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PROJECT NO. 54444

**CY 2023 REPORTS OF THE § PUBLIC UTILITY COMMISSION
ELECTRIC RELIABILITY COUNCIL §
OF TEXAS § OF TEXAS**

PROJECT NO. 49819

**RULEMAKING RELATING TO § PUBLIC UTILITY COMMISSION
CYBERSECURITY MONITOR §
§ OF TEXAS**

NOTICE OF TEXAS CYBERSECURITY MONITOR PROGRAM FEE

Pursuant to 16 Texas Administrative Code (TAC) § 25.367(n)(2)(B), Electric Reliability Council of Texas, Inc. (ERCOT) submits this Notice of Texas Cybersecurity Monitor Program Fee for the 2024 calendar year.

I. Background

Texas Senate Bill 936 (S.B. 936), 86th Legislature, Regular Session, authorized the creation of a cybersecurity monitor program (Texas Cybersecurity Monitor Program) for certain electric utilities and granted the Public Utility Commission of Texas (Commission) the authority to adopt rules necessary to implement the program. S.B. 936 mandates the Commission and ERCOT contract with an entity to serve as the Commission’s cybersecurity monitor. It also provides that “an electric utility, municipally owned utility, or electric cooperative that operates solely outside the ERCOT power region may elect to participate in the cybersecurity monitor program.” These “non-ERCOT utilities” are required by statute to contribute to the costs of the Texas Cybersecurity Monitor Program in the event they elect to participate.

Following S.B. 936, the Commission adopted P.U.C. Subst. R. § 25.367, which in part requires ERCOT obtain approval of the non-refundable fixed fee amount and calculation methodology applicable to non-ERCOT utilities that elect to participate. It also requires ERCOT file and post notice of the approved fee on or before October 1, 2023, for the 2024 program year.

II. Fee for 2024 Program Year

On September 15, 2023, ERCOT requested \$4,322.17 be approved as the fee amount for the 2024 calendar year (Attachment A). Mr. Thomas Gleeson, Executive Director of the Commission, subsequently approved the proposed fee and underlying calculation methodology on

September 27, 2023. Accordingly, pursuant to P.U.C. Subst. R. § 25.367(n)(2)(B), ERCOT hereby files notice that the fee for non-ERCOT utilities to participate in the Texas Cybersecurity Monitor Program for the 2024 calendar year shall be **\$4,322.17**. Notice of the fee will also be posted on ERCOT's website on or before October 1, 2023. ERCOT will also make available on its website a form participation agreement for non-ERCOT utilities to complete in order to participate in the Texas Cybersecurity Monitor Program.

Dated: September 28, 2023

Respectfully submitted,

/s/ Anna Berlin

Chad V. Seely
Senior Vice President and General Counsel
Texas Bar No. 24037466
(512) 225-7035 (Phone)
chad.seely@ercot.com

Brandon Gleason
Deputy General Counsel
Texas Bar No. 24038679
(512) 275-7442 (Phone)
brandon.gleason@ercot.com

Anna Berlin
Associate Corporate Counsel
Texas Bar No. 24123760
(512) 248-3000 (Phone)
anna.berlin@ercot.com

ERCOT
8000 Metropolis Drive, Bldg. E, Suite 100
Austin, Texas 78744
(512) 225-7079 (Fax)

ATTORNEYS FOR ELECTRIC
RELIABILITY COUNCIL OF TEXAS,
INC.

Kathleen Jackson
Interim Chair
Will McAdams
Commissioner
Lori Cobos
Commissioner
Jimmy Glotfelty
Commissioner



Greg Abbott
Governor
Thomas J. Gleeson
Executive Director

Public Utility Commission of Texas

September 27, 2023

Chad V. Seeley, Vice President & General Counsel
Electric Reliability Council of Texas, Inc.
8000 Metropolis Dr., Bldg E, Suite 100
Austin, Texas 78744

Re: Response to Approval of Fee Amount and Calculation Methodology in Connection
with Cybersecurity Monitor Program

Dear Mr. Seely:

I am receipt of your letter date September 15, 2023, in which the Electric Reliability Council of Texas, Inc (ERCOT) requested approval of the fee and calculation methodology for the 2024 calendar year of the Cybersecurity Monitor Program in accordance with Texas Senate Bill 936 (S.B. 936), 86th Legislature, Regular Session.

In that letter, ERCOT requests that the fee applicable to non-ERCOT utilities be set at \$4,322.17 for the 2024 calendar year. ERCOT also outlines the proposed methodology used to calculate this fee in its letter.

I have reviewed the calculation methodology proposed by ERCOT and the resulting fee to each non-ERCOT utility who elects to participate in the Cybersecurity Monitor Program. The methodology and fee appear consistent with S.B. 936 as well as the rule language proposed under new 16 Texas Administrative Code (TAC) §25.367(n) to codify ERCOT's obligations regarding funding for the cybersecurity monitor.

I deem both the methodology fee proposed by ERCOT to be approved for the 2024 calendar year.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas Gleeson".

Thomas Gleeson
Executive Director

