



Control Number: 52364



Item Number: 93



11/16/2021

Filing Clerk  
Public Utility Commission of Texas  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, TX 78711-3326

2021 NOV 17 AM 10:10

FILING CLERK

Re: Project No. 52364, *Transmission Voltage Customer Opt Out Under PURA § 39.653(d)*

Dear Filing Clerk:

Pursuant to the Debt Obligation Order issued on October 13, 2021 in Docket No. 52322 by the Public Utility Commission of Texas ("Commission" or "PUC"), Freeport LNG Development, L.P. ("Freeport LNG") files this notice of its election to opt out of Public Utility Regulatory Act ("PURA"), § 39.653(d).

PURA § 39.653(d) states:

*The commission shall develop a one-time process that allows municipally owned utilities, electric cooperatives, river authorities, a retail electric provider that has the same corporate parent as each of the provider's customers, a retail electric provider that is an affiliate of each of the provider's customers, and transmission voltage customers served by a retail electric provider to opt out of the uplift charges by paying in full all invoices owed for usage during the period of emergency.*

Freeport LNG, 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 opted out ESI ID(s), Freeport LNG will not receive any proceeds from the uplift financing under PURA Subchapter N and will not pay uplift charges for same.

Freeport LNG has paid in full all invoices owed to the retail electric provider for the period of emergency from February 12, 2021 through February 20, 2021. The specific, identifying information required from Freeport LNG under PURA § 39.653(d), including each facility's ESI ID and retail electric provider, is provided in the confidential Opt Out Notice Form and accompanying Attachment A, hereby submitted with this letter. The form and attachment contain confidential, proprietary customer information as defined in P.U.C. Subst. R. 25.275(c), and is therefore exempt from disclosure under Tex. Gov't Code § 552.

Should you have any questions or need any additional information, please contact Andrew Spankuch at [aspankuch@freeportlng.com](mailto:aspankuch@freeportlng.com) or 713-634-3502.

Thank you for your attention to this matter.

**[Signature on following page]**

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**Freeport LNG Development, L.P.**

333 Clay Street, Suite 5050 • Houston, Texas 77002-4173 • Phone: 713-980-2888 • Fax: 713-980-2903



Very Truly Yours,

A handwritten signature in black ink, appearing to read "Nathan C. Will". The signature is fluid and cursive, with a large initial "N" and a long, sweeping underline.

Nathan C. Will  
Sr. Vice President and Chief Commercial Officer  
Freeport LNG Development, L.P.  
333 Clay Street, Suite 5050  
Houston, TX 77002

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**Freeport LNG Development, L.P.**

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## **TRANSMISSION-VOLTAGE CUSTOMER OPT OUT NOTICE FORM**

By Freeport LNG Development, L.P. filing this form in PUCT Docket No. 52364, Freeport LNG Development, L.P. 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.**

Refer to Attachment A

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

Refer to Attachment A

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

Refer to Attachment A

### **Notice of and Request for Opt Out**

By signing below, Nathan Will affirms Freeport LNG Development, L.P. 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). Nathan Will 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.

Freeport LNG Development, L.P., 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), Freeport LNG Development, L.P. 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 signatures from its current REP or the REP that provided service during the period of emergency, Customer may opt out by submitting internal documentation that it has paid all usage charges for the relevant ESI IDs during the period of emergency, along with a sworn affidavit from the executive officer who signed the Opt Out Request on behalf of the Customer.**

[Signatures on following page]

<b>Freeport LNG Development, L.P.</b>	
By: <u>Nathan Will</u>	
Print Name of Signatory: <u>Nathan Will</u>	
Position of Signatory: Sr Vice President and Chief Commercial Officer _____	
Date: <u>11/16/2021</u>	
<b>[REP of Record]</b> Tenaska Power Services Co DBA TPS II (LSE)	<b>[REP of Record during period of emergency]</b>
By: <u>Christa Hodnett</u>	By: _____
Print Name of Signatory: <u>Christa Hodnett</u>	Print Name of Signatory: _____
Position of Signatory: Director, Contract Administration	Position of Signatory: _____
Date: <u>11/16/2021</u>	Date: _____
	<input checked="" type="checkbox"/> X if not applicable