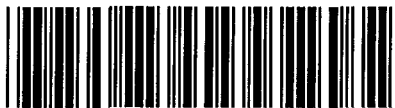




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**PUC DOCKET NO. 24770**

**REPORT OF THE ELECTRIC § PUBLIC UTILITY COMMISSION**  
**RELIABILITY COUNCIL OF §**  
**TEXAS TO THE PUCT § OF TEXAS**  
**REGARDING IMPLEMENTATION §**  
**OF THE ERCOT PROTOCOLS §**

**ORDER NO. 18**  
**MEMORIALIZING THE DENIAL OF TEX-LA'S REQUEST FOR A HEARING**  
**AND THE APPROVAL OF THE NON-UNANIMOUS STIPULATION**

In Order No. 16, the administrative law judge (ALJ) assigned to this case granted the request of Tex-La Electric Cooperative of Texas, Inc. (Tex-La) to intervene in this proceeding, subject to Tex-La's agreement not to request a hearing.<sup>1</sup> Tex-La appealed this ruling, challenged the stipulation reached by the other parties regarding pre-assigned transmission congestion rights (PCRs) and, alternatively, requested a hearing.<sup>2</sup> By individual ballot, the Commissioners voted not to consider Tex-La's appeal of Order No. 16. The appeal was thereby denied by operation of law.<sup>3</sup>

To ensure that no confusion existed regarding the denial of Tex-La's appeal and request for a hearing as accomplished by operation of law, the Commissioners expressly voted to deny Tex-La's appeal and request for a hearing at the Commission's open

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<sup>1</sup> Order No. 16, Ruling on Late-Filed Motions to Intervene, at 2 (Oct. 25, 2002). That order permitted Tex-La to express its views in briefs or other forms of written communication, and to participate in any hearing that was scheduled for some other reason by the ALJ.

<sup>2</sup> Tex-La Electric Cooperative, Inc.'s Filing Appealing Order No. 16, Opposing the Non-Uniform Stipulation, and Addressing Other Issues Related to Its Rights and, in the Alternative, Requesting a Hearing (Nov. 1, 2002).

<sup>3</sup> See P.U.C. PROC. R. 22.123(a)(7)(A).

meeting on December 5, 2002. In addition, the Commissioners approved the non-unanimous stipulation.<sup>4</sup>


Accordingly, this interim order memorializes these rulings.

SIGNED AT AUSTIN, TEXAS the 19th day of December, 2002

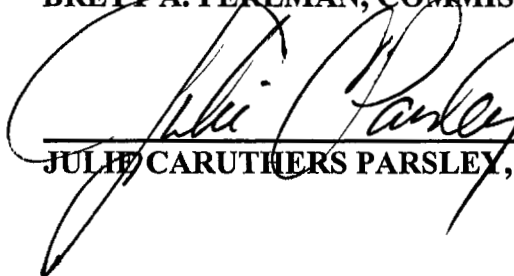
**PUBLIC UTILITY COMMISSION OF TEXAS**



REBECCA KLEIN, CHAIRMAN



BRETT A. PERLMAN, COMMISSIONER



JULIE CARUTHERS PARSLEY, COMMISSIONER

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<sup>4</sup> Revised Non-Unanimous Stipulation and Agreement Regarding Preassigned Transmission Congestion Right Pricing at 7-8 (Oct. 11, 2002).