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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**

**EXELON GENERATION COMPANY, LLC'S  
MOTION TO INTERVENE**

**COMES NOW** Exelon Generation Company, LLC (“Exelon”), and moves to intervene in the above-captioned docket. In support of this Motion, Exelon would show the following:

**I.**

The name, address, telephone number and email address of Exelon are as follows:

Carrie Hill Allen  
Vice President and Deputy General Counsel  
Exelon Corporation  
101 Constitution Ave., N.W., Suite 400 East  
Washington, DC 20001  
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Assistant General Counsel  
Exelon Corporation  
1001 Louisiana Street  
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512-619-7859  
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## II.

The name, address, telephone number and email address of Exelon's authorized representatives are as follows:

Meghan Griffiths  
State Bar No. 24045983  
Jennifer Ferri  
State Bar No. 24065224  
Alisha Mehta  
State Bar No. 24102190  
100 Congress Avenue, Suite 1100  
Austin, TX 78701  
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jferri@jw.com  
amehta@jw.com

Exelon requests that the Public Utility Commission of Texas (the "Commission") and all parties to this proceeding serve copies of all correspondence, pleadings, briefs, and other documents upon Exelon's authorized representatives at the Austin address shown above.

## III.

On July 16, 2021, the Electric Reliability Council of Texas ("ERCOT") filed an Application For a Debt Obligation Order to Finance Uplift Balances Under PURA Chapter 39, Subchapter N, for an Order Initiating a Parallel Docket, and For a Good Cause Exception ("Subchapter N Application"). On July 28, 2021, the Commission held a prehearing conference during which the administrative law judge granted Exelon's motion to intervene<sup>1</sup> in the proceeding. Docket No. 52364 is a parallel proceeding to ERCOT's Subchapter N Application initiated to allow eligible entities the ability to exercise their one-time election to opt out of the

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<sup>1</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, for an Order Initiating a Parallel Docket, and for a Good Cause Exception, Docket No. 52322, Exelon Generation Company LLC's Motion to Intervene (Jul. 26, 2021).*

uplift charges in accordance with PURA § 39.653(d) and to provide load serving entities (“LSEs”) with the ability to provide documentation of their exposure to uplift charges.

Exelon has a right to participate in this proceeding which is expressly conferred by statute. Exelon owns and operates power generation companies and a retail electric provider (“REP”) that participate in the ERCOT wholesale market. For example, Constellation NewEnergy, Inc. (“Constellation”), an Exelon company, is a Texas REP, with several LSEs in ERCOT. Exelon is a Qualified Scheduling Entity, interacting with ERCOT not only for Constellation’s LSEs, but on behalf of wholesale customers that Exelon serves. LSEs will be required under PURA<sup>2</sup> § 39.653 to submit documentation of their exposure as part of the debt obligation order. In addition, Exelon has a justiciable interest in this proceeding that may be adversely affected by the outcome of this proceeding regarding eligible entities’ opportunity to exercise their option to opt out of the uplift charges. Therefore, Exelon has standing to intervene under 16 TAC § 22.103(b).

For the reasons stated above, Exelon respectfully requests that the Commission grant this Motion to Intervene in the above-captioned case, and requests any other relief to which it may show itself entitled.

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

Respectfully submitted,

JACKSON WALKER LLP

/s/ Meghan Griffiths

Meghan Griffiths

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**ATTORNEYS FOR EXELON  
GENERATION COMPANY, LLC**

**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 August 6, 2021, in accordance with the Order Suspending Rules, issued in Project No. 50064. Pursuant to Order No. 2, filing this document on the Commission's Interchange constitutes service of the document on all parties to this proceeding.

/s/ Meghan Griffiths

Meghan Griffiths