



Filing Receipt

Received - 2021-08-12 04:42:40 PM

Control Number - 52321

ItemNumber - 127

DOCKET NO. 52321

APPLICATION OF THE ELECTRIC	§	BEFORE THE
RELIABILITY COUNCIL OF TEXAS,	§	
INC. FOR A DEBT OBLIGATION	§	PUBLIC UTILITY COMMISSION
ORDER UNDER PURA CHAPTER 39,	§	
SUBCHAPTER M, AND REQUEST	§	OF TEXAS
FOR A GOOD CAUSE EXCEPTION	§	

**RWE RENEWABLES AMERICAS, LLC'S
STATEMENT OF POSITION**

RWE Renewables Americas, LLC (“RWE”) and files this statement of position pursuant to 16 Texas Administrative Code (TAC) § 22.124 and Order Number 2.

I. INTRODUCTION

On July 16, 2021, the Electric Reliability Council of Texas (ERCOT) filed its Application for a Debt Obligation Order under PURA Chapter 39, Subchapter M, and Request for a Good Cause Exception (“Application”) seeking approval of a debt obligation order pursuant to PURA § 39.602(1). RWE filed a motion to intervene in this proceeding on July 27, 2021, which was granted on July 29, 2021 at the prehearing conference.¹ In Order No. 2, the administrative law judge ordered intervenors to file direct testimony or a statement of position by August 12, 2021.² Therefore, this statement of position is timely filed.

II. RWE'S STATEMENT OF POSITION

RWE is still evaluating ERCOT's Application, testimony, and discovery responses. Due to the expedited schedule in this proceeding, discovery is still on-going and ERCOT continues to respond to discovery requests. Additionally, ERCOT has stated that it may supplement its Application or testimony. RWE generally supports approving a debt obligation order for ERCOT to securitize \$800 million in default balances, but reserves its right to amend or supplement this statement of position as discovery progresses and other parties raise issues in this docket. RWE also

¹ RWE's Motion to Intervene (Jul. 27, 2021).

² Order No. 2, Finding Application Sufficient and Notice Reasonable, Memorializing Prehearing Conference, and Adopting Amended Procedural Schedule (Jul. 29, 2021).

reserves its right to participate fully at the hearing on the merits, conduct cross examination, file post-hearing briefs, and take additional positions on other issues in this proceeding.

Dated: August 12, 2021

Respectfully submitted,

VEDDER PRICE P.C.

By: /s/ Stephanie Sparks

Stephanie C. Sparks

ssparks@vedderprice.com

State Bar No. 24042900

100 Crescent Court, Suite 350

Dallas, Texas 75201

T: +1 (469) 895 4800

F: +1 (469) 895 4802

**Attorneys for RWE Renewables Americas,
LLC**

CERTIFICATE OF SERVICE

I certify that on August 12, 2021 this Statement of Position was filed with the Public Utility Commission of Texas and a true and correct copy of it was served on all parties of record in this proceeding.

/s/ Stephanie Sparks

Stephanie C. Sparks