



Control Number: 47777



Item Number: 23

Addendum StartPage: 0

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COMMISSION STAFF'S APPLICATION §  
TO SET 2018 WHOLESALE §  
TRANSMISSION SERVICE CHARGES §  
FOR THE ELECTRIC RELIABILITY §  
COUNCIL OF TEXAS §

PUBLIC UTILITY COMMISSION 21

PUBLIC UTILITY COMMISSION  
OF TEXAS  
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**BRYAN TEXAS UTILITIES' MOTION TO INTERVENE**

Pursuant to Sections 22.103 and 22.104 of the Procedural Rules of the Public Utility Commission of Texas ("PUC" or "Commission"), the City of Bryan, acting by and through its utilities board, Bryan Texas Utilities ("BTU"), files this Motion to Intervene in the above-captioned proceeding, and in support shows as follows:

**I. IDENTITY OF INTERVENOR**

BTU is a "municipally owned utility" as defined in Section 11.003(11) of the Public Utility Regulatory Act ("PURA")<sup>1</sup> with a mailing address at P.O. Box 1000, Bryan, Texas 77805. BTU is owned by the City of Bryan, Texas, a municipal corporation incorporated under Texas law. BTU is a person within the meaning of PUC PROC. R. §§ 22.2(31) and 22.103.<sup>2</sup>

**II. LEGAL REPRESENTATIVES**

The names, addresses, and telephone numbers of BTU's authorized legal representatives for this proceeding are:

Carl R. Galant  
Campbell McGinnis  
Brytne D. Kitchin  
McGinnis, Lochridge & Kilgore, LLP  
600 Congress Avenue, Suite 2100  
Austin, Texas 78701  
Telephone: 512/495-6083  
Fax: 512/505-6383  
[cgalant@mcginnislaw.com](mailto:cgalant@mcginnislaw.com)

BTU requests that all correspondence, pleadings, requests for information, responses to requests for information, and other documents in this proceeding be served upon Carl R. Galant, the first identified legal representative above.

<sup>1</sup> TEX. UTIL. CODE §§ 11.001-66.016.

### III. JUSTICIABLE INTEREST

BTU has standing to intervene in this proceeding because it is an “affected person” within the meaning of PURA § 11.003, and an “intervenor” within the meaning of PUC PROC. R. §§ 22.2(25) and 22.103. PUC PROC. R. § 22.103 provides that a person has standing to intervene in a Commission proceeding if that person has or represents persons with a justiciable interest that may be adversely affected by the outcome of the proceeding. This proceeding involves the application filed by Commission Staff on November 15, 2017, to set wholesale transmission service charges in the Electric Reliability Council of Texas (“ERCOT”) for 2018. BTU has a justiciable interest in this proceeding because it is a transmission service provider and transmission service customer in ERCOT. BTU both charges and pays for wholesale transmission service in ERCOT in accordance with the wholesale transmission rates to be established by the Commission in this proceeding.

WHEREFORE, PREMISES CONSIDERED, BTU respectfully requests that this Motion to Intervene be granted, that BTU be admitted as a party in this proceeding for all purposes, and that it have such other and further relief to which it may show itself entitled.

Respectfully submitted,

MCGINNIS, LOCHRIDGE & KILGORE, LLP  
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Brytne D. Kitchin  
State Bar No. 24079973

ATTORNEYS FOR BRYAN TEXAS UTILITIES

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<sup>2</sup> For purposes of this docket, BTU is an “electric utility” as defined in PURA § 35.001 and a “transmission service provider” in the ERCOT region, as that term is defined in PUC SUBST. R. 25.5(143).

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document has been served on all parties of record by hand-delivery, overnight delivery, facsimile, email, or U.S. first class mail this 18th day of December, 2017.



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Brytne D. Kitchin