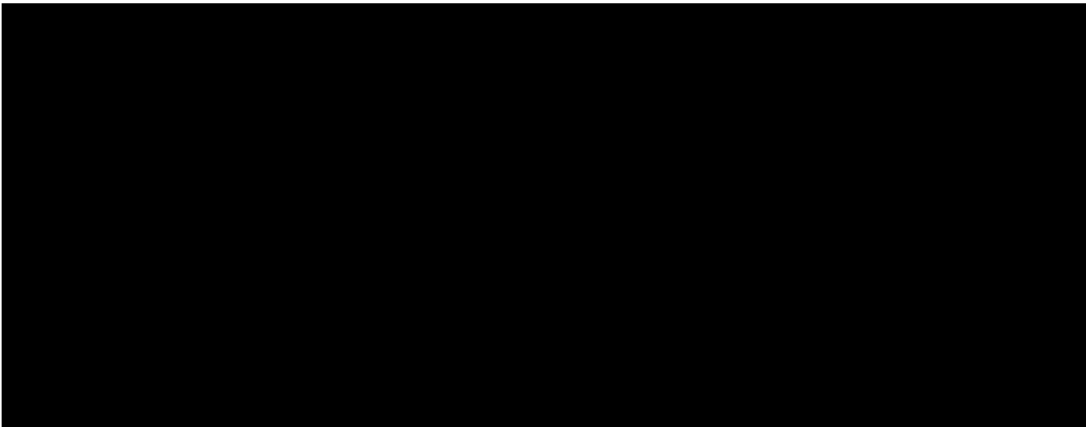
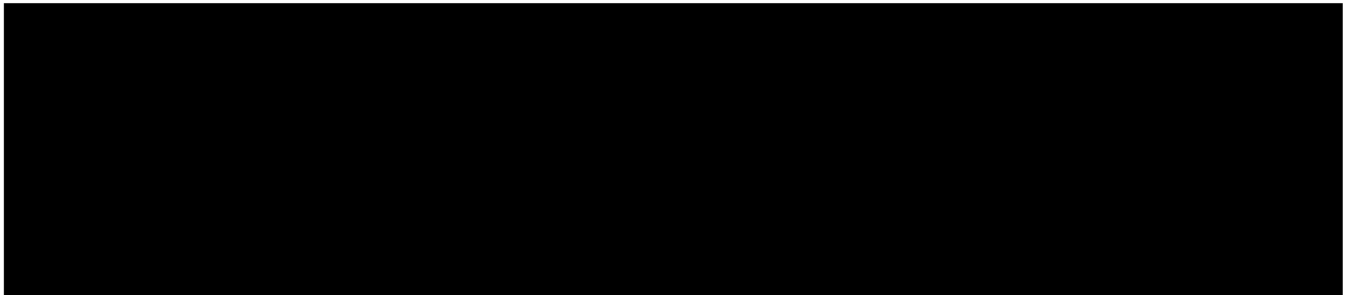
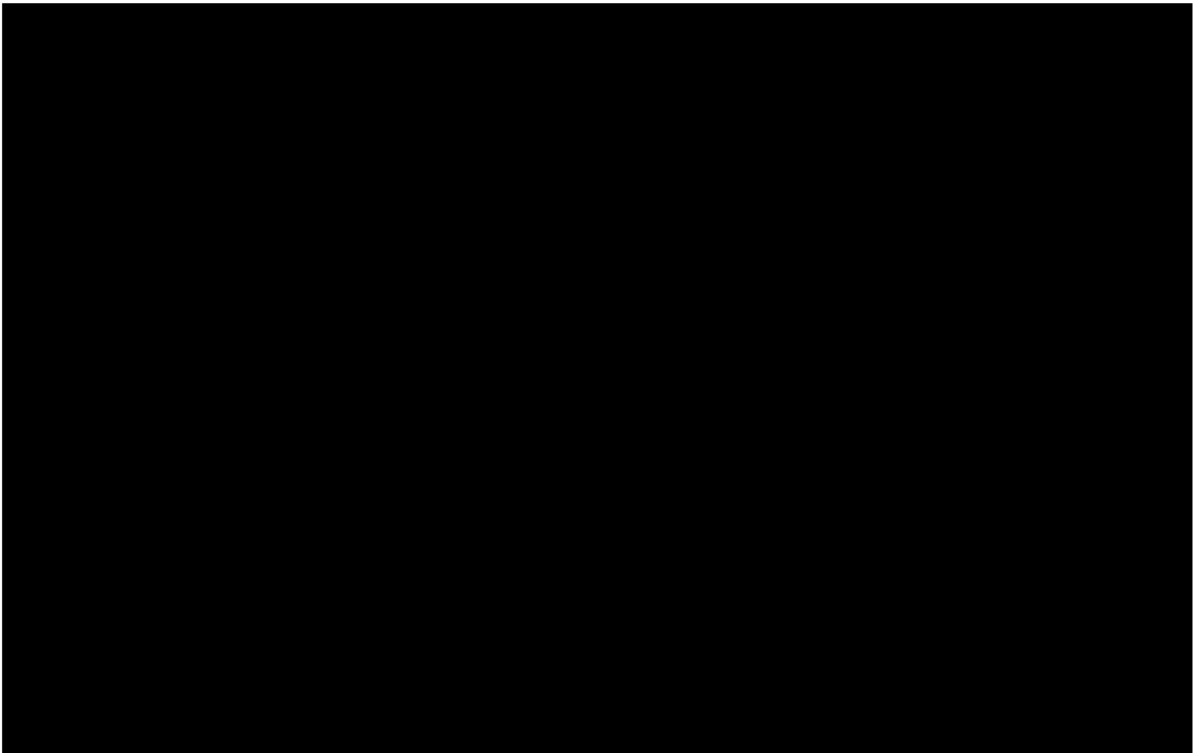
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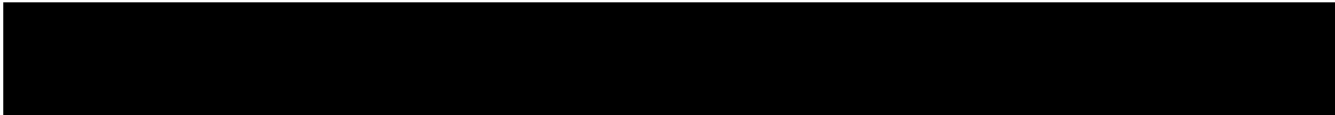
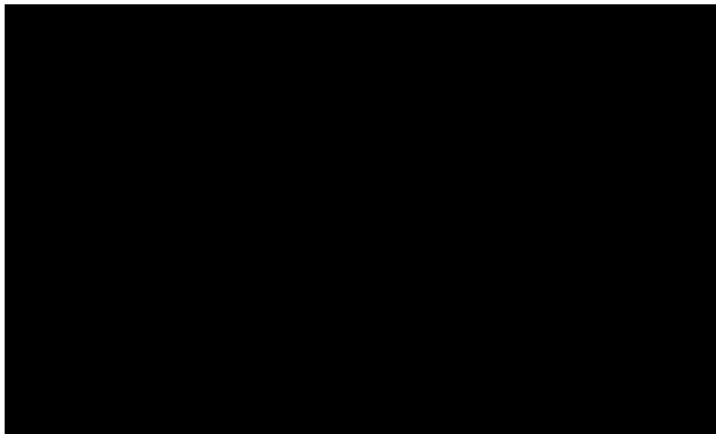
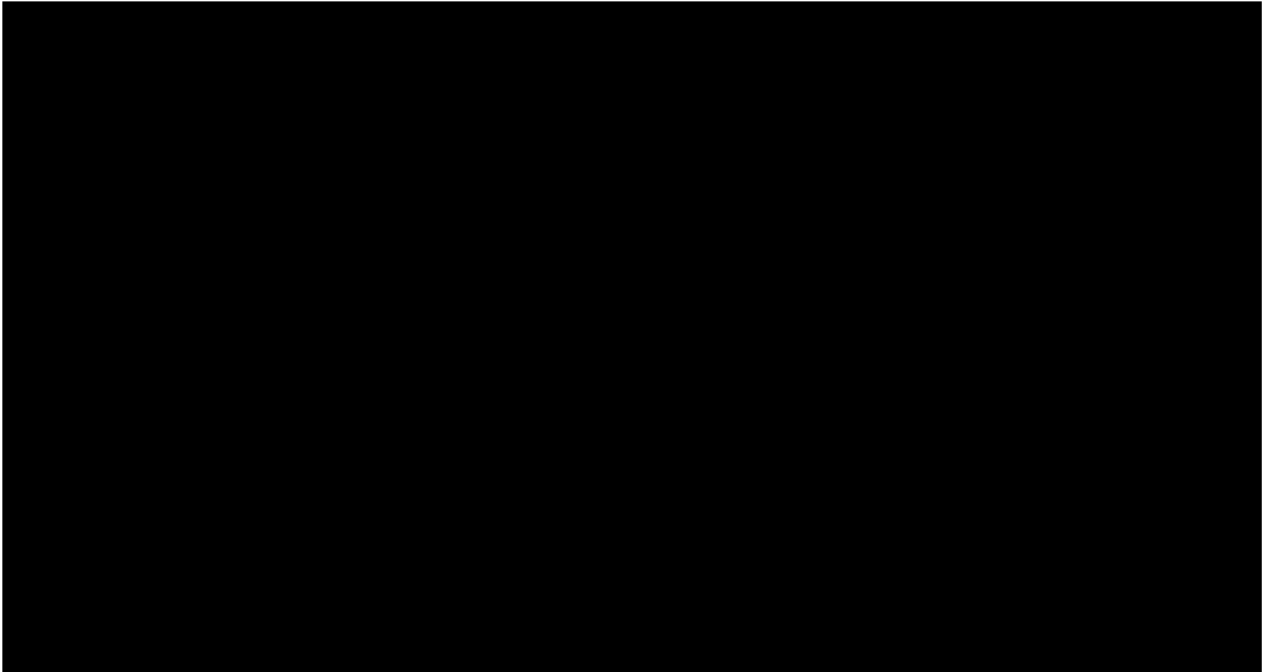
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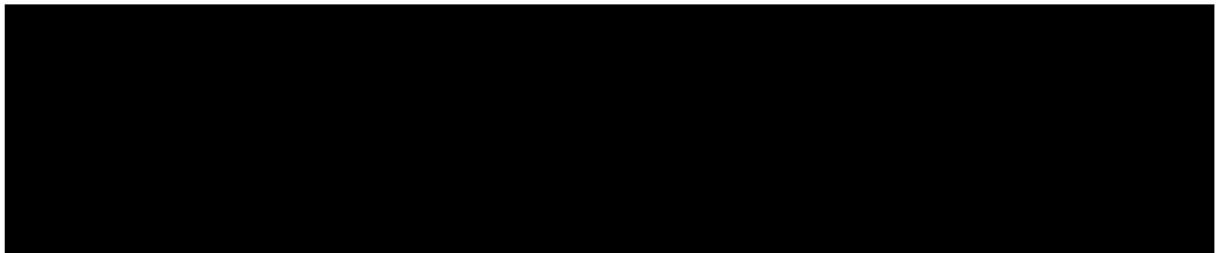
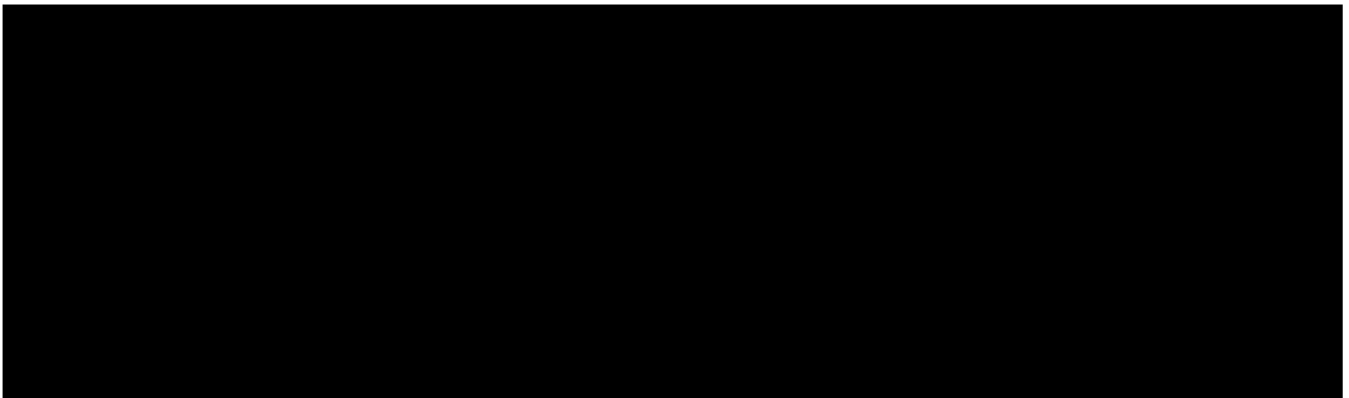
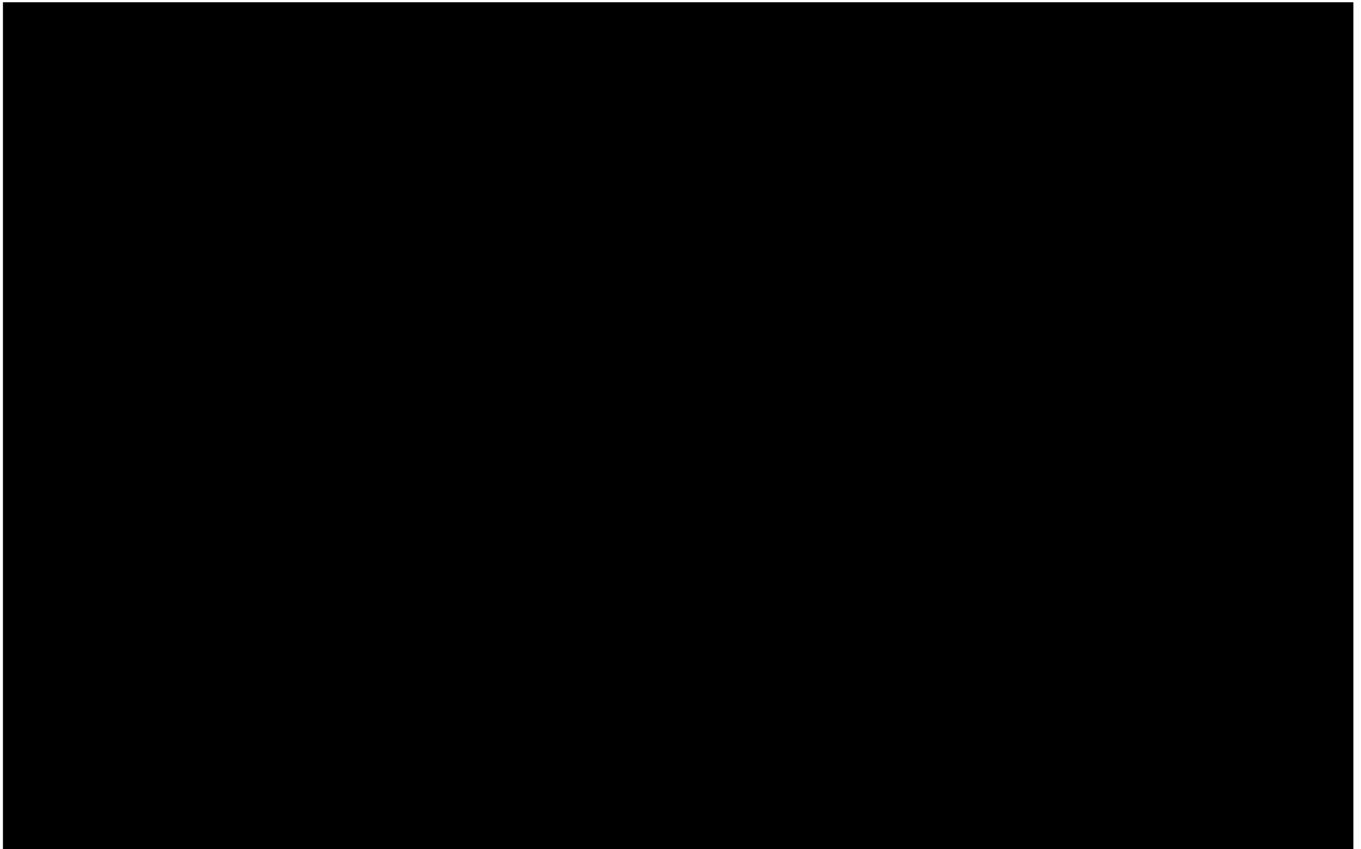
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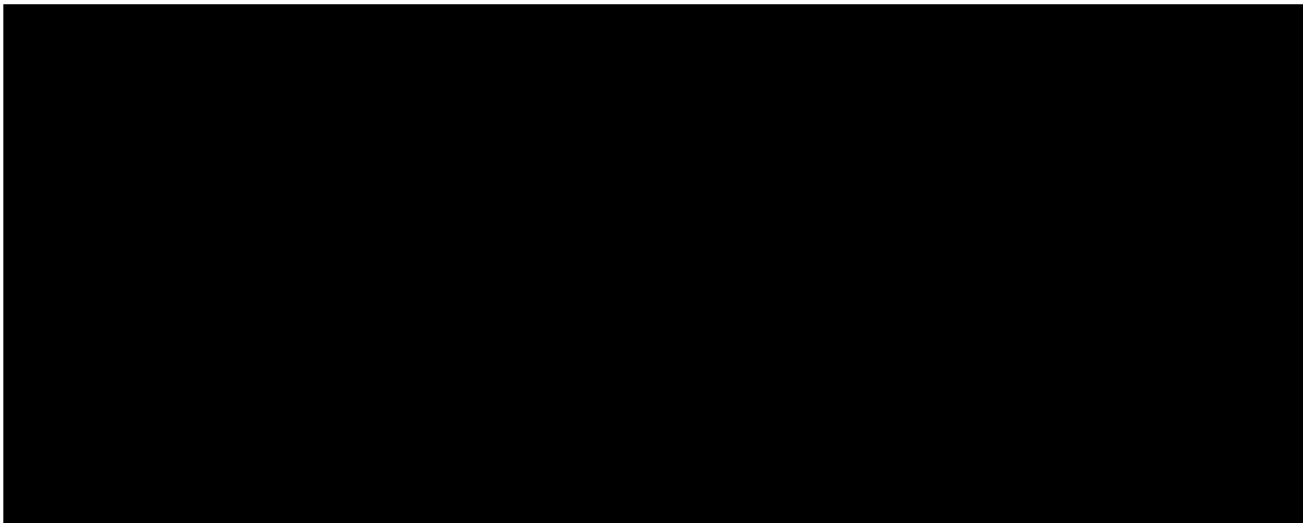
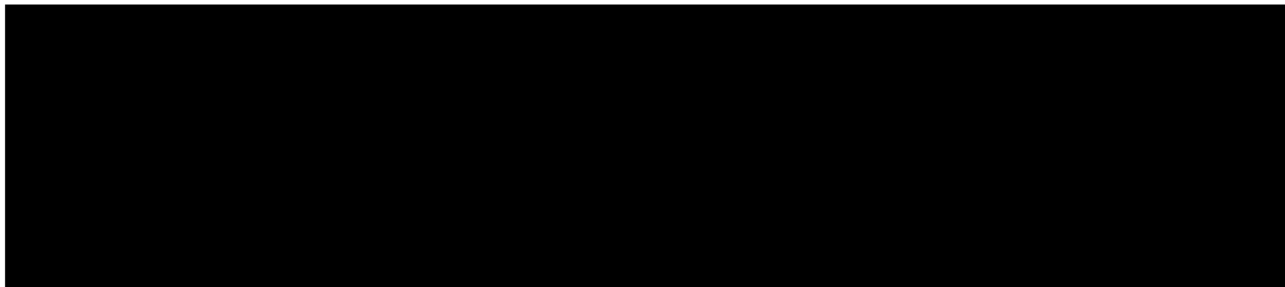
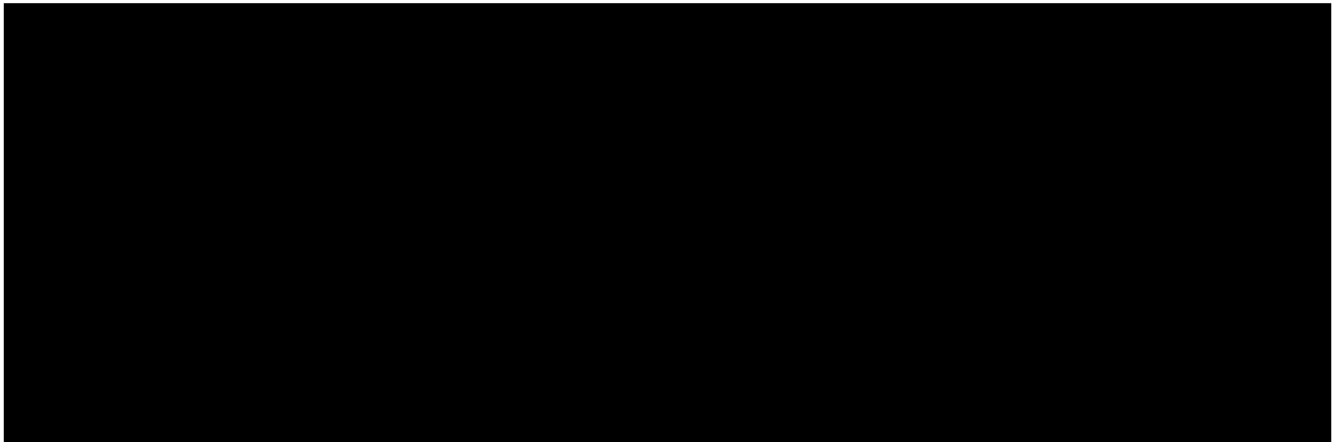
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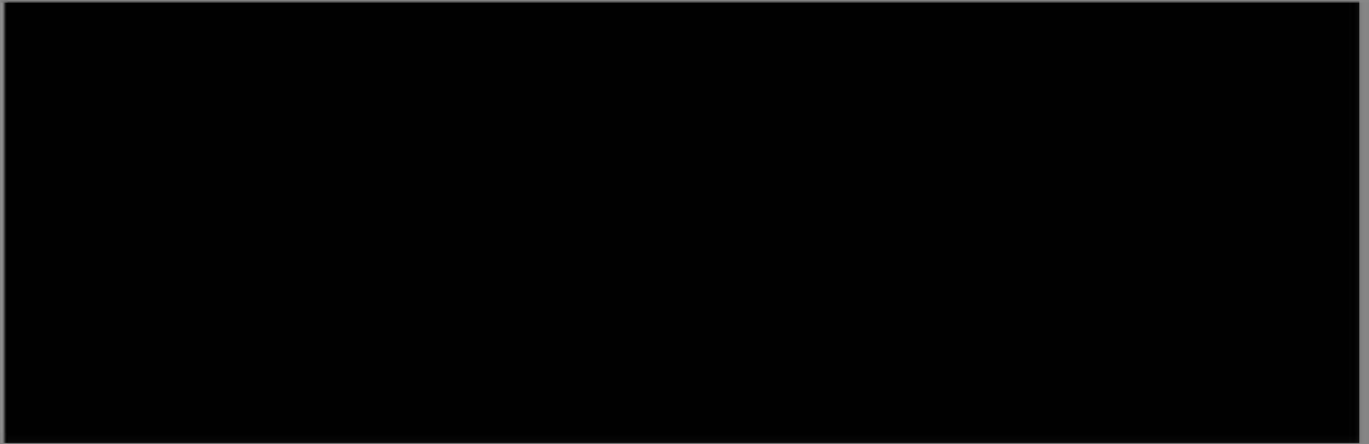
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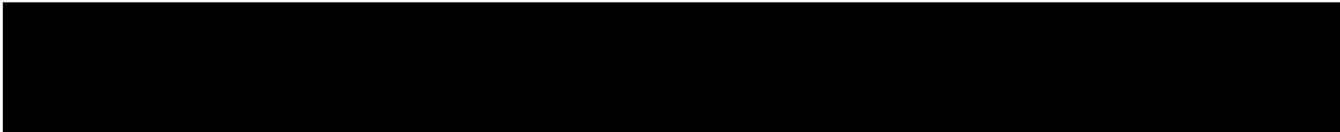
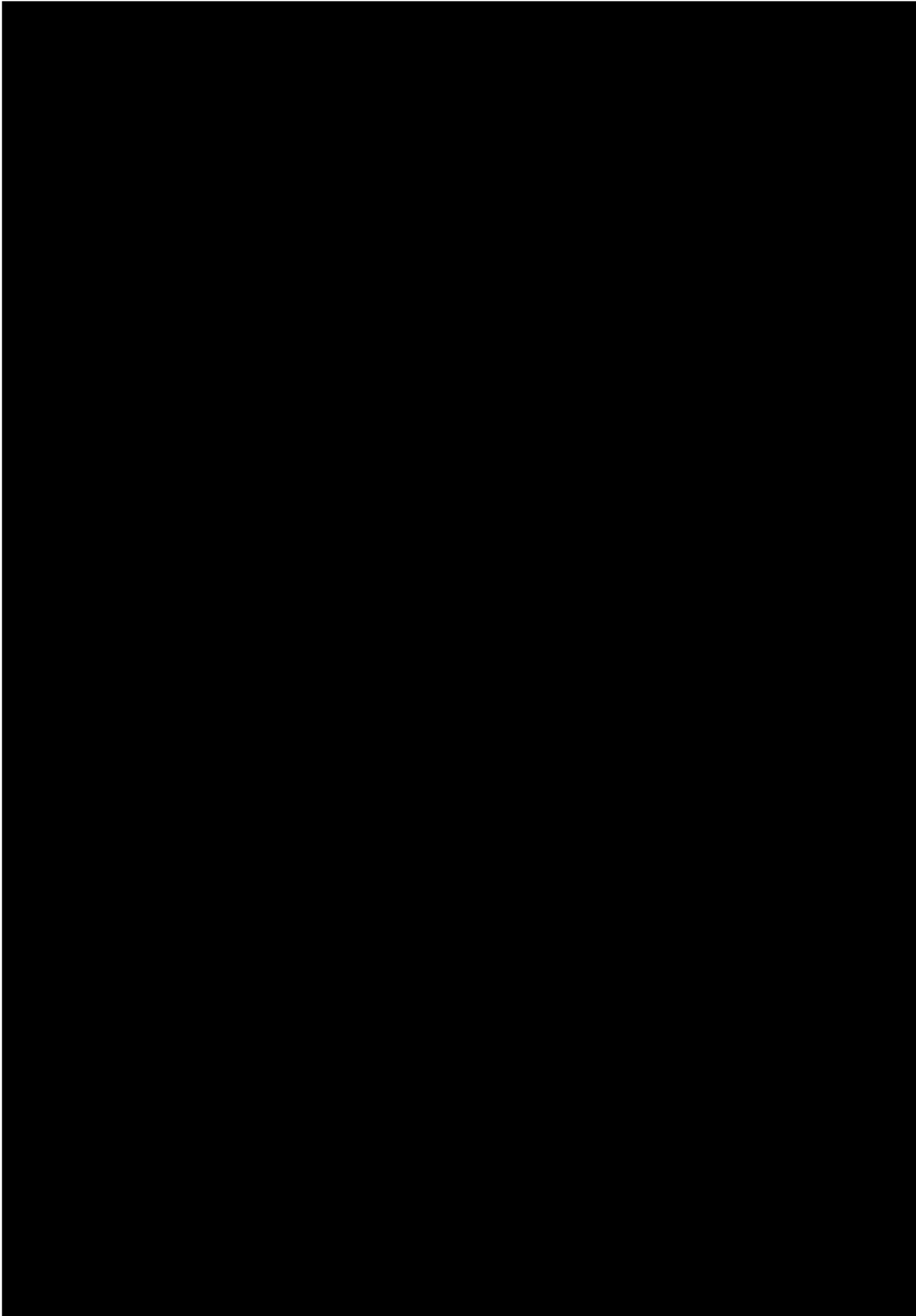
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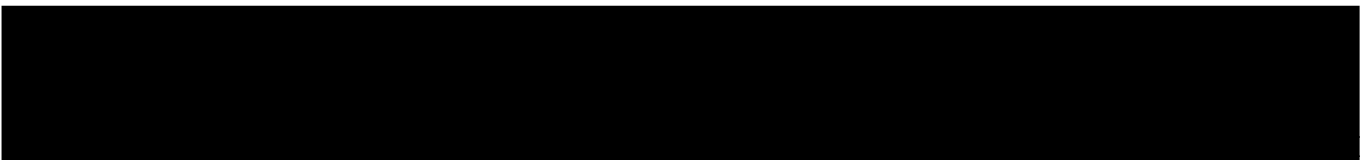
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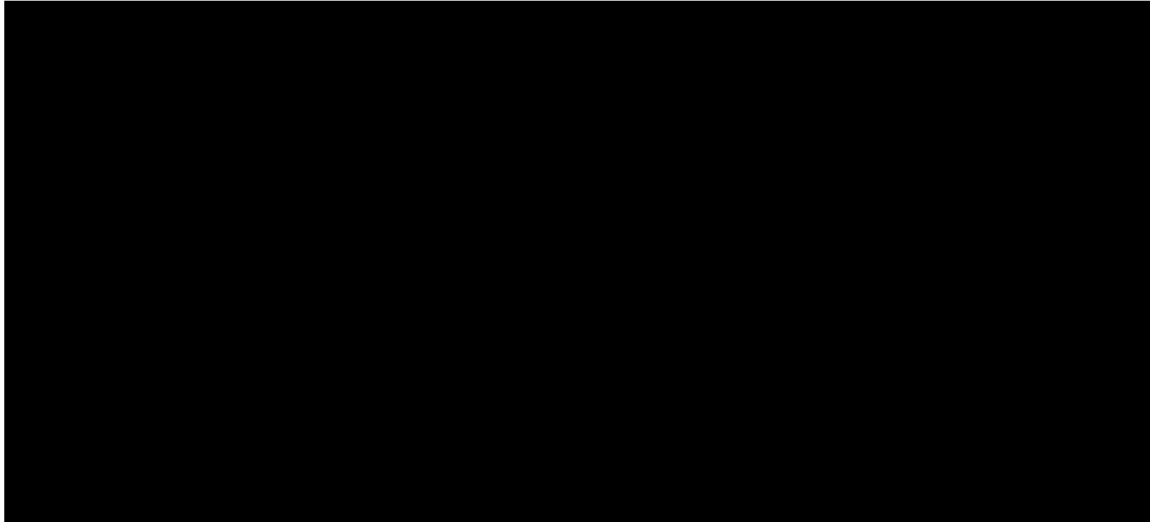
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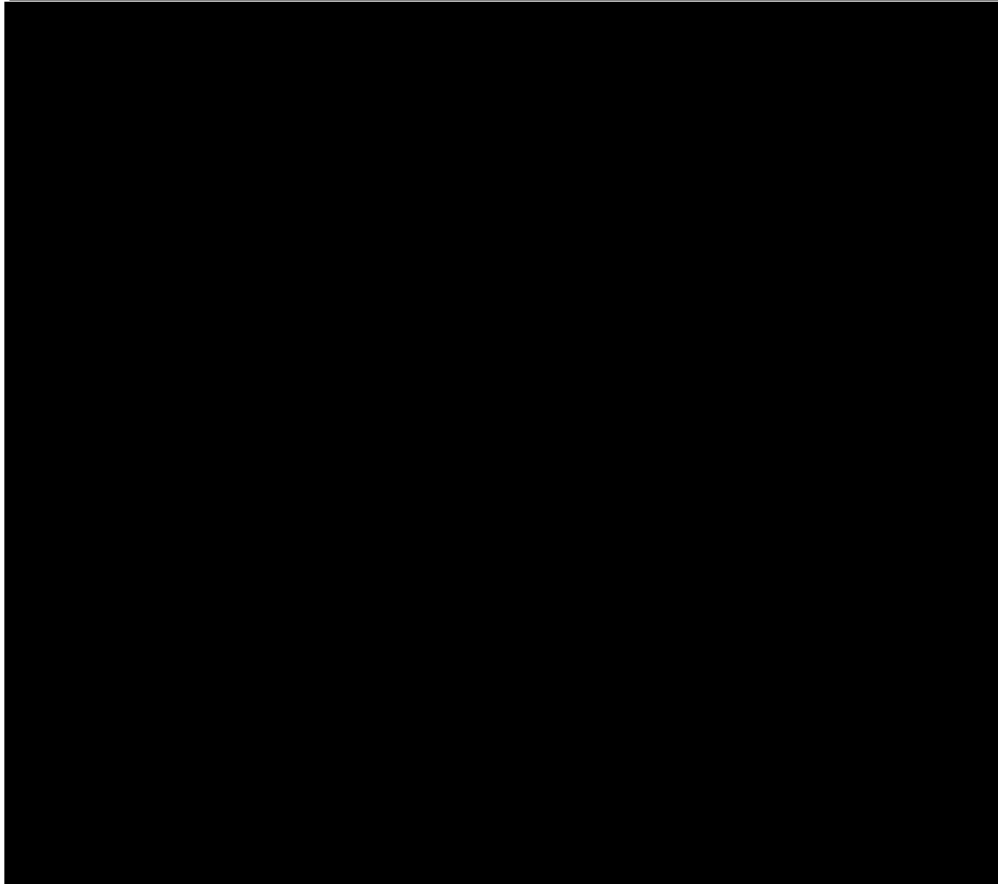
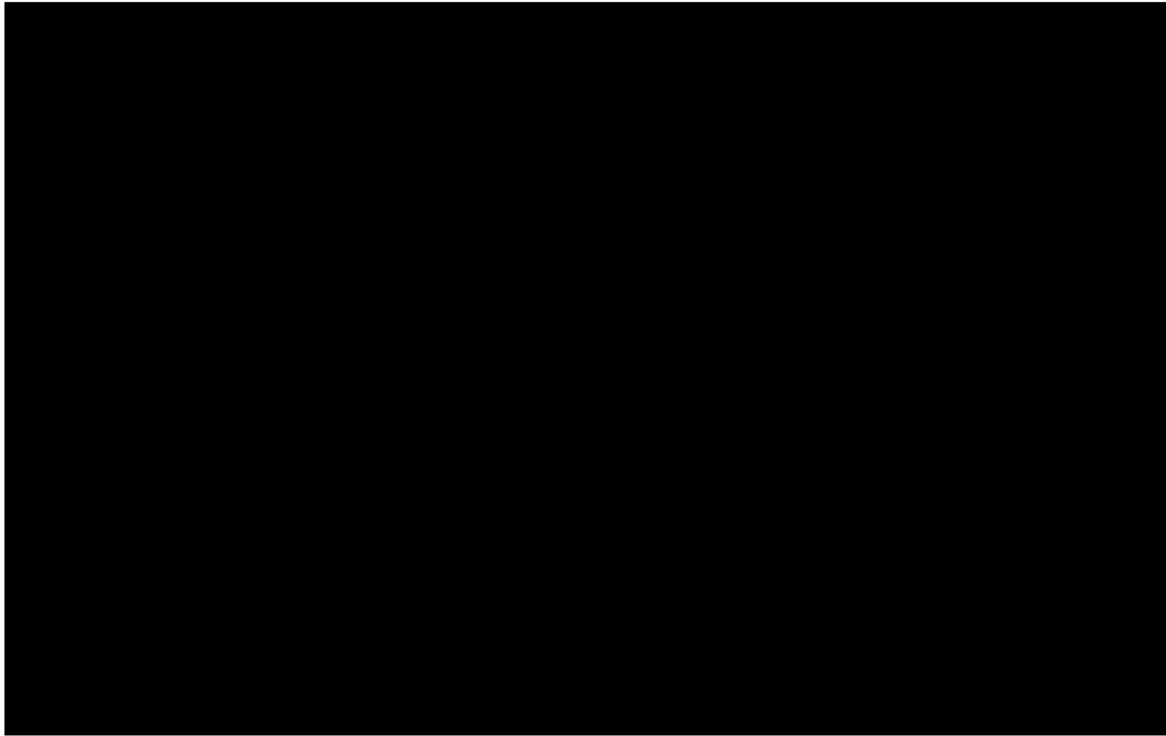
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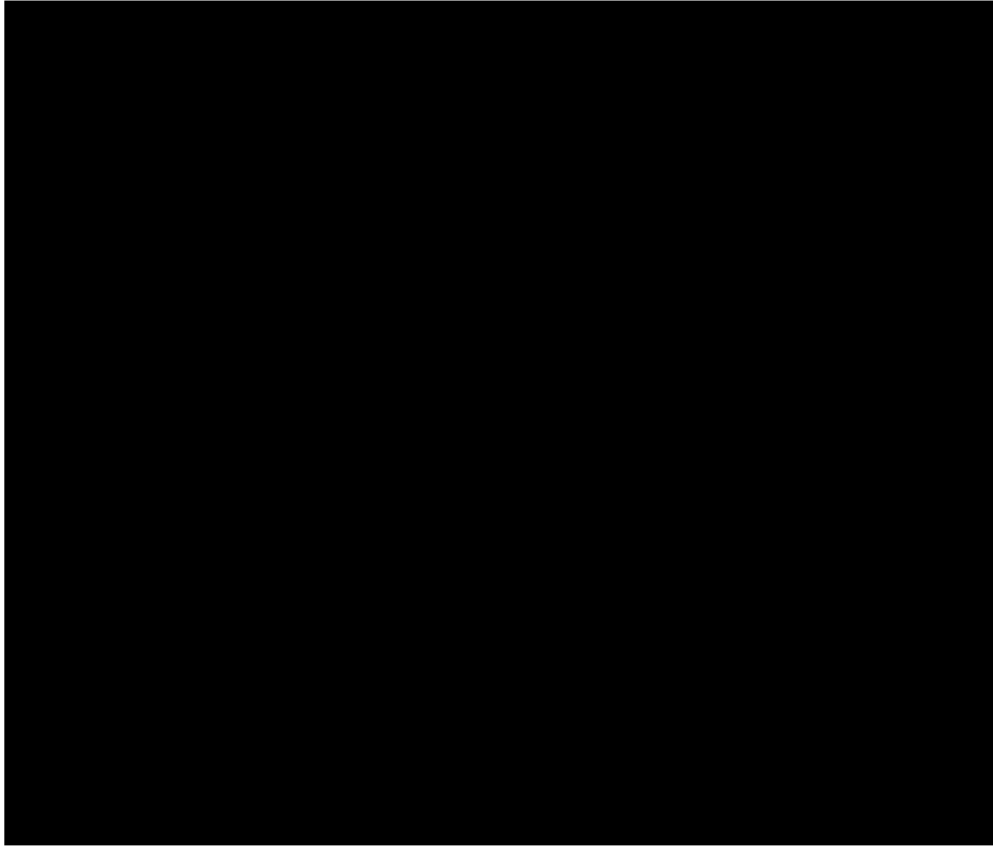
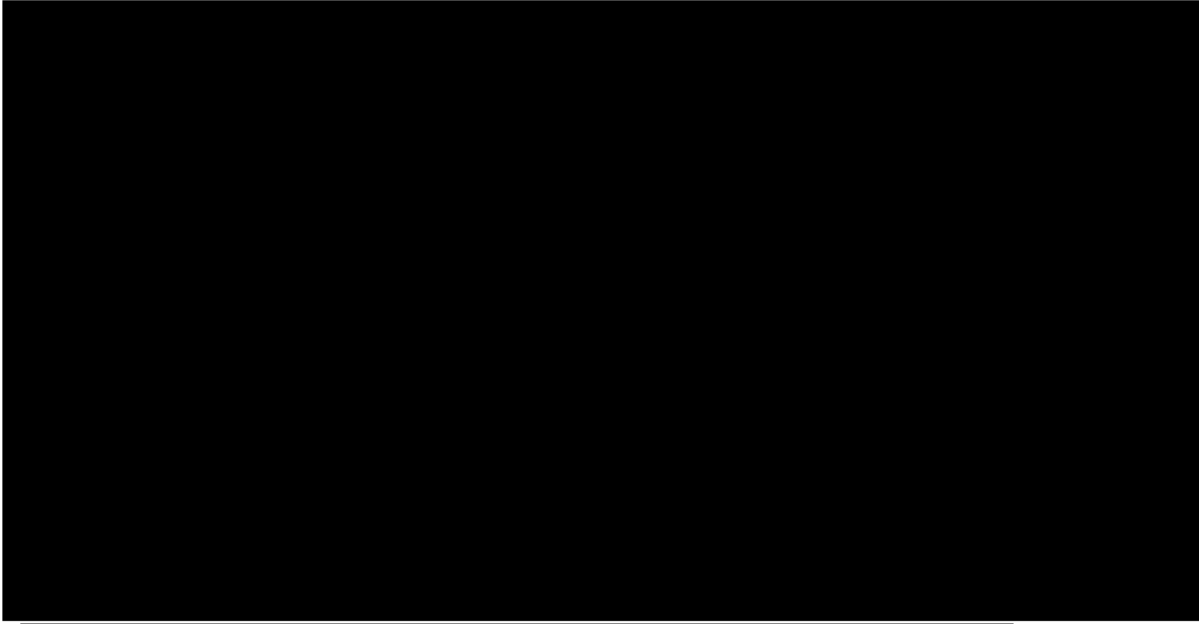
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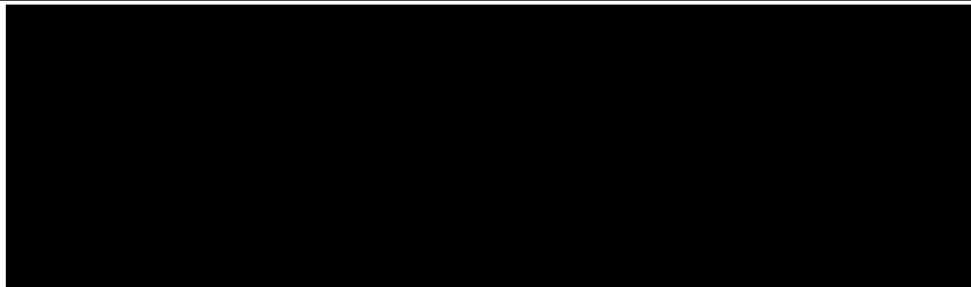
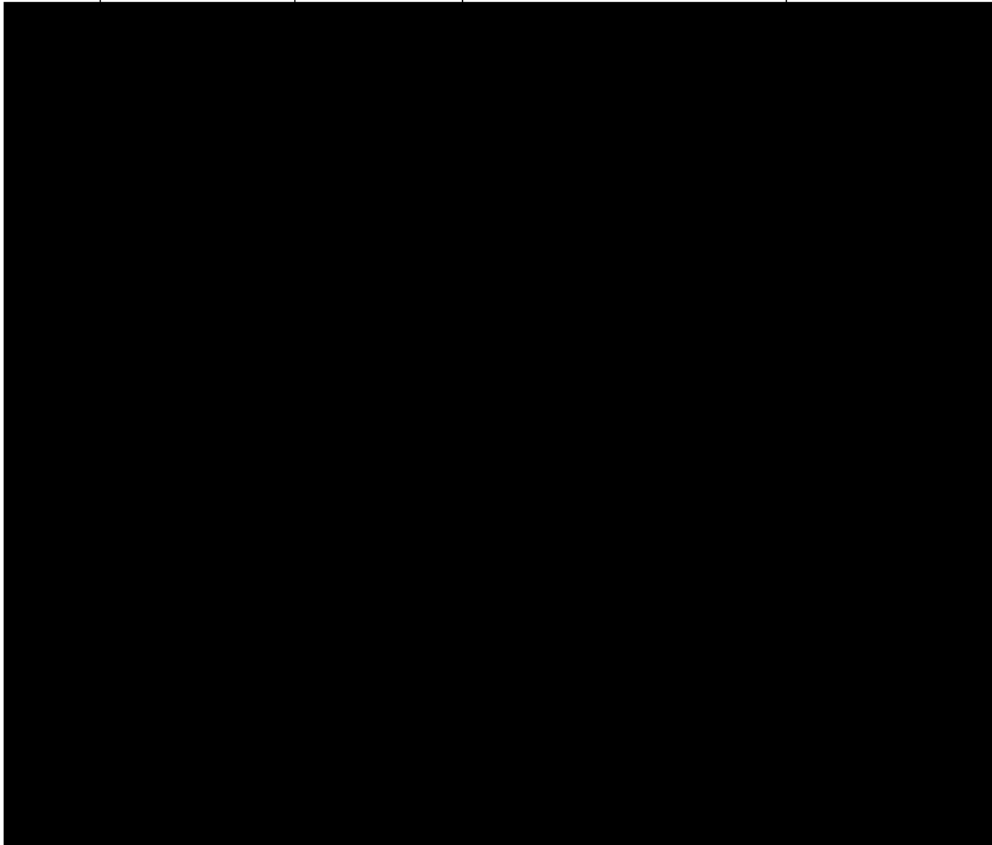
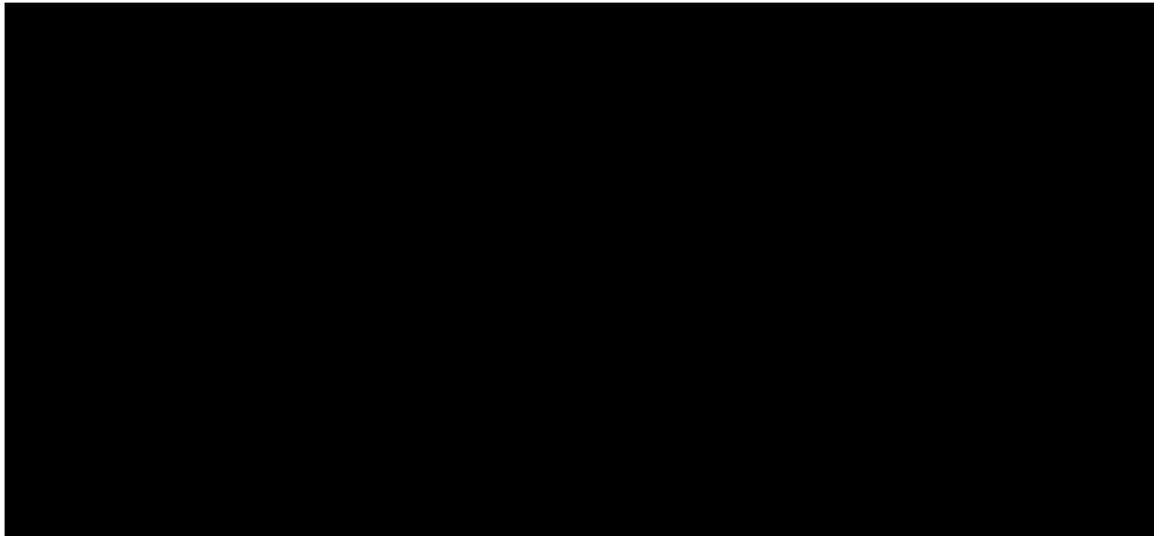
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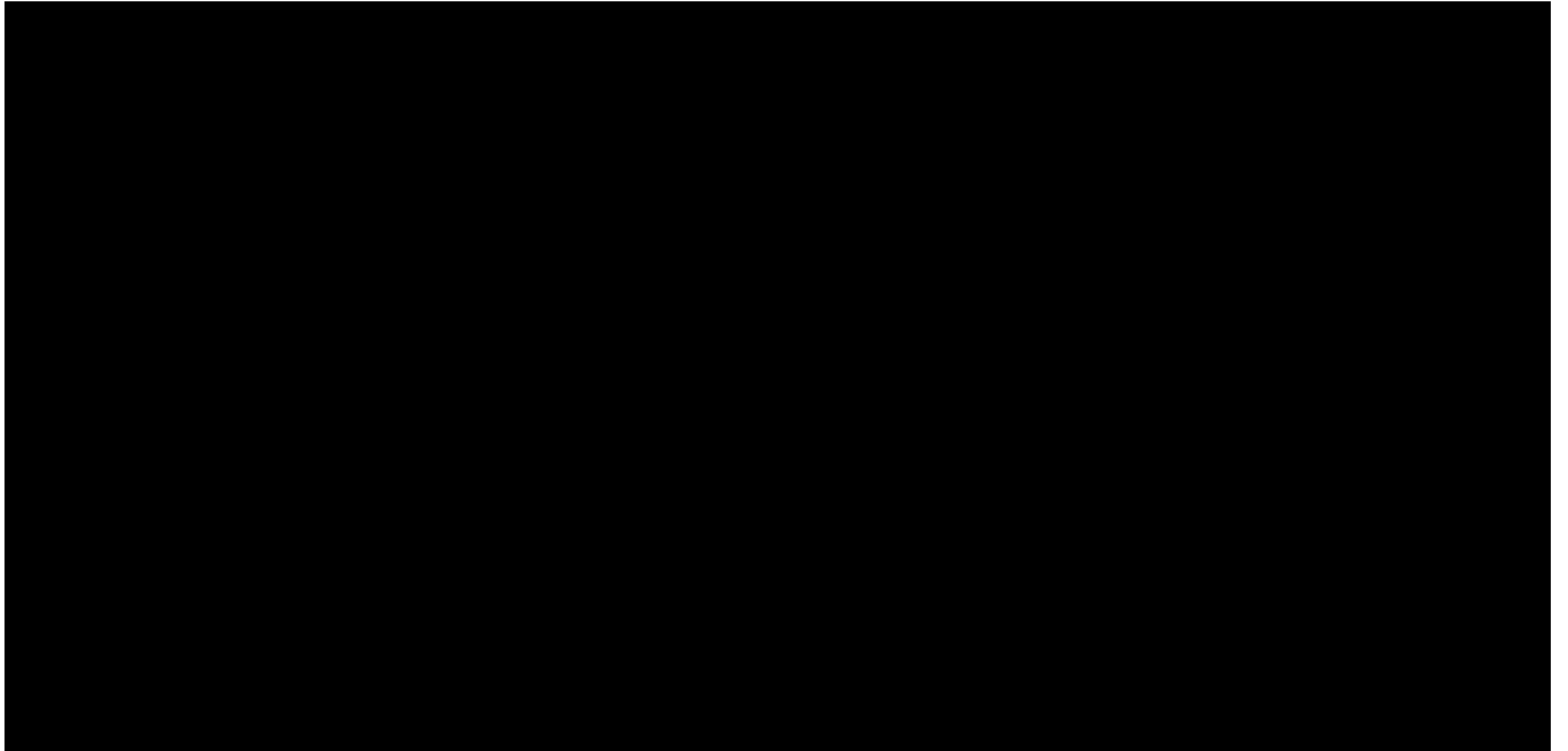
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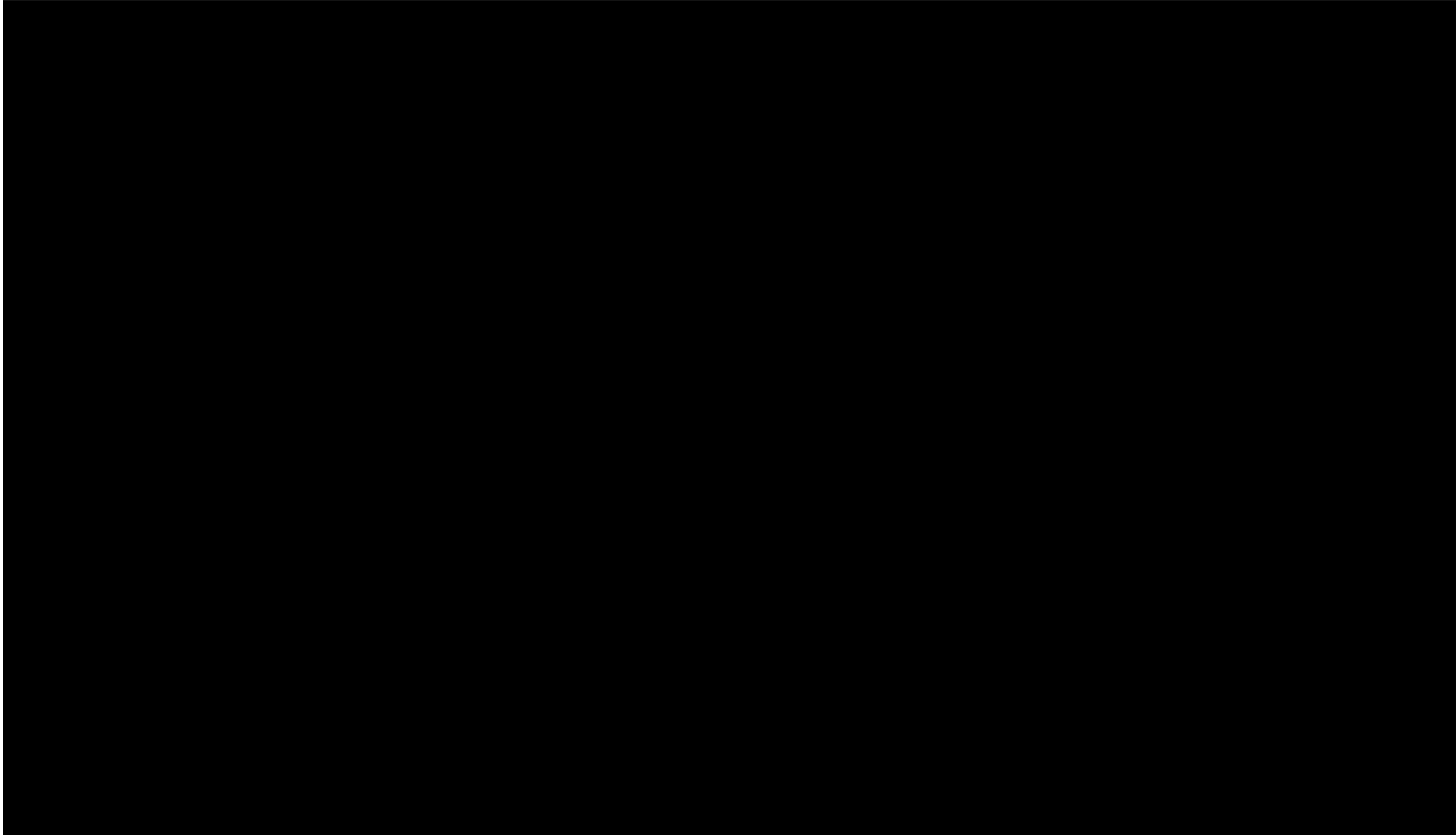
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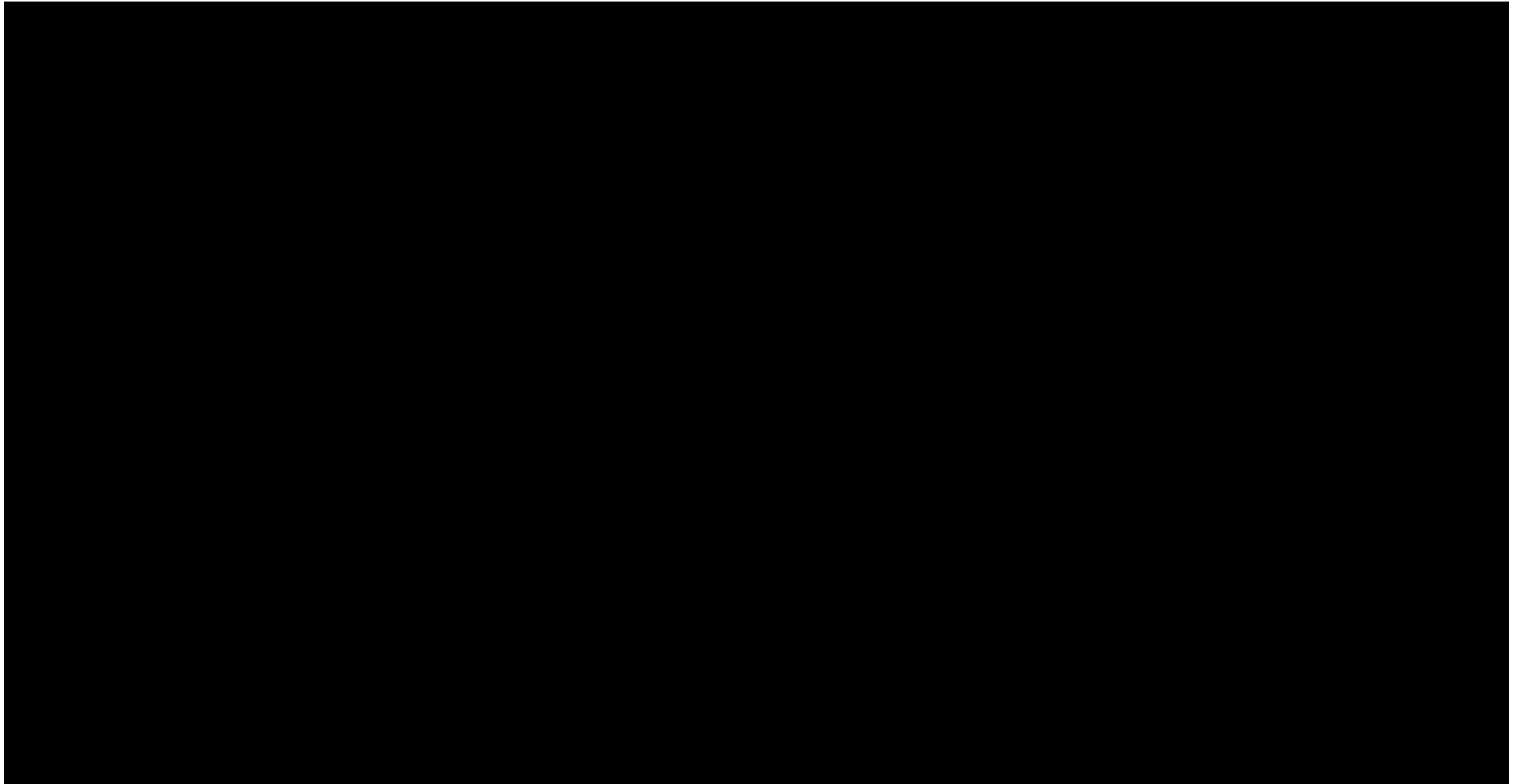
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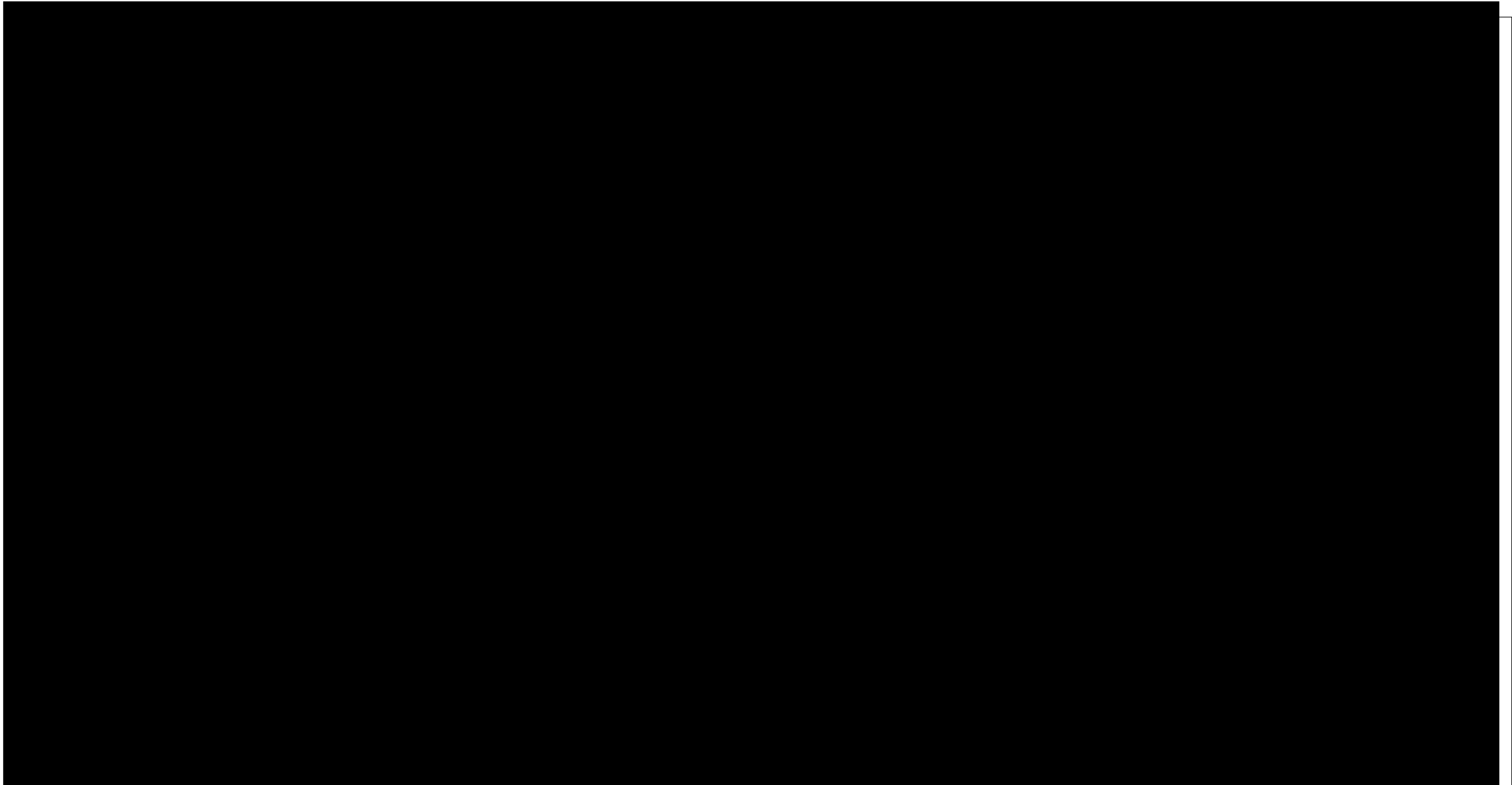




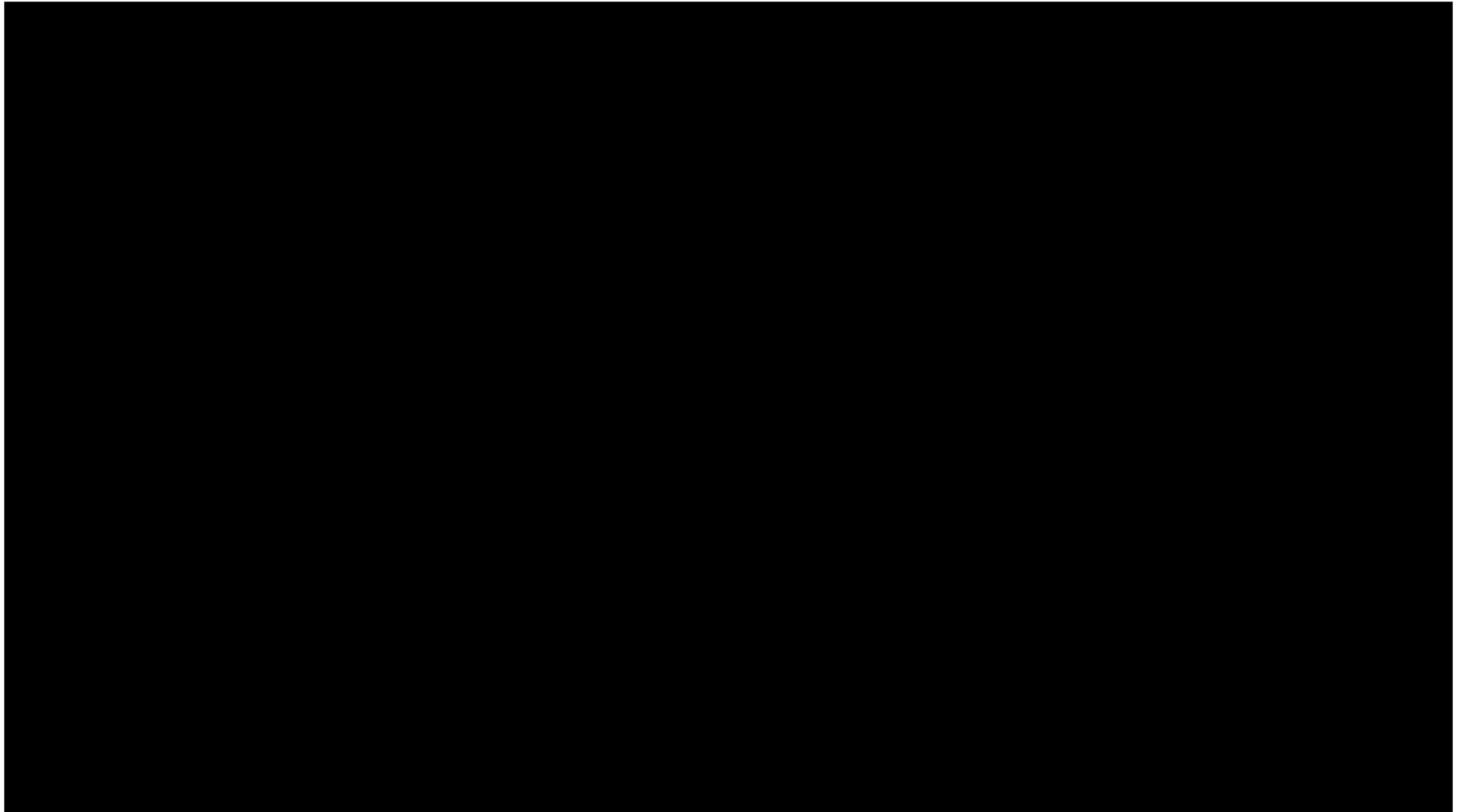


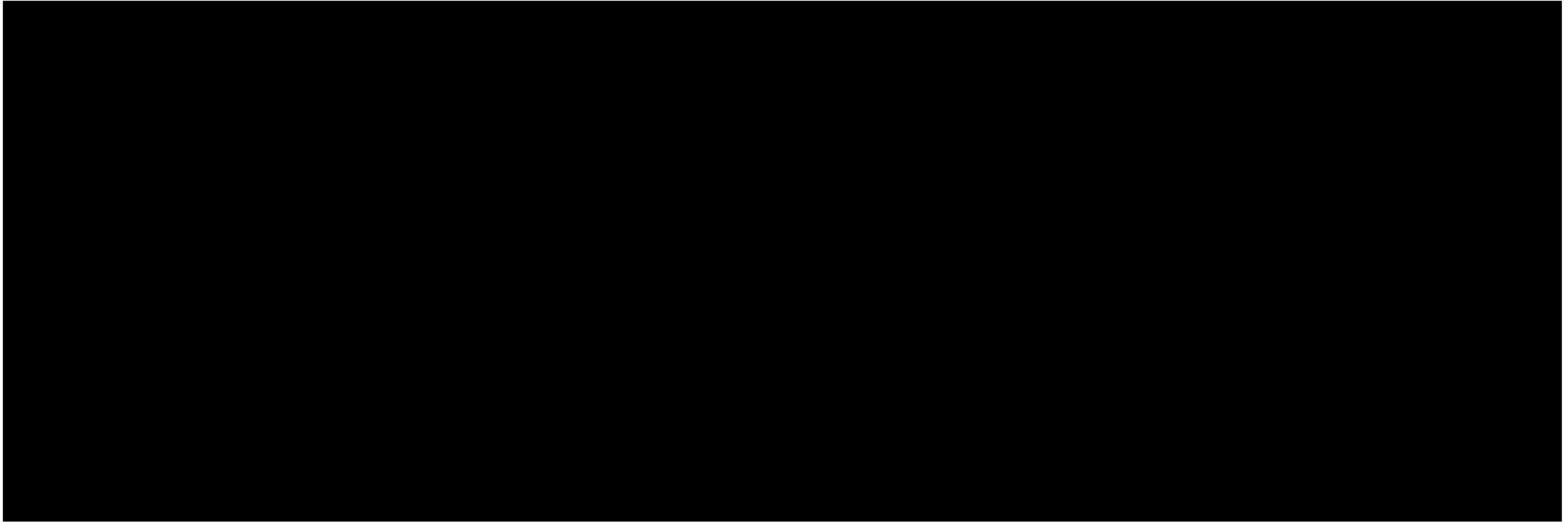


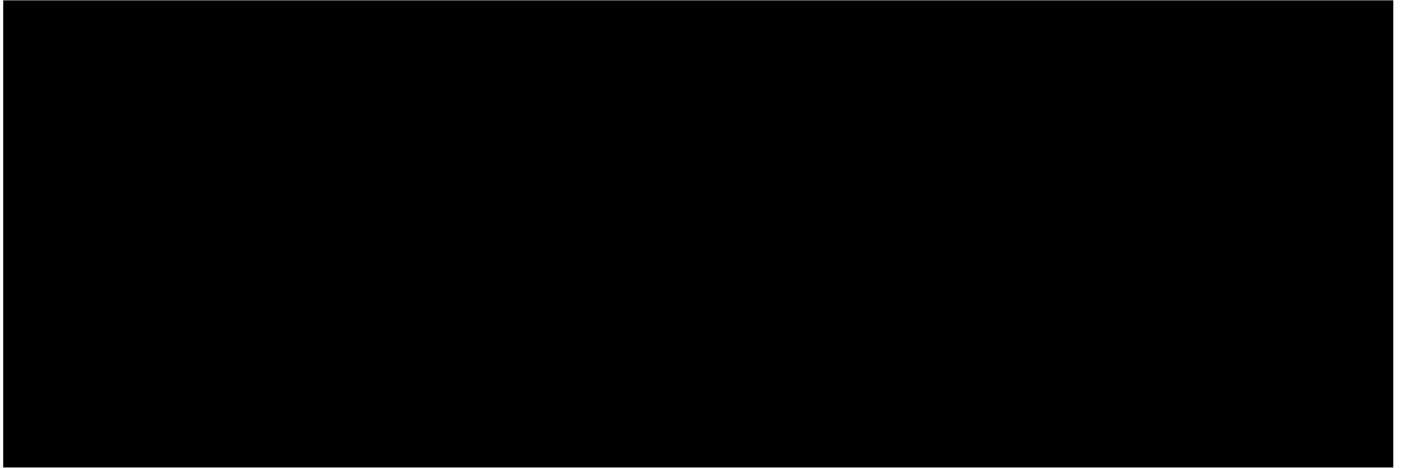




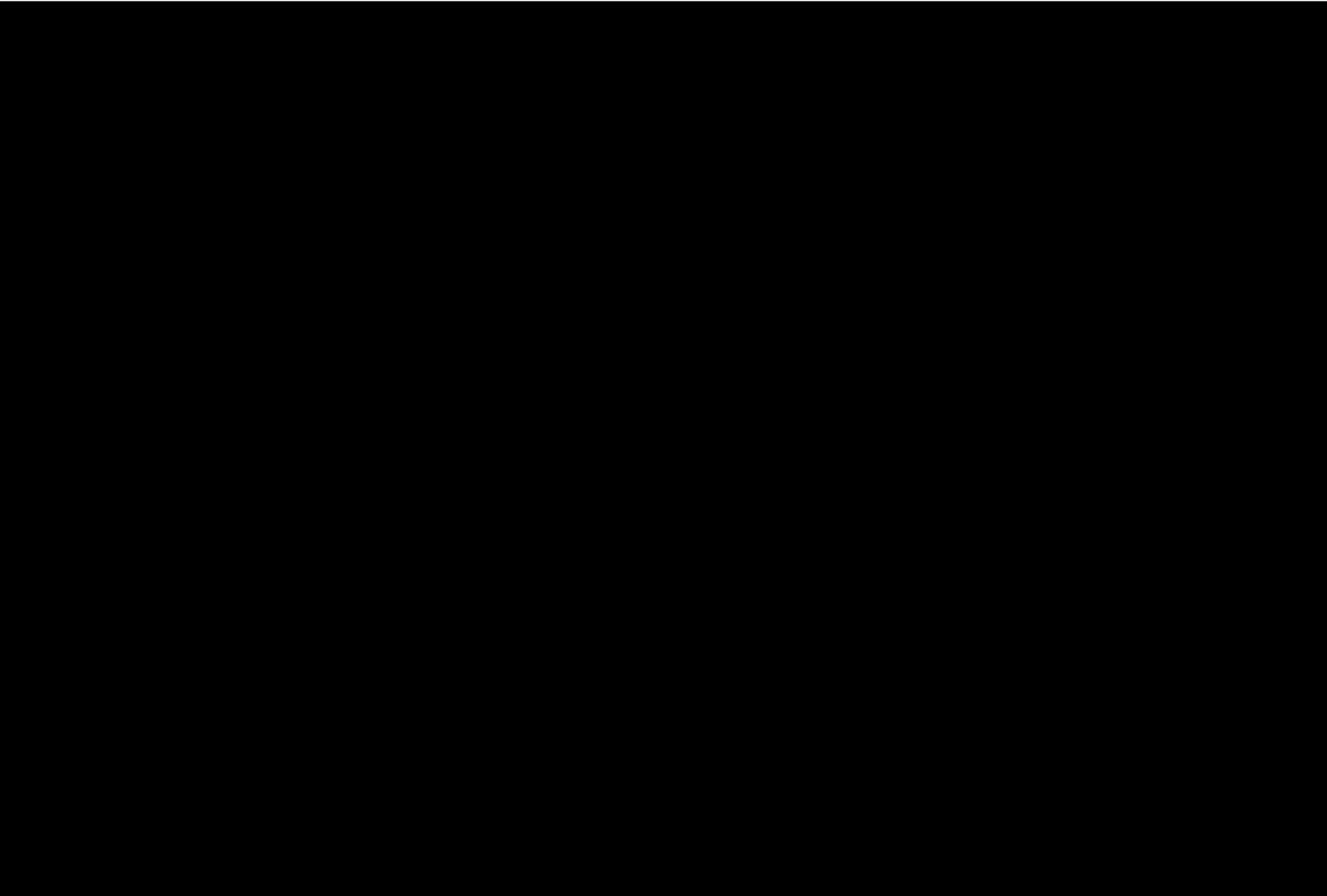
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From: NOGRR245 <NOGRR245@ercot.com>
Date: December 30, 2025 at 1:02:56 PM EST
To: Nicholas Wright <nwright@dauntless-energy.com>, John Rizzo <jrizzo@dauntless-energy.com>
Cc: NOGRR245 <NOGRR245@ercot.com>
Subject: **NOGRR245 Extension Review Status for HWF_HWFG1**

**** Caution: External Sender ****

Authorize Representative for HWF_HWFG1:

Pursuant to Nodal Operating Guide (NOG) Section 2.12.1.3(1), ERCOT is reviewing the information you submitted in connection with your request for an extension or exemption associated with the ride-through requirements implemented through NOG Revision Request 245 (NOGRR245).

ERCOT is aware of the December 31, 2025, deadline for Resources with a Standard Generation Interconnection Agreement (SGIA) dated prior to 8/1/24 to comply with the frequency ride-through (FRT) requirements of NOG Section 2.6.2.1 and the voltage ride-through (VRT) requirements of NOG Sections 2.9.1(8) and 2.9.1.2. See, NOG Sections 2.6.2.1(6), (7); 2.9.1(8); 2.9.1.2(8), (9). However, the NOG also provides that, until ERCOT finalizes its consideration of an exemption or extension

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request, a Resource with a SGA dated prior to 8/1/24 that has timely requested an extension, or exemption must meet the greater of (i) its documented maximum ride-through capability, or (ii) the ride-through performance requirements in effect on 5/1/24. See, NOG Sections 2.12.1(10).

Accordingly, while ERCOT continues to review your extension or exemption request ERCOT will not consider your Resource's failure to meet the 12/31/25 deadline as requiring ERCOT to inform the ERCOT Reliability Monitor (ERM). However, all Resources must comply with NOG Section 2.12.1(10) while ERCOT continues to review extension or exemption requests. Accordingly, if your Resource fails to ride-through a frequency or voltage event during the ERCOT review process, ERCOT will determine whether the Resource met the applicable ride-through requirement(s) in effect at the time of the event as provided by NOG Section 2.12.1(10) and, if necessary, report any ride-through failure to the ERM.

ERCOT

8000 Metropolis, Building E
Austin, Texas 78744



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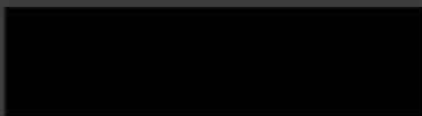
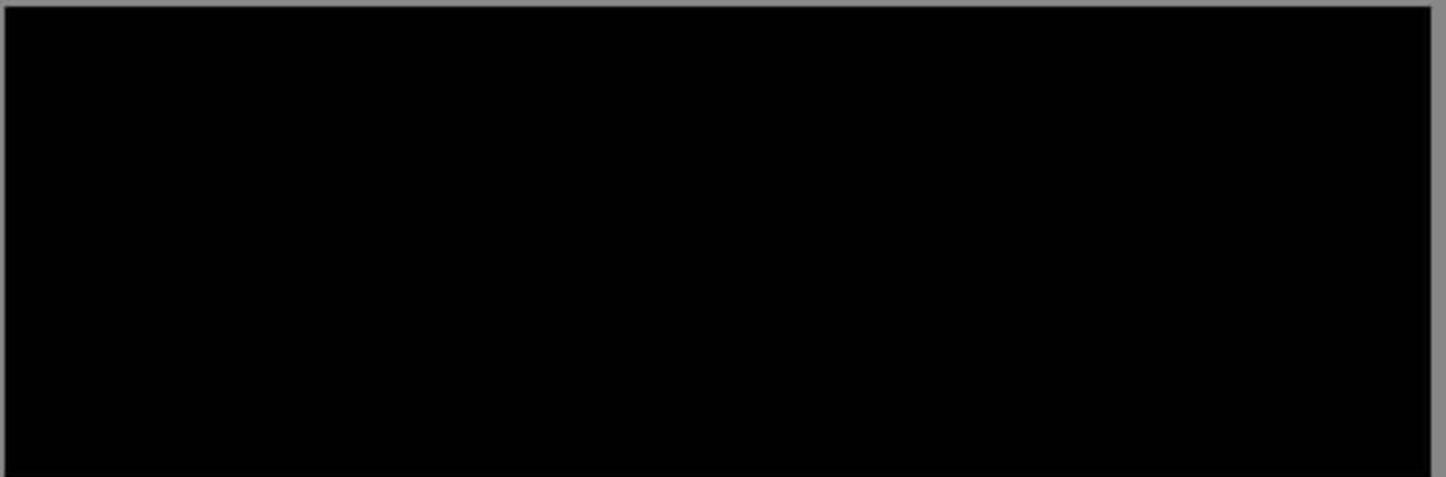
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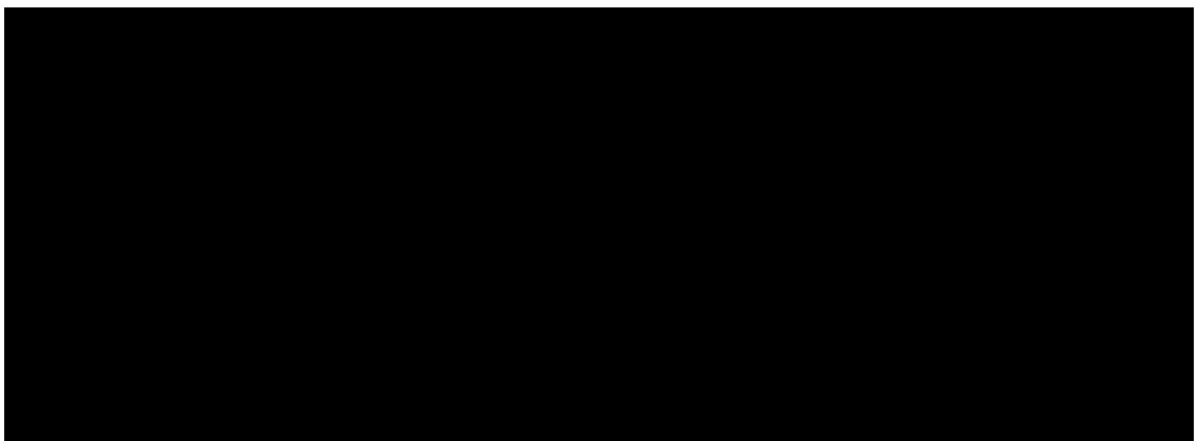
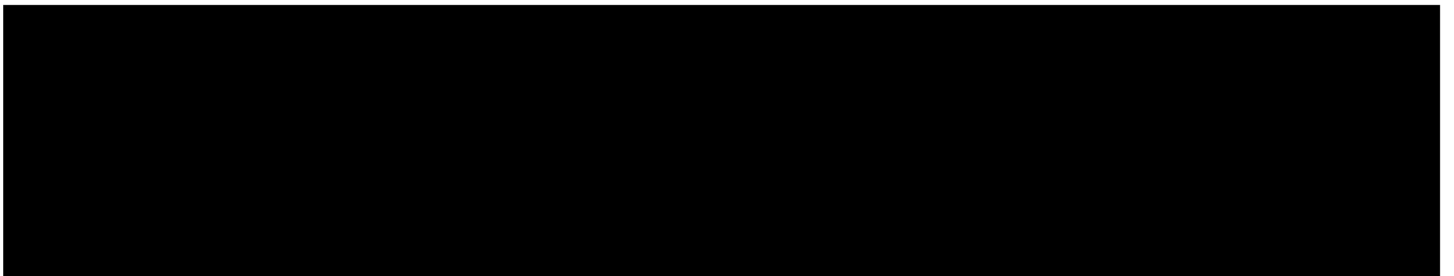
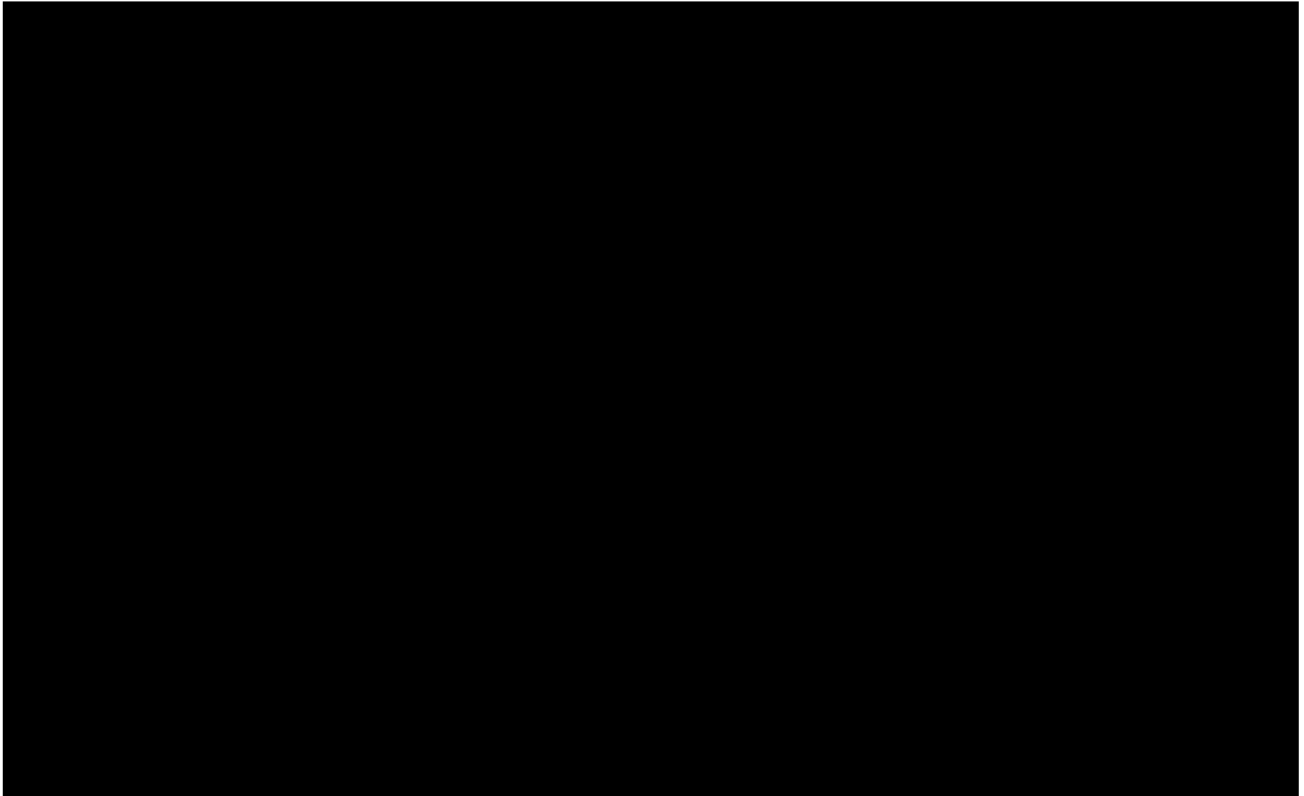
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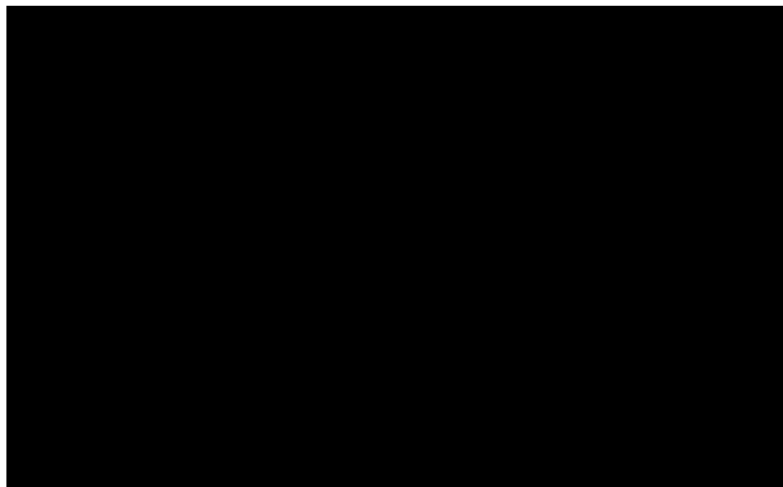
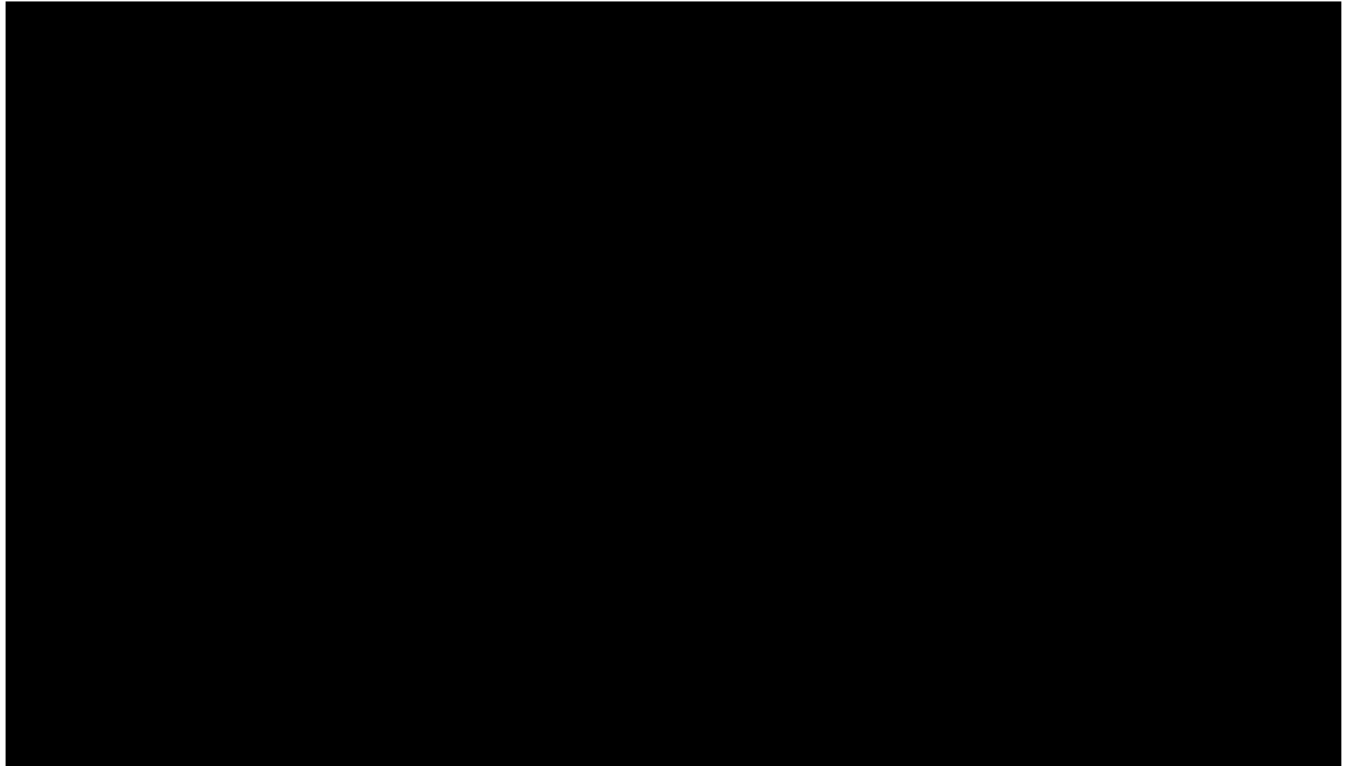
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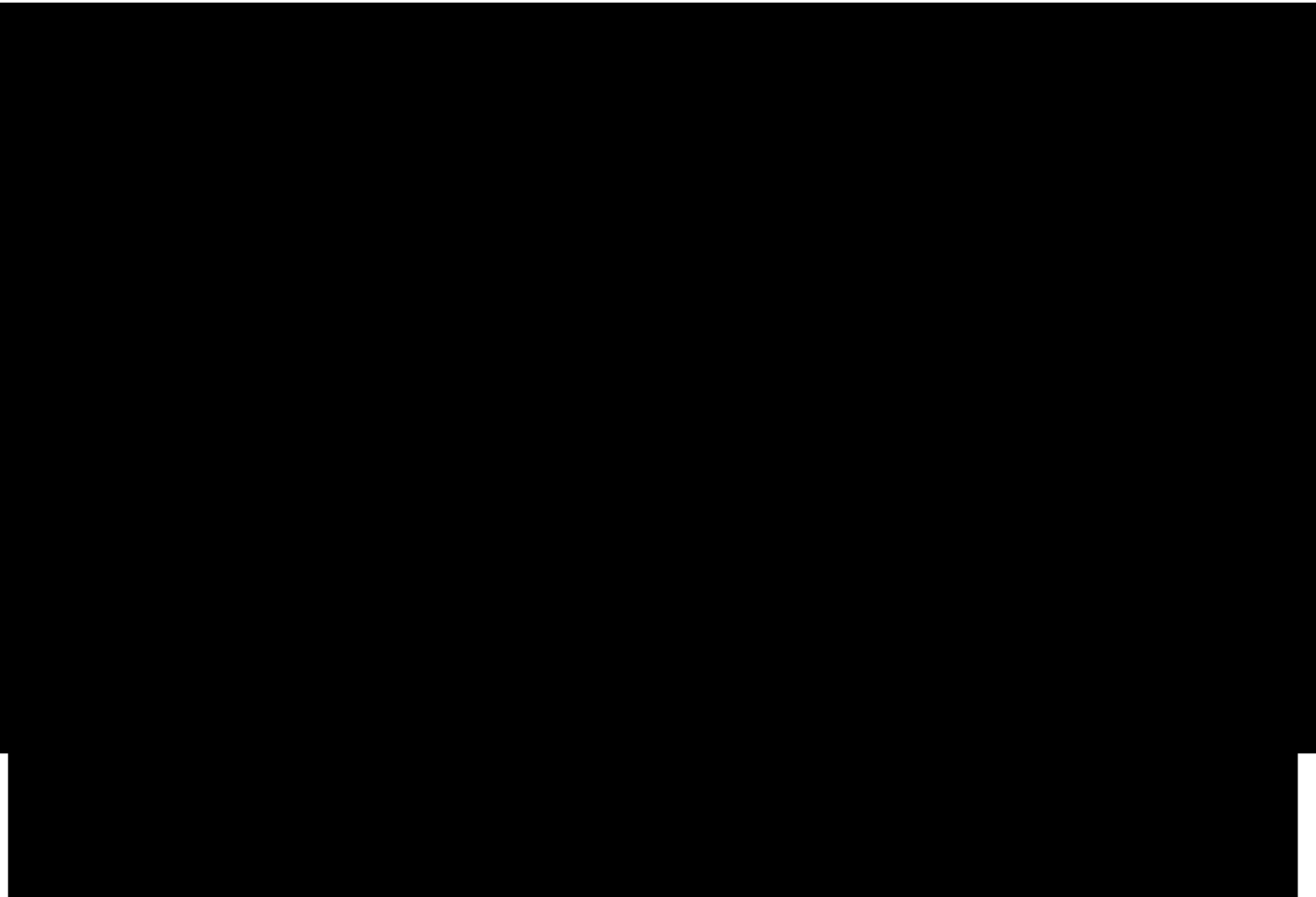
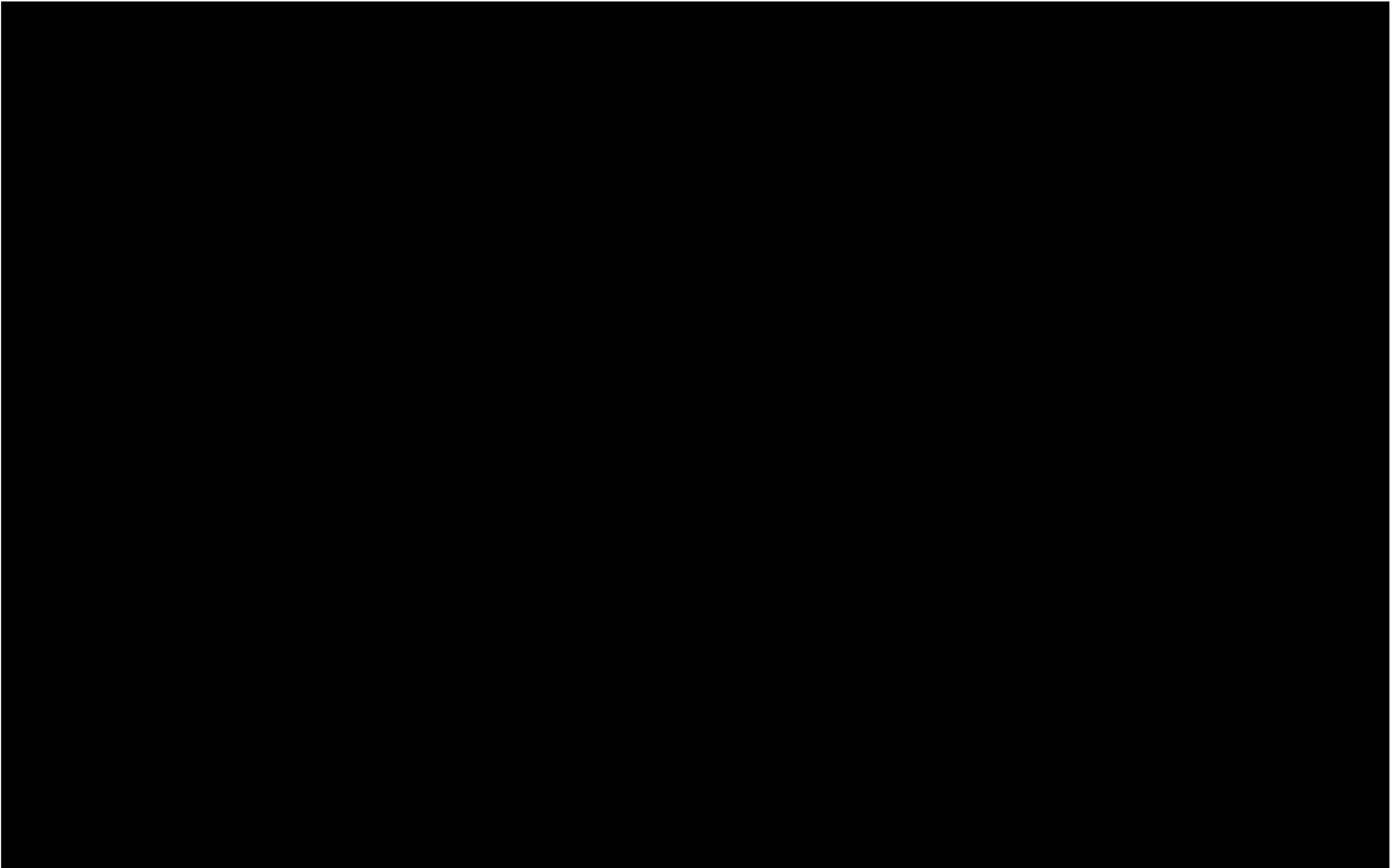
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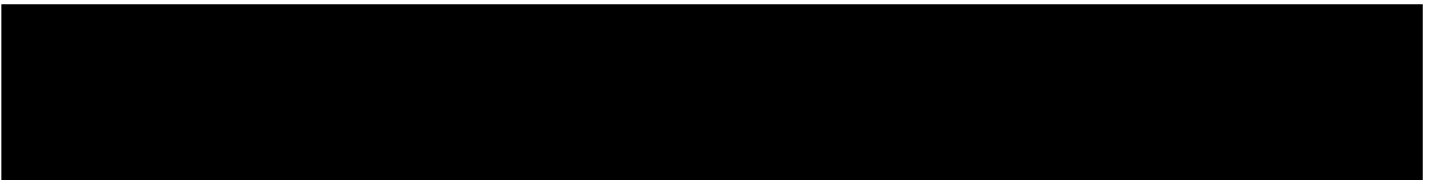
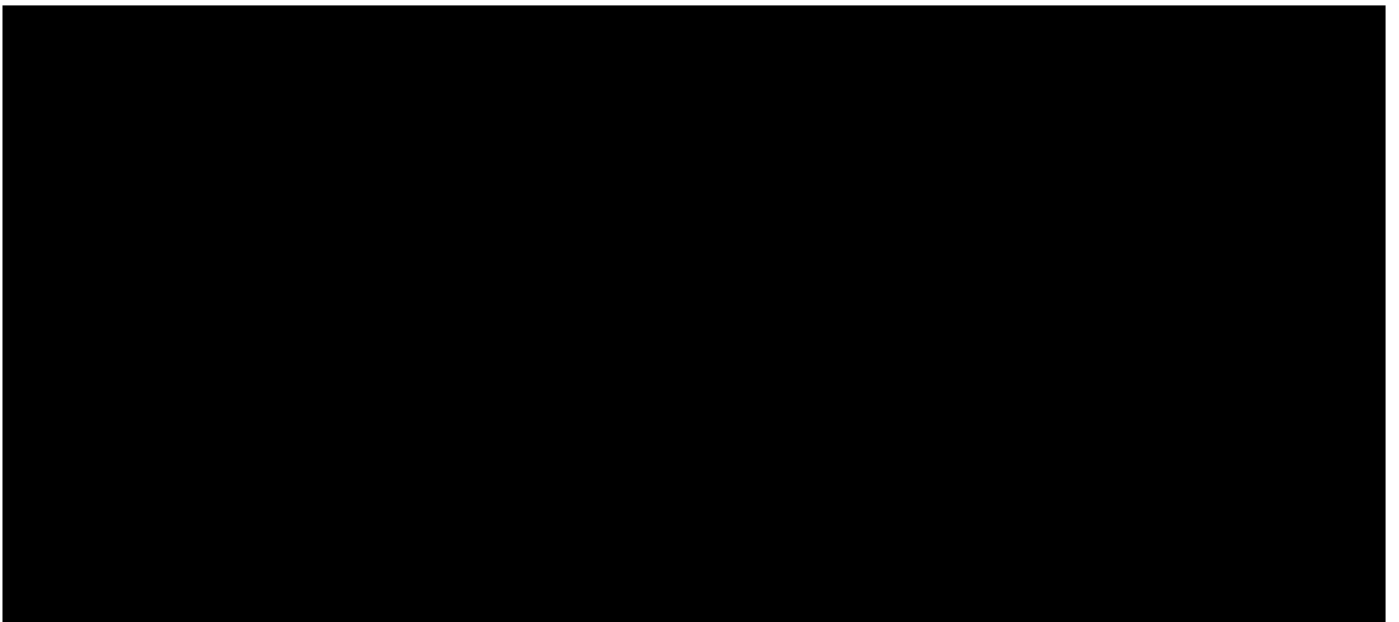
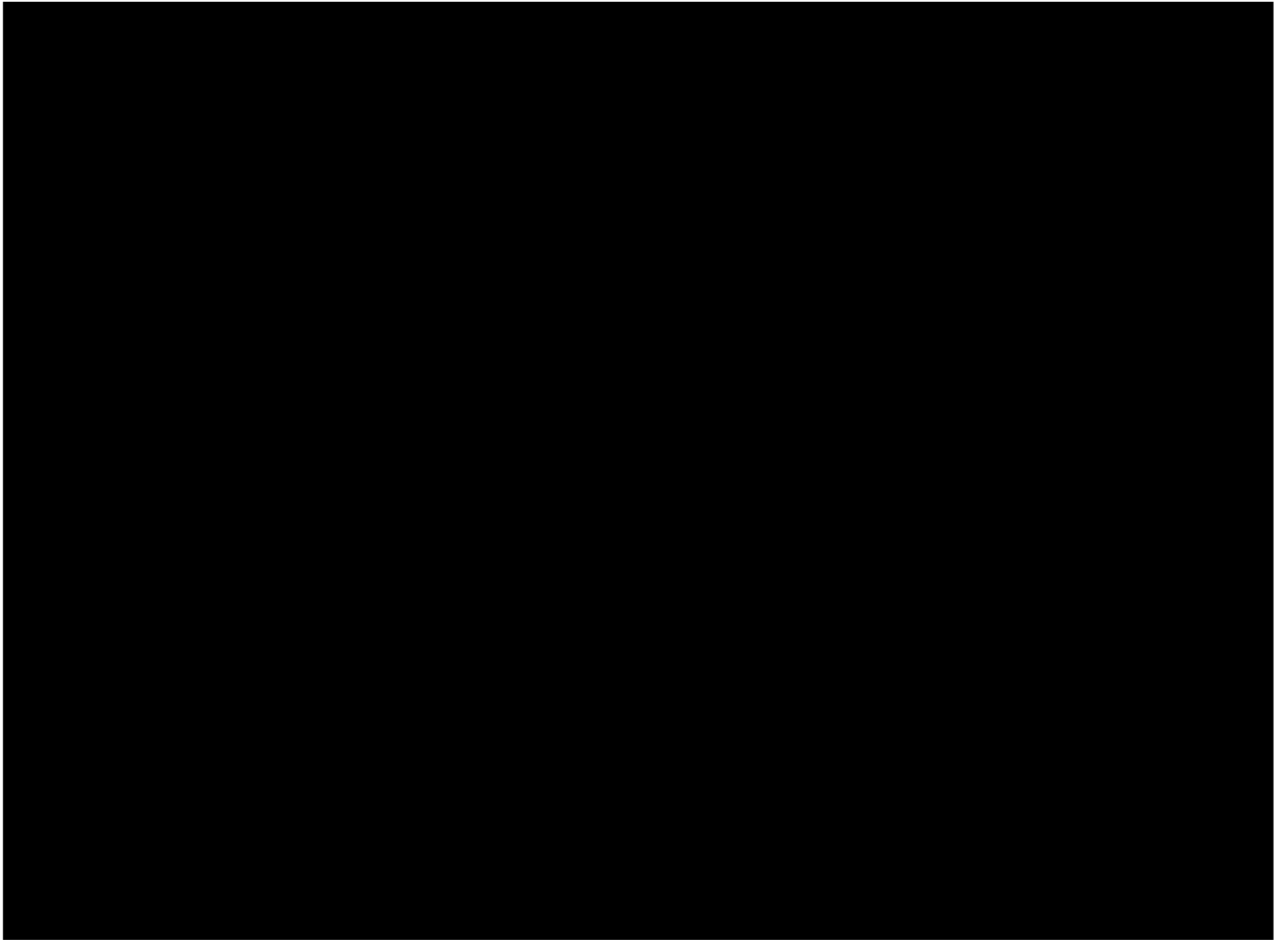
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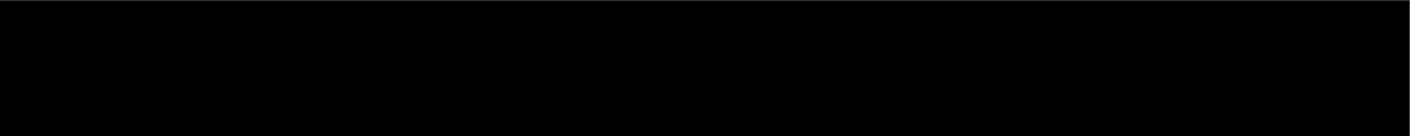
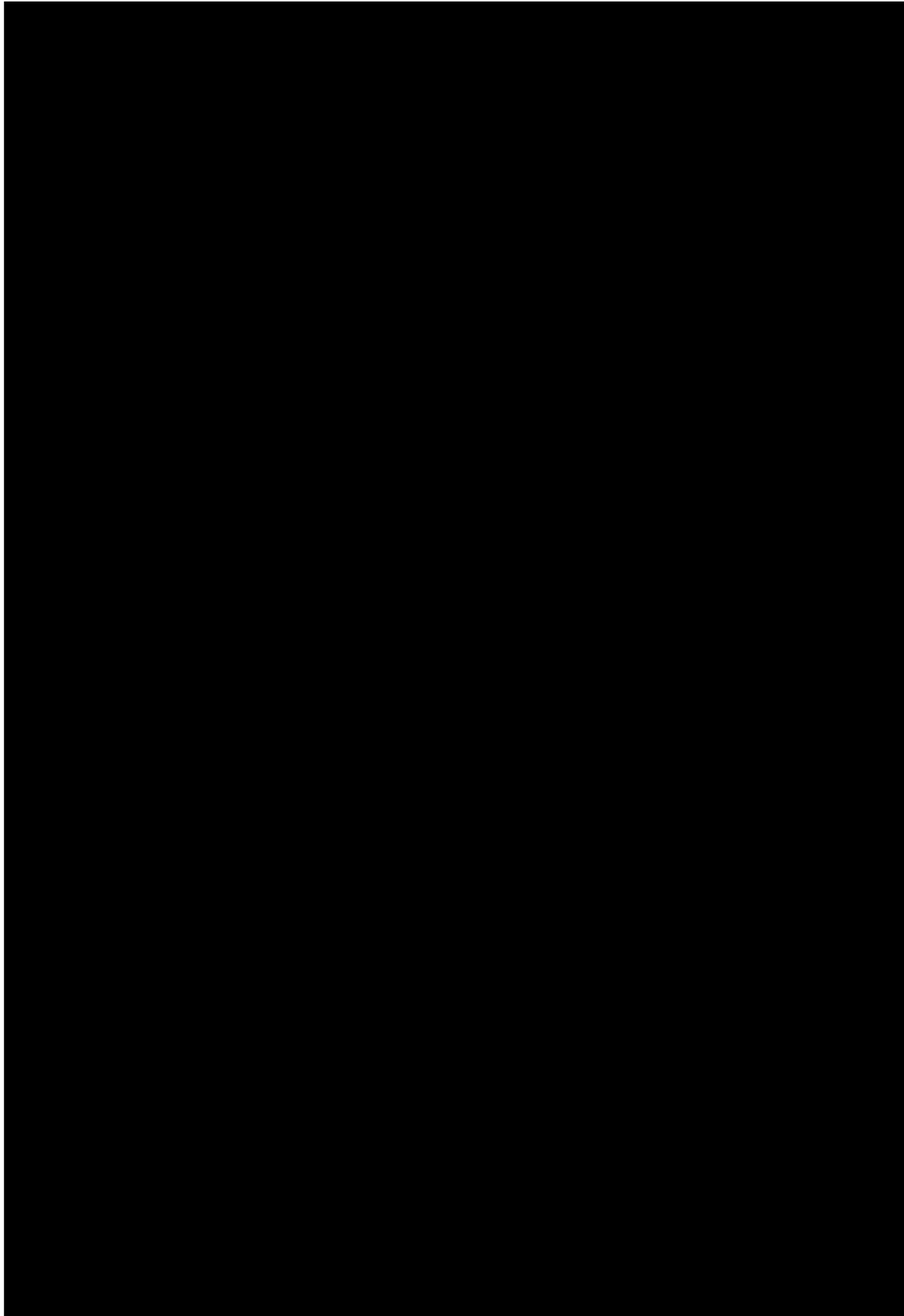


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