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**PUC DOCKET 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**

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**PUBLIC UTILITY COMMISSION OF  
TEXAS**

**MOTION TO INTERVENE OF LUMINANT ENERGY COMPANY LLC**

Luminant Energy Company LLC (“Luminant Energy”) files this Motion to Intervene in the above-referenced proceeding pursuant to 16 Tex. Admin. Code (“TAC”) §§ 22.103 and 22.104, and in support thereof, respectfully shows as follows:

**I. BASIS FOR INTERVENTION**

On July 16, 2021, the Electric Reliability Council of Texas, Inc. (“ERCOT”) filed an application for a debt obligation order pursuant to Chapter 39, Subchapter N, of the Public Utility Regulatory Act (“PURA”).<sup>1</sup> On July 28, 2021, the Commission held a prehearing conference during which the administrative law judge granted Luminant Energy’s motion to intervene in the proceeding. Docket No. 52364 is a parallel proceeding to Docket No. 52322 initiated to allow eligible entities the ability to file an opt out pursuant to PURA § 39.653(d) and to provide load serving entities (“LSEs”) with the ability to provide documentation of their exposure to uplift charges.

Luminant Energy is a qualified scheduling entity for LSEs in ERCOT that were exposed to the costs included in the uplift balance (as defined in §39.652(4) of PURA). Luminant Energy interacts directly with ERCOT and will be directly financially obligated to pay to ERCOT any uplift charges assessed to any of the LSEs it represents on the basis of their load ratio share. Luminant Energy therefore will be directly and substantially affected by the outcome of Docket No. 52322 as affected by the documentation of exposure submitted by LSEs in this docket.

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<sup>1</sup> Tex. Util. Code §§ 11.001-66.016.

Accordingly, Luminant Energy has a justiciable interest that may be adversely affected by the outcome of the proceeding.

## II. CONTACT INFORMATION

Luminant Energy's authorized legal representatives in this proceeding are:

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Luminant Energy's authorized regulatory representative in this proceeding is:

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All pleadings, orders, and other documents in this proceeding should be served on Luminant Energy's legal and regulatory representatives.

### **III. REQUEST FOR RELIEF**

For the reasons stated in this Motion to Intervene, Luminant Energy has a substantial and justiciable interest that may be adversely affected by the outcome of this proceeding. Luminant Energy therefore respectfully requests that the Commission grant this Motion to Intervene and allow Luminant Energy to participate as a party in the proceeding.

**Respectfully submitted,**

By: Samuel A. Siegel /ln  
Samuel A. Siegel (with permission)  
State Bar No. 24066083

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**ATTORNEYS FOR LUMINANT ENERGY**

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was served on all parties of record in this proceeding on September 13, 2021, by either facsimile or first-class U.S. mail.

*William A. Moore /s/*  
William A. Moore (with permission)