



Control Number: 25937



Item Number: 453

Addendum StartPage: 0

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October 7, 2002

**VIA HAND-DELIVERY**

Public Utility Commission of Texas  
Attention: Parviz Adib  
Division Director, Market Oversight Division  
1701 North Congress Avenue  
Austin, Texas 78701

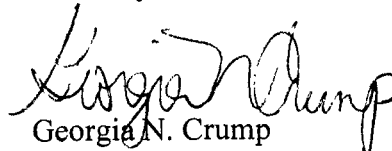
Re: Project No. 25937, *PUC Investigation into Possible  
Manipulation of the ERCOT Market*

Dear Mr. Adib:

Enclosed for filing in the above referenced matter please find the original and one copy of the Affidavit of Mr. Jim Harder on behalf of the City of Garland (Garland Power & Light).

Thank you for your assistance.

Sincerely,

  
Georgia N. Crump

GNC/jmc  
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Enclosure

453  
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**PROJECT NO. 25937**

**PUC INVESTIGATION INTO  
POSSIBLE MANIPULATION OF  
THE ERCOT MARKET**

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**PUBLIC UTILITY COMMISSION  
OF TEXAS**

**STATE OF TEXAS**

§  
§  
§

**COUNTY OF DALLAS**

**AFFIDAVIT**

BEFORE ME, the undersigned authority, on this day appeared Jim Harder who being by me first duly sworn, on oath deposed and said the following:

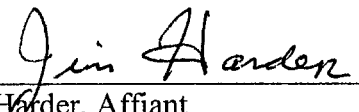
“My name is Jim Harder, and I am the Electric Utility Director for the City of Garland, Texas, whose electric department operates under the name of Garland Power and Light (“GP&L” or the “Utility”). In such capacity, I am responsible for the operation of the Utility. My office is located at 504 West State Street, Garland, Texas 75040. I am over 18 years of age, have personal knowledge of the facts recited herein, and am not otherwise disqualified from making this my sworn affidavit. The information provided herein is true and correct. This affidavit is being provided in response to the Notice Concerning Revisions to Part II and New Filing Deadline, dated July 12, 2002.

**PART II**

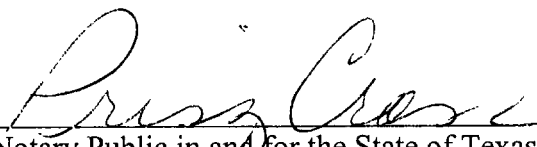
As Utility Director, I use reasonable and good faith efforts to ensure that the Utility conducts its affairs in ERCOT consistent with recognized standards of ethics and in a manner that adheres to the letter and spirit of the ERCOT Protocols and Operating Guides and other rules as they are reasonably understood. I commit to the following propositions to the extent they are applicable to the activities of the Utility:

- A. The Utility will not engage in any activity described in Part I of the Staff Memorandum dated June 12, 2002;
- B. The Utility will not engage in physical withholding, *i.e.*, it will not declare its resources to be unavailable to ERCOT for the purpose of increasing prices for ERCOT-procured services;
- C. The Utility will make reasonable and good faith efforts to comply with all ERCOT rules as they are reasonably understood, even when the ERCOT rules or the Utility's agreement with ERCOT do not specify a penalty for non-compliance;  
and
- D. The Utility will monitor the trading behavior of its employees.
- E. To the best of my knowledge and belief, the Utility has sufficient management controls in place to ensure compliance with the foregoing precepts.

This ends my affidavit.”

  
\_\_\_\_\_  
Jim Harder, Affiant

SWORN AND SUBSCRIBED to under oath by Jim Harder before the undersigned notary public on the 30 day of September, 2002.

  
\_\_\_\_\_  
Notary Public in and for the State of Texas

SEAL

