



Control Number: 49634



Item Number: 9

Addendum StartPage: 0

RECEIVED

DOCKET NO. 49634

2019 JUL 12 AM 11:54

PETITION OF COMMISSION STAFF  
TO REVOKE THE RETAIL  
ELECTRIC PROVIDER  
CERTIFICATE OF AXON POWER &  
GAS, LLC

§ PUBLIC UTILITY COMMISSION  
§ PUBLIC UTILITY COMMISSION  
§ OF  
§ TEXAS  
§

**ELECTRIC RELIABILITY COUNCIL OF TEXAS, INC.'S MOTION TO INTERVENE**

**I. AUTHORIZED REPRESENTATIVES**

COMES NOW Electric Reliability Council of Texas, Inc. (ERCOT) and files this Motion to Intervene, pursuant to 16 TAC §§ 22.102 – 22.104, and respectfully shows the following:

The contact information of ERCOT's authorized legal representatives for service of all documents and pleadings are:

Chad V. Seely	Juliana Morehead	Gibson Hull
Vice President and General Counsel	Assistant General Counsel	Associate Corporate Counsel
Texas Bar No. 24037466	Texas Bar No. 24046474	Texas Bar No. 24106844
(512) 225-7035 (Phone)	(512) 225-7184 (Phone)	(512) 225-7179 (Phone)
(512) 225-7079 (Fax)	(512) 225-7079 (Fax)	(512) 225-7079 (Fax)
<a href="mailto:chad.seely@ercot.com">chad.seely@ercot.com</a>	<a href="mailto:juliana.morehead@ercot.com">juliana.morehead@ercot.com</a>	<a href="mailto:gibson.hull@ercot.com">gibson.hull@ercot.com</a>

**II. PROCEDURAL HISTORY**

On June 17, 2019, staff of the Public Utility Commission of Texas (Commission) filed a Petition to Revoke the Retail Electric Provider (REP) Certificate of Axon Power & Gas, LLC (Axon)—REP Certificate number 10227.

**III. ERCOT'S INTEREST**

ERCOT is the independent organization under Public Utility Regulatory Act (PURA) § 39.151 that provides services related to serving Customer Load for the geographic area under the Commission's jurisdiction within the state of Texas. Pursuant to PURA § 39.151(j), the Commission has oversight over ERCOT and the ERCOT Nodal Protocols (Protocols). The

Protocols, including any attachments or exhibits referenced therein, contain the scheduling, operating, planning, reliability, and Settlement (including Customer registration) policies, rules, guidelines, procedures, standards, and criteria of ERCOT, and are intended to implement ERCOT's functions as the independent organization for the ERCOT Region. All Market Participants, including REPs, must comply with the procedures of ERCOT. One of ERCOT's primary functions is to administer settlement and billing for services provided by ERCOT. *See* 16 Texas Administrative Code (TAC) § 25.361(b)(2). ERCOT is also required to administer procedures for the registration of Market Participants, and manage the Customer registration system. *See* 16 TAC §§ 25.361(b)(10) and (11). Furthermore, ERCOT is required, on occasion, to transfer customers from REPs to Providers of Last Resort (POLRs) through the Mass Transition process. *See* 16 TAC § 25.43(l)(1). ERCOT Protocol Section 15.1.3.1 and ERCOT Retail Market Guide Section 7.11 detail the procedures and timelines for initiating and executing a Mass Transition.

Axon is a Market Participant and registered with ERCOT as a Qualified Scheduling Entity (QSE), Load Serving Entity (LSE), and Renewable Energy Credit (REC) Account Holder. If Axon's REP Certificate is revoked in this proceeding, ERCOT may be required to initiate the Mass Transition process, as set forth in the Protocols and Retail Market Guide. ERCOT has standing to intervene in this matter because ERCOT, as the independent organization: (a) administers settlement and billing for services provided by ERCOT to Axon; (b) administers functions with respect to Axon's Market Participant registrations with ERCOT; (c) provides services related to serving Axon's Customer Load; and (d) may be responsible for transferring Axon's customers in accordance with the Mass Transition process set forth in the Protocols and Retail Market Guide.

**IV. PRAYER**

WHEREFORE, PREMISES CONSIDERED, ERCOT respectfully requests that the Commission grant this Motion to Intervene and such other and further relief to which ERCOT may show itself to be entitled.

Respectfully submitted,



Chad V. Seely  
Vice President and General Counsel  
Texas Bar No. 24037466  
(512) 225-7035 (Phone)  
[Chad.Seely@ercot.com](mailto:Chad.Seely@ercot.com)

Juliana Morehead  
Assistant General Counsel  
Texas Bar No. 24046474  
(512) 225-7184 (Phone)  
[Juliana.Morehead@ercot.com](mailto:Juliana.Morehead@ercot.com)

Gibson Hull  
Associate Corporate Counsel  
Texas Bar No. 24106844  
(512) 225-7179 (Phone)  
[gibson.hull@ercot.com](mailto:gibson.hull@ercot.com)

ERCOT  
7620 Metro Center Drive  
Austin, Texas 78744

ATTORNEYS FOR ELECTRIC  
RELIABILITY COUNCIL OF  
TEXAS, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this document was served on all parties of record to this proceeding on July 12, 2019 by hand delivery, fax, or first-class U.S. mail.

