

Control Number: 34738



Item Number: 101

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**STATE OFFICE**  
**OF**  
**ATIVE HEARINGS**

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**BEFORE THE STATE OFFICE  
OF  
ADMINISTRATIVE HEARINGS**

NOW COMES Staff of the Public Utility Commission of Texas (“Commission Staff” or “Staff”), representing the public interest, in the above titled and numbered cause, to submit this Commission Staff’s Response to International Power America, Inc., Hays Energy Limited Partnership, Midlothian Energy Limited Partnership, and ANP Funding, LLC’s (IPA Parties) Third Request for Information to Commission Staff.

## GENERAL CONDITIONS OF RESPONSE

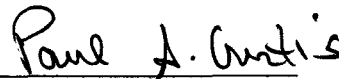
1. Staff's responses are subject to the objections filed separately on June 10, 2008.
2. Staff stipulates that their responses to requests for information can be treated by all parties as if the answers were filed under oath.
3. For all voluminous responses to requests for production of documents, inspection will be permitted at a mutually convenient time at the voluminous document room designated by Staff at 1701 North Congress Avenue, Austin, Texas 78711.
4. Documents responsive to requests for production that are Protected Materials or Highly Sensitive Protected Materials shall be made available subject to a protective order.

**DATE: June 10, 2008**

Respectfully Submitted,

Thomas S. Hunter  
Division Director  
Legal Division

Keith Rogas  
Deputy Division Director  
Legal Division

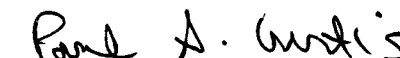


Paul A. Curtis  
Senior Attorney-Legal Division  
State Bar No. 24047627  
(512) 936-7297  
(512) 936-7268 (facsimile)  
Public Utility Commission of Texas  
1701 N. Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711-3326

**SOAH DOCKET NO. 473-08-1153  
PUC DOCKET NO. 34738**

## CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all parties of record by first class U.S. mail, postage pre-paid on this date, June 10, 2008, in accordance with P.U.C. Procedural Rule 22.74.

  
\_\_\_\_\_  
Paul A. Curtis

## **PRODUCTION REQUESTS**

**3-1. For the period January 1, 2004 through December 31, 2007, please state the number of: (1) investigations of market participants Staff initiated for potential violation of protocols related to governor response; (2) NOVs Staff issued for violation of protocols related to governor response; and (3) settlements reached with market participants for alleged violation of protocols related to governor response. Please provide this information for each Measurable Event occurring on the ERCOT system.**

### **Response**

Objection has been made to this request and no response shall be provided.

Preparers: Carrie R. Tournillon and Paul A. Curtis

**3-2. For the period January 1, 2004 through December 31, 2007, please state by month the number of: (1) investigations of market participants Staff initiated for potential violation of protocols related to provision of a frequency bias signal to ERCOT; (2) NOVs issued for violation of protocols related to provision of a frequency bias signal to ERCOT; and (3) settlements reached with market participants for alleged violation of protocols related to provision of a frequency bias signal to ERCOT.**

**Response**

Objection has been made to this request and no response shall be provided.

Preparers: Carrie R. Tournillon and Paul A. Curtis

**3-3 For the period January 1, 2004 through December 31, 2007, please state by month the number of: (1) investigations of market participants Staff initiated for potential violation of protocols related to accuracy of frequency bias signals sent to ERCOT; (2) NOV's issued for violation of protocols related to accuracy of frequency bias signals sent to ERCOT; and (3) settlements reached with market participants for alleged violation of protocols related to accuracy of frequency bias signals sent to ERCOT.**

**Response**

Objection has been made to this request and no response shall be provided.

Preparers: Carrie R. Tournillon and Paul A. Curtis

**3-4 If the Commission executes a contract to retain a consulting expert in connection with RFP 473-08-00234, Request For Proposals For Consulting Expert Services Concerning The Compliance Of Certain Generating Units With Rules On Governor Response and The Provision Of Frequency Bias or any amended, similar or related requests for proposals ("RFP"), please produce: (1) all proposals, including revised or amended proposals, submitted to the Commission; (2) any contract executed in connection with the RFP to the extent they involve expenditure of public or other funds by the Commission; and (3) all working papers, research material, and information used to estimate the need for or expenditure of public funds or taxes by the Commission in connection with such a contract(s).**

### **Response**

Objection has been made to subparts (1) and (3) of this request and no documents shall be provided. However, subject to Staff's objections and without waiving any claim of privilege, Staff offers the following response to subpart (2) of the question:

To date, the Commission has not executed a contract to retain a consulting expert in connection with RFP 473-08-00234, Request For Proposals For Consulting Expert Services Concerning The Compliance Of Certain Generating Units With Rules On Governor Response and The Provision Of Frequency Bias or any amended, similar or related requests for proposals.

Preparers: Carrie R. Tournillon and Paul A. Curtis