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Filing Date - 2024-09-20 01:17:09 PM

Control Number - 35077

Item Number - 1931

PUC PROJECT NO. 35077

INFORMATIONAL FILING OF ERCOT	§	BEFORE THE
INTERCONNECTION AGREEMENTS	§	PUBLIC UTILITY COMMISSION
PURSUANT TO SUBST. R. § 25.195(e)	§	OF TEXAS

ONCOR ELECTRIC DELIVERY COMPANY LLC'S RESPONSE TO B.F. HICKS

Oncor Electric Delivery Company LLC ("Oncor") respectfully submits this response to the September 13, 2024, letter filed in this project by B.F. Hicks. Pursuant to 16 Texas Administrative Code ("TAC") § 22.78(a), this response is timely filed.

I. INTRODUCTION

Oncor filed a Standard Generation Interconnection Agreement ("SGIA") in this project for Umbra Solar & BESS (f/k/a Stockyard Solar & BESS) on November 9, 2022,¹ followed by an amendment to the SGIA on May 23, 2024.² On September 13, 2024, Mr. Hicks filed a letter regarding the Umbra Solar & BESS project, which alleges that Oncor "is working with the foreign solar developers across [Franklin County]" and that "probably one hundred miles of transmission line clearance is underway to accommodate the construction of new towers."³ Mr. Hicks asks the Public Utility Commission of Texas ("Commission") to "prevent approval of construction and require alternate placement for these lines." The letter provides no factual basis to support Mr. Hicks' allegations and no legal basis for granting his requested relief.

II. ONCOR'S RESPONSE TO MR. HICKS

First, the developer of Umbra Solar & BESS is Stockyard Solar Project, LLC, a Delaware company and a wholly owned subsidiary of Enel Green Power North America Inc., also a Delaware company. The developer expressly represented and warranted in the SGIA that it does not meet any of the foreign ownership, control, or headquarters criteria listed in the Lone Star Infrastructure Protection Act ("LSIPA").⁴ The LSIPA would only prohibit ownership interests

¹ Interconnection Agreement Between Oncor Electric Delivery Company LLC and Stockyard Solar Project, LLC (Umbra (Stockyard) Solar & BESS), Interchange Item No. 1516 (Nov. 9, 2022) (hereinafter, "SGIA").

² Amendment No. 1 to the Generation Interconnection Agreement Between Oncor Electric Delivery Company LLC and Stockyard Solar, LLC (Umbra (Stockyard) Solar & BESS), Interchange Item No. 1831 (May 23, 2024) (hereinafter, "SGIA Amendment").

³ Advice that Oncor Electric Delivery Company LLC is Working with Foreign Solar Developers, Interchange Item No. 1927 (Sep. 13, 2024).

⁴ See SGIA at 3, 24.

held by countries that Texas has specifically designated as a threat to critical infrastructure.⁵ Oncor is unaware of any foreign ownership interests that would implicate the LSIPA, and Mr. Hicks has not suggested that any exist.

Second, Oncor has not begun construction for the Umbra Solar & BESS interconnection—including right-of-way clearing. Under the SGIA Amendment, the developer has until December 2024 to notify Oncor to commence construction on the project.⁶ When construction commences, Oncor’s new transmission line facilities will consist of only two spans (~1,500-2,000 feet) of 345 kV circuits connecting Oncor’s existing Monticello Switch-Woodard Switch transmission line to the generator’s point of interconnection through a new 345 kV switching station.⁷

III. CONCLUSION

Mr. Hicks’ allegations have no basis in fact, and his request for relief has no legal basis. For the reasons described above, Oncor respectfully requests that the Commission decline to grant his requested relief.

⁵ The LSIPA prohibits agreements that would grant access to critical infrastructure, including the electric grid, to foreign-owned companies from certain designated countries. The designated countries are: China, Iran, North Korea, and Russia. *See* Tex. Bus. & Comm. Code ch. 13; Tex. Gov’t Code ch. 2274.

⁶ SGIA Amendment at Bates 4 (Ex. B).

⁷ SGIA at 28, 32 (Ex. C). Regarding Mr. Hicks’ claim that “probably a hundred miles” of transmission line right-of-way is being cleared, Oncor’s only active transmission project in Franklin County—which is unrelated to Umbra Solar & BESS—is the replacement of 11 structures along Oncor’s existing Monticello Switch-Woodard Switch 345 kV transmission line to improve right-of-way clearances. These structure replacements are occurring entirely within Oncor’s existing right-of-way, and no new right-of-way is being cleared. This project is exempt from the Commission’s certification requirements under 16 TAC § 25.101(c)(5)(B).

Respectfully submitted,

By: /s/ Jared M. Jones

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**ATTORNEYS FOR ONCOR ELECTRIC
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CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing has been filed with the Commission and served on B.F. Hicks via email on this the 20th day of September, 2024.

/s/ Stephanie Tenorio