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DOCKET NO. 49673

**COMPLAINT OF ASPIRE
COMMODITIES, LLC AGAINST THE
ELECTRIC RELIABILITY COUNCIL
OF TEXAS**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMISSION STAFF’S PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest and files this Proposed Procedural Schedule in response to Order No. 6. In support thereof, Staff shows the following:

I. BACKGROUND

On June 25, 2019, Aspire Commodities, LLC (Aspire), filed a complaint against Electric Reliability Council of Texas (ERCOT) seeking a decision by the Commission to re-price an interval because Aspire allegedly lost money on ERCOT futures contracts it had transacted on the Intercontinental Exchange.

On December 5, 2019, the Administrative Law Judge (ALJ) issued Order No. 6, denying ERCOT’s motion to dismiss and requiring the parties to file a proposed procedural schedule for further processing of the case. Therefore, this pleading is timely filed.

II. COMMISSION STAFF’S PROPOSED PROCEDURAL SCHEDULE

Staff proposes the procedural schedule set out below:

<u>Deadline</u>	<u>Event</u>
January 21, 2020	Commission Staff files comments on the merits of Aspire’s Complaint (per Order Number 7)
February 18, 2020	Aspire and ERCOT (and Commission Staff, at its discretion) file Cross-Motions for Summary Decision
March 27, 2020	Aspire, ERCOT, and Commission Staff file Responses to the Motions for Summary Decision
March 27, 2020	Deadline for any party to request a hearing before the presiding officer on the Motions for Summary Decision

Staff understands that ERCOT and Aspire will be filing a Joint Proposed Procedural Schedule (Joint Motion) for further processing of this case. Staff's Proposed Procedural Schedule mirrors that proposed by ERCOT and Aspire. However, Staff files this separate pleading proposing the procedural schedule in response to Order No. 6, because the Joint Motion combines Aspire's request for a hearing with proposing a procedural schedule, rather than just proposing a procedural schedule, as per Order No. 6. Although Staff does not object to Aspire's request for a hearing, Staff takes the position that that request should have been made in a separate pleading filed by Aspire's counsel.

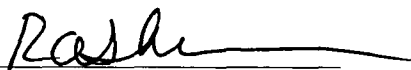
III. CONCLUSION

Staff respectfully requests adoption its proposed procedural schedule.

**PUBLIC UTILITY COMMISSION OF
TEXAS LEGAL DIVISION**

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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 13, 2020 in accordance with 16 TAC § 22.74.


Rashmin J. Asher