



Control Number: 51812



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Arthur C. D'Andrea  
Chairman



Greg Abbott  
Governor

Thomas J. Gleeson  
Executive Director

*Public Utility Commission of Texas*

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PUBLIC UTILITY COMMISSION  
PHILIP A. BROWN

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TO: Chairman Arthur C. D'Andrea

FROM: Stephen Journeay  
Commission Counsel

RE: *Issues Related to the State of Disaster For the February 2021 Winter Weather Event, Project No. 51812, March 12, 2021 Open Meeting, Item No. 2.*

DATE: March 11, 2021

The attached draft order is posted for consideration at the open meeting currently scheduled for March 12, 2021.

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**PROJECT NO. 51812**

**ISSUES RELATED TO THE STATE OF § PUBLIC UTILITY COMMISSION  
DISASTER FOR THE FEBRUARY 2021 §  
WINTER WEATHER EVENT § OF TEXAS**

**DRAFT ORDER DIRECTING ERCOT TO EXTEND  
CERTAIN DEADLINES AND GRANTING AN EXCEPTION TO CERTAIN SECTIONS  
OF THE ERCOT NODAL PROTOCLS**

Through this Order the Commission exercises its oversight and review of the Electric Reliability Council of Texas, Inc. (ERCOT) and directs ERCOT to extend certain deadlines in and grants and exception to those sections of the ERCOT Nodal Protocols identified in this Order.

Paragraph two of ERCOT Nodal Protocol section 9.14.2 states that an “Invoice Recipient may dispute elements of an Invoice that are not the result of a Settlement Statement that are contained on the Invoice. The Invoice Recipient must file the Invoice dispute within ten Business Days of the date on which ERCOT posted the Invoice.” In addition, paragraph six of ERCOT Nodal Protocol section 9.14.2 states that a “Settlement Statement Recipient is deemed to have validated each DAM Settlement or Resettlement Statement unless it has raised a Settlement and billing dispute or reported an exception within ten Business Days of the date on which ERCOT issued the Settlement or Resettlement Statement.”.

The disruptions that have occurred and are occurring in the ERCOT market require that market participants have more time than ten business days to dispute an invoice or a day-ahead-market (DAM) settlement statement or resettlement statement. These disruptions are good cause to grant an exception to the 10-day deadlines identified above in section 9.14.2. To allow market participants adequate time in light of current market conditions to review invoices and settlement statements or resettlement statements, market participants should be allowed six months in which to file a dispute. It is appropriate that the extension granted by this Order apply to those invoices or settlement statements or resettlement statements related to ERCOT operating days February 14 through 19, 2021, which are the days most impacted.

**I. Ordering Paragraphs**

For the foregoing reasons, the Commission orders as follows:

1. The Commission grants exception to the 10-business-day deadline in paragraphs two and six of ERCOT Nodal Protocol Section 9.14.2 invoices related to ERCOT operating days February 14 through 19, 2021.
2. ERCOT shall extend the 10-business-day deadline in paragraphs two and six of ERCOT Nodal Protocol section 9.14.2 to six months after ERCOT posts the invoice, settlement statement, or resettlement statement to file a dispute or exception to an invoice, settlement statement, or resettlement statement related to ERCOT operating days February 14 – 19, 2021.
3. All other provisions of the ERCOT Nodal Protocols are unaffected by this Order.

**Signed at Austin, Texas the \_\_\_\_\_ day of March 2021.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

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**ARTHUR C. D'ANDREA, CHAIRMAN**