



Filing Receipt

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ENGIE Resources
 1360 Post Oak Boulevard, Suite 400
 Houston, TX 77056

10/28/2021

¹⁷  CHRIS HAILEY
 POLY-AMERICA, LP
 2000 W MARSHALL DR
 GRAND PRAIRIE TX 75051-2709



RE: NOTICE OF PROCESS TO OPT OUT OF SECURITIZATION UPLIFT PROCEEDS AND CHARGES – ACTION REQUIRED BY NOVEMBER 27, 2021 TO OPT OUT

ESI ID: 10443720003625530

Dear Chris Hailey

ENGIE Resources LLC hereby provides notice of the ability for POLY-AMERICA, LP, as a transmission voltage customer, to exercise a one-time election to opt-out of securitization credits and charges by POLY-AMERICA, LP filing the attached Opt Out Notice and supporting documentation in PUCT Docket No. 52364. This notice is being provided pursuant to an Order of the Public Utility Commission of Texas (“PUCT”) in Docket No. 52322,¹ as part of its implementation of House Bill 4492² from the 87th Regular Texas Legislative Session.

As you may be aware, costs in the wholesale electricity market significantly increased during Winter Storm Uri, and certain entities and customers were assessed and/or paid reliability deployment price adder charges and ancillary service costs in excess of the PUCT’s system-wide offer cap (herein after “certain charges”).

The Texas Legislature recently passed House Bill 4492, establishing a new Subchapter N in the Public Utility Regulatory Act (“PURA”),³ which provides a mechanism for financing an “uplift balance”⁴ not to exceed \$2.1 billion, associated with certain charges incurred during the period of emergency of February 12, 2021 through February 20, 2021 (“period of emergency”).⁵ Under this bill, certain charges assessed during that period to load-serving entities (“LSE”) in the electric market (such as retail electric providers (“REPs”)) will be financed, and the proceeds of the financing will be paid to those LSEs who

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, For an Order Initiating a Parallel Docket, and for a Good Cause Exception*, Docket No. 52322, Debt Obligation Order (Oct. 13, 2021).

² The text of this bill can be viewed at: <https://capitol.texas.gov/>, using the “Search Legislation” function.

³ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.016.

⁴ “Uplift balance” is defined in PURA § 39.652(4).

⁵ The legislature found that financing the uplift balance would allow wholesale market participants who were assessed extraordinary uplift charges due to consumption during the period of emergency to pay those charges over a longer period of time, alleviate liquidity issues, and reduce the risk of additional defaults in the wholesale market.

TRANSMISSION-VOLTAGE CUSTOMER OPT OUT NOTICE FORM

By POLY-AMERICA, LP filing this form in PUCT Docket No. 52364, POLY-AMERICA, LP exercises its right to opt out of securitization uplift charges under PURA § 39.653(d) for the following account numbers and ESI IDs

Account Numbers associated with transmission-voltage service for which the opt out is being exercised.

[Include list here, or provide as attachment. This information should be filed by the customer as confidential at the PUCT and redacted in the public filing.]

Transmission-voltage level ESI IDs associated with the opt out.

[Include list here, or provide as attachment. This information should be filed by the customer as confidential at the PUCT and redacted in the public filing.]

Current REP of Record, and if different, REP of Record during the period of emergency for each ESI-ID listed above.

[Include list here, or provide as attachment. This information should be provided as confidential at the PUCT and redacted in the public filing.]

Notice of and Request for Opt Out

By signing below, Chris Hawley [Name of Signatory] affirms _____ POLY-AMERICA, LP has paid in full all invoices owed to the REP or REPs listed above for usage at the ESI IDs listed above during the period February 12, 2021 through February 20, 2021 (the period of emergency). Chris Hawley [Name of Signatory] also affirms that a final copy of this opt out request and supporting documentation will be provided to the REP or REPs listed above concurrently with this filing.

_____ POLY-AMERICA, LP, as a transmission voltage customer, hereby exercises its right under PURA § 39.653(d) to opt out of uplift charges. It is understood that for the above- listed ESI ID(s), _____ POLY-AMERICA, LP will not receive any proceeds from the uplift financing under PURA Subchapter N and will not pay uplift charges for same.

This Opt Out Request is effective if signed by an executive officer with authority to act on behalf of the Customer, the current REP of Record, and if different, the REP of Record during period of emergency and filed by the customer in PUCT Docket No. 52364. The REP of Record during the period of emergency will only sign below if the customer is eligible as a transmission-voltage customer who has paid in full all invoices owed for usage during the period of emergency pursuant to PURA 39.653(d). If the Customer is unable to obtain

POLY-AMERICA, LP

By: [Signature]
Print Name of Signatory: _____
Chris Hawley
Position of Signature: _____
Director of Purchasing
Date: 11-11-2021

ENGIE Resources LLC

By: [Signature]
Print Name of Signatory: _____
Jay Bell
Position of Signature: _____
Vice President of Sales
Date: 11/15/21

ENGIE Resources LLC

By: [Signature]
Print Name of Signatory: _____
Jay Bell
Position of Signature: _____
Vice President of Sales
Date: 11/15/21

X if inapplicable