



## Filing Receipt

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**Control Number - 52364**

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**PROJECT NO. 52364**

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

**TOTAL GAS AND POWER NORTH AMERICA INC. NOTICE OF ELECTION  
TO OPT OUT UNDER PURA § 39.653(d)**

Total Gas And Power North America Inc.<sup>1</sup> (“TGPNA”) hereby notifies the Public Utility Commission of Texas (the “Commission”) of TGPNA’s Election to Opt Out from the assessment of uplift charges pursuant to PURA<sup>2</sup> § 39.653(d), and in support thereof, would show the following:

**I. REQUIRED INFORMATION**

TGPNA hereby elects to opt out of receiving securitization proceeds and from being assessed uplift charges under PURA § 39.653(d). Pursuant to the debt obligation order filed in Docket No. 52322,<sup>3</sup> eligible load-serving entities (“LSEs”) are required to provide certain information in order to opt out, including: 1) the LSE's legal name; 2) name and contact information of the LSE’s authorized representative at ERCOT; 3) the specific eligibility category for opting out under PURA § 39.653(d); 4) the LSE’s Data Universal

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<sup>1</sup> As of August 1, 2021, Total Gas and Power North America Inc. changed its name to TotalEnergies Gas and PowerNorth America Inc.

<sup>2</sup> Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016.

<sup>3</sup> *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).

Numbering System (“DUNS”) number; 5) the name of the LSE’s Qualified Scheduling Entity (“QSE”) and that QSE’s DUNS number; and 6) confirmation by the LSE or the LSE’s QSE that the LSE is in bankruptcy or has no amounts owing to ERCOT for usage during the period of emergency.<sup>4</sup> Therefore, TGPNA provides the following required information:

**1. LSE’s Legal Name**

Total Gas And Power North America Inc.

**2. Name and contact information of the LSE’s authorized representative at ERCOT**

Fundi Mwamba  
President & CEO  
1201 Louisiana Street  
Suite 1600  
Houston, TX 77002  
[fundi.mwamba@tgptrading.com](mailto:fundi.mwamba@tgptrading.com)

**3. The specific eligibility category of Tex. Util. Code § 39.653(d)**

TGPNA is a “retail electric provider” as defined in PURA § 31.001(17). TGPNA is also a LSE in the Electric Reliability Council of Texas (“ERCOT”) power region. TGPNA is an affiliate of each of TGPNA’s customers. Therefore, TGPNA is eligible to opt out of uplift charges and bond proceeds under PURA § 39.653(d).

**4. LSE’s DUNS number:**

TGPNA’s DUNS number is 6200599801000.

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<sup>4</sup> *Id.*

**5. Name and DUNS of QSE**

TGPNA also serves as its QSE. TGPNA's QSE DUNS numbers are 6200599802000 and 6200599802100.

**6. Confirmation of Payment by QSE**

TGPNA provides the Affidavits of Fundi Mwamba attached as Exhibits A and B, respectively, to confirm that TGPNA has no amounts owed to ERCOT for usage during the period of emergency as defined by PURA § 39.652(3).

**II. CONCLUSION**

TGPNA respectfully requests that the Commission accept the information provided to support TGPNA's election to opt out of uplift charges and securitization proceeds pursuant to PURA § 39.653(d), and requests the issuance of an order confirming that TGPNA has successfully opted out and will not be assessed uplift charges to any current or future load served by TGPNA, along with any other such relief to which TGPNA may be entitled.

Respectfully submitted,

JACKSON WALKER LLP

/s/ Meghan Griffiths

Meghan Griffiths

State Bar No. 24045983

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Austin, TX 78701

(512) 236-2363

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mgriffiths@jw.com

**ATTORNEY FOR TOTAL GAS AND  
POWER NORTH AMERICA INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this pleading has been forwarded to all parties of record via electronic mail on November 23, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50064.

*/s/ Meghan Griffiths*  
Meghan Griffiths

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**TOTAL GAS AND POWER NORTH AMERICA INC. NOTICE OF ELECTION  
TO OPT OUT UNDER PURA § 39.653(d)**

# **Exhibit A**

PROJECT NO. 52364

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

AFFIDAVIT OF FUNDI MWAMBA

STATE OF TEXAS §  
 COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant, Fundi Mwamba, who swore an oath that the following facts are true:

1. My name is Fundi Mwamba. I am over 18 years of age and am competent to make this affidavit. The statements contained in this affidavit are true and correct, and are based upon my personal knowledge.
2. I am the President and CEO of TotalEnergies Gas and Power North America, Inc. (“TGPNA”) and have served in that capacity since 2016.
3. TGPNA is a retail electric provider and a load serving entity. TGPNA’s DUNS number is 6200599801000.
4. TGPNA also serves as its Qualified Scheduling Entity. TGPNA’s DUNS numbers are 6200599802000 and 6200599802100.

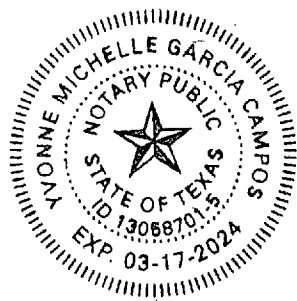
5. I am familiar with TGPNA's payment obligations related to the Period of Emergency-the period beginning at 12:01 AM, February 12, 2021, and ending at 11:59 PM, February 20, 2021.

6. TGPNA has no amount owing to the Electric Reliability Council of Texas for usage during the Period of Emergency.

FURTHER AFFIANT SAYETH NOT.

/s/ Fundi Mwamba  
Fundu Mwamba

SUBSCRIBED AND SWORN to before me on this the 23<sup>rd</sup> day of November, 2021.



Yvonne Y Campos  
Notary Public in and for the State of Texas



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**TOTAL GAS AND POWER NORTH AMERICA INC. NOTICE OF ELECTION  
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# **Exhibit B**

PROJECT NO. 52364

PROCEEDING FOR ELIGIBLE § BEFORE THE  
ENTITIES TO FILE AN OPT OUT §  
PURSUANT TO PURA § 39.653(d) §  
AND FOR LOAD-SERVING § PUBLIC UTILITY COMMISSION  
ENTITIES TO FILE §  
DOCUMENTATION OF EXPOSURE §  
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§  
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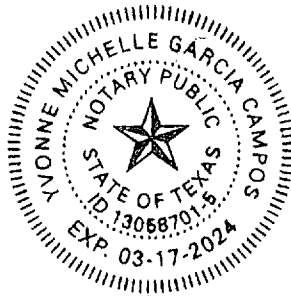
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6. TGPNA has no amount owing to the Electric Reliability Council of Texas for usage during the Period of Emergency.

FURTHER AFFIANT SAYETH NOT.

/s/ Fundi Mwamba  
Fundu Mwamba

SUBSCRIBED AND SWORN to before me on this the 23<sup>rd</sup> day of November, 2021.



Yvonne M Campos  
Notary Public in and for the State of Texas