



## **Filing Receipt**

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**Control Number - 38578**

**Item Number - 116**



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ercot.com

December 4, 2023

Therese Harris  
Director, Infrastructure Division  
Public Utility Commission of Texas  
1701 N. Congress Ave.  
Austin, Texas 78711

Re: Project No. 38578 and Winter and Summer Load Management Programs

Dear Ms. Harris,

Following discussions by Electric Reliability Council of Texas, Inc. (ERCOT), Commission Staff, and each of the transmission and distribution utilities (TDU) that have expressed an intention to offer load management programs (namely, AEP Texas, Inc., CenterPoint Energy Houston Electric LLC, Oncor Electric Delivery Company LLC, and Texas New Mexico Power Company), ERCOT is pleased to report that it has reached agreement with these TDUs on the terms of a memorandum of understanding (MOU) that covers both the summer and winter administration of these programs. The executed MOUs are attached to this pleading as Attachment A. These MOUs replace the 2012 summer-specific MOU and will avoid the need for winter-specific MOUs each year.

Please do not hesitate to reach out to me if you have any questions about this.

Sincerely,

*/s/ Katherine Gross*

Katherine Gross  
Sr. Corporate Counsel  
[katherine.gross@ercot.com](mailto:katherine.gross@ercot.com)

**MEMORANDUM OF UNDERSTANDING  
CONCERNING LOAD MANAGEMENT PROGRAM COOPERATION**

**I. Introduction**

The undersigned Transmission and Distribution Service Provider ("TDSP") hereby enters into this Memorandum of Understanding ("MOU") with Electric Reliability Council of Texas, Inc. ("ERCOT") setting forth the terms of cooperation regarding the administration and deployment of the TDSP's Load Management Program.

**II. Description of Load Management Programs**

The term "Load Management Program" refers to any program created pursuant to Texas Utilities Code sections 36.204, 38.075, and/or 39.905 and/or PUC Substantive Rule 25.181 under which end-use customers may agree to receive payment from a TDSP in exchange for reducing peak demand for a specified duration upon request by the TDSP. All other terms in this MOU should be understood to have the meaning assigned by the ERCOT Nodal Protocols.

**III. Administration of Load Management Programs**

(a) Initial Report

The TDSP agrees to provide to ERCOT by May 15 each year for the Summer (or as soon thereafter as possible), or by November 15 each year for the Winter (or as soon thereafter as possible), an initial report showing (1) the number of megawatts of Load Management Program capacity procured for that season, (2) the maximum allowable duration of each single deployment (if any), (3) the maximum total allowable duration of all deployments (if any), (4) the maximum number of deployments that may be required (if any), and (5) any other limit on deployment of which the TDSP reasonably believes ERCOT should be aware. If the TDSP offers different categories of Load Management Program participation (varying by duration or number of deployments, for example), the TDSP will provide the above information for each category. The TDSP shall identify the primary point of contact for its program with its initial report. This report should be sent to ERCOT by email at [LoadManagement@ercot.com](mailto:LoadManagement@ercot.com).

(b) Notices

Any changes to the TDSP's total program capacity, including changes based on testing or other qualifications, must be reported to ERCOT within one business day of the change. These communications must be sent to ERCOT via email to [LoadManagement@ercot.com](mailto:LoadManagement@ercot.com).

The TDSP agrees to notify ERCOT of the initiation and termination of any deployment of Load Management Program capacity not initiated by ERCOT by 10:30 a.m. on the day following the deployment. The TDSP also agrees to notify ERCOT of the exhaustion of its Load Management Program capacity (or any class of its Load Management Program participation) by 10:30 a.m. on the day following the exhaustion of that capacity. These notices will be sent to ERCOT by email at [LoadManagement@ercot.com](mailto:LoadManagement@ercot.com). If email is for any reason unavailable, TDSPs will attempt to notify ERCOT by telephone at (512) 248- 3912.

Additionally, the TDSP agrees to notify ERCOT if there has been a change in the primary point of contact for its Load Management Program.

Finally, each TDSP will notify the ERCOT control room via email to [ShiftSupervisors@ercot.com](mailto:ShiftSupervisors@ercot.com) prior to any test deployment of the Load Management Program.

(c) ERCOT deployment of Load Management Program capacity

ERCOT may request deployment of Summer Load Management Programs on any day between June 1 and September 30 each year or may request deployment of Winter Load Management Programs on any day between December 1 through February 29. ERCOT may request that TDSPs deploy any available capacity from Load Management Programs only if ERCOT has declared, or reasonably expects to declare, a Level 2 Energy Emergency Alert.

ERCOT will communicate any request for deployment, and a recall of such a deployment, via a Hotline call directed to Transmission Operators for the TDSPs. ERCOT will recall the deployment by issuing a similar Hotline call.

Upon receiving a request for deployment, TDSPs will instruct their respective Load Management Program participants to reduce Load consistent with their respective program obligations.

Deployment of Load Management Programs can occur at any time of day irrespective of whether the TDSP has procured capacity for the time period during which the deployment occurs. If a TDSP has not procured capacity for any part of the period during which a deployment occurs, then that TDSP is not required to respond to that deployment request to that extent. Additionally, if the continued deployment of any Load Management Program participant would at any time exceed the maximum contractually permitted duration of the participant's obligation, the TDSP may terminate the deployment at the end of that maximum duration without receiving an instruction from ERCOT.

**IV. Effective Date and Duration**

This MOU is effective upon execution by both ERCOT and the TDSP. The undersigned TDSP signatory warrants that he or she possesses authority to execute this MOU on behalf of the TDSP. The MOU shall continue to be in effect until terminated in writing by ERCOT or the TDSP. This MOU will be understood to apply to any successor of any signatory party.

Electric Reliability Council of Texas, Inc.:

By: 

Name: DAN WOODFIN

Title: VP, SYSTEM OPERATIONS

Date: 12/4/2023

[insert TDSP]:

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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Electric Reliability Council of Texas, Inc.:

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

AEP Texas Inc.:

By:  \_\_\_\_\_

Name: Robert Cavazos

Title: Energy Efficiency & Consumer Programs Manager

Date: November 28, 2023

(c) ERCOT deployment of Load Management Program capacity

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Electric Reliability Council of Texas, Inc.:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

CenterPoint Energy Houston Electric, LLC:

By: Shea Richardson  
Name: Shea Richardson  
Title: Energy Efficiency Compliance Manager  
Date: 11/27/2023

(c) ERCOT deployment of Load Management Program capacity

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Electric Reliability Council of Texas, Inc.:

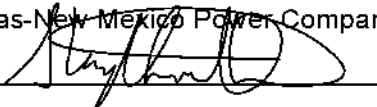
By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Texas-New Mexico Power Company

By:  \_\_\_\_\_

Name: STACY WHITEHURST

Title: VICE PRESIDENT OF REGULATORY

Date: 11/28/2023

(c) ERCOT deployment of Load Management Program capacity

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Electric Reliability Council of Texas, Inc.:

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Oncor Electric Delivery Company LLC

By: Garry Jones

Name: Garry Jones

Title: Director, Energy Efficiency



Date: 11/27/2023