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PROJECT NO. 52364

PROCEEDING FOR ELIGIBLE ENTITIES TO FILE AN OPT OUT PURSUANT TO PURA § 39.653(d) AND FOR LOAD-SERVING ENTITIES TO FILE DOCUMENTATION OF EXPOSURE TO COSTS PURSUANT TO THE DEBT OBLIGATION ORDER IN DOCKET NO. 52322 § § § § § § § § § § **BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS**

THE CITY OF COLEMAN’S NOTICE OF ELECTION TO OPT OUT UNDER PURA § 39.653(d)

The City of Coleman (Coleman) files this Notice of Election to Opt Out Under PURA § 39.653(d) in the above-referenced proceeding. In support thereof, Coleman respectfully shows the following:

I. DISCUSSION

Coleman has decided to opt out of receiving securitization proceeds and being assessed uplift charges pursuant to Tex. Util. Code § 39.653(d) and provides the following information pursuant to Finding of Fact No. 47 in the Debt Obligation Order issued in Docket No. 52322 on October 13, 2021.¹

- 1. LSE’s legal name:**
City of Coleman

- 2. Name and contact information of the LSE’s authorized representative at ERCOT:**
Diana L. Lopez
City Manager
P.O. Box 592
Coleman, Texas 76834
(325) 625-4116
diana.lopez@cityofcolemantx.us

¹ *Application of the Electric Reliability Council of Texas, Inc. for a Debt Obligation Order to Finance Uplift Balances under PURA Chapter 39, Subchapter N, and for a Good Cause Exception, Docket No. 52322, Debt Obligation Order at 18, Finding of Fact No. 47 (Oct. 13, 2021).*

- 3. The specific eligibility category of PURA 39.653(d):**
Coleman is a “municipally owned utility” as defined in Section 11.003(11) of PURA. Coleman is also a load-serving entity (LSE) in the Electric Reliability Council of Texas (ERCOT) market place. Coleman has paid in full all invoices owed for usage during the period of emergency. Therefore, Coleman is eligible to opt out of uplift charges and bond proceeds under PURA § 39.653(d).
- 4. LSE’s DUNS number:**
Coleman’s Data Universal Numbering System (DUNS) number is 10-249-2006-1000.
- 5. Name and DUNS of QSE:**
Coleman’s load qualified scheduling entity (QSE) is Exelon Generation Company - Constellation Energy, and the DUNS number is 960458958.
- 6. Confirmation of payment:**
See the Affidavit from Diana L. Lopez, City Manager, attached as Exhibit A, for Coleman’s confirmation that it has no amounts owed to ERCOT for usage during the period of emergency as defined by Tex. Util. Code § 39.652(3).

II. CONCLUSION

For the above-stated reasons, Coleman respectfully requests the Commission accept this information to effectuate Coleman’s opt out of uplift charges and bond proceeds pursuant to PURA 39.653(d), issue an order confirming that Coleman has opted out and that ERCOT shall not assess uplift charges to any current or future load served by Coleman, and grant Coleman such other and further relief to which it may be entitled.

Respectfully submitted,

**LLOYD GOSSELINK ROCHELLE
& TOWNSEND, P.C.**

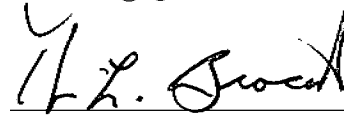
816 Congress Avenue, Suite 1900

Austin, Texas 78701

(512) 322-5800

(512) 472-0532 (Fax)

tbrocato@lglawfirm.com



THOMAS L. BROCATO

State Bar No. 03039030

ATTORNEYS FOR THE CITY OF COLEMAN

PUC DOCKET NO. 52364

PROCEEDING FOR ELIGIBLE	§	BEFORE THE
ENTITIES TO FILE AN OPT OUT	§	
PURSUANT TO PURA § 39.653(d) AND	§	PUBLIC UTILITY COMMISSION
FOR LOAD-SERVING ENTITIES TO	§	
FILE DOCUMENTATION OF	§	OF TEXAS
EXPOSURE TO COSTS PURSUANT	§	
TO THE DEBT OBLIGATION ORDER	§	
IN DOCKET NO. 52322	§	

AFFIDAVIT OF DIANA L LOPEZ

STATE OF TEXAS §
 §
COUNTY OF COLEMAN §

Before me, the undersigned authority, on this day personally appeared Diana L Lopez, who having been placed under oath by me, did depose as follows:

1. My name is Diana L Lopez. I am of sound mind and legal age, and I am competent to make this Affidavit.

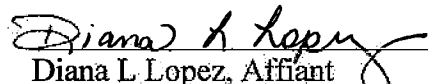
2. I am authorized to make this affidavit and affirm that the facts stated herein constitute a true, complete and accurate response to the best of my knowledge, information and belief.

3. I am the City Manager for the City of Coleman, Texas (Coleman). Coleman is a Municipally Owned Utility (MOU) and a Load Serving Entity (LSE) with DUNS number 10-249-2006-1000. As the authorized representative for Coleman and the primary point of contact for Coleman’s load Qualified Scheduling Entity (QSE), [Exelon Generation Company – Constellation DUNS number 960458958], I have intimate knowledge of any outstanding obligations that relate to the period beginning at 12:01 a.m. on February 12, 2021 and ending at 11:59 p.m. on February 20, 2021 (Period of Emergency).

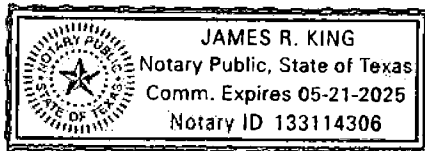
_____/_____/_____

4. My business physical address is 200 West Liveoak Coleman, Texas 76834, and my mailing business address is Post Office Box 592 Coleman, Texas 76834.

5. I affirm that Coleman has no amount owing to ERCOT for usage during the Period of Emergency.


Diana L. Lopez, Affiant
City Manager, City of Coleman

Subscribed and sworn to me this the 18th day of November, 2021.




Notary Public