



Filing Receipt

Received - 2021-12-22 06:49:30 PM

Control Number - 52786

ItemNumber - 17

PROJECT NO. 52786

**ERCOT COMPLIANCE REPORTS OF § PUBLIC UTILITY COMMISSION
GENERATION RESOURCE WINTER §
READINESS PURSUANT TO 16 TAC § OF TEXAS
25.55(C)(4) §**

BARILLA SOLAR, LLC’S RESPONSE TO THE COMMISSION STAFF’S NOTICE OF DISAGREEMENT WITH ASSERTION OF GOOD CAUSE

In response to the Commission Staff’s notice of disagreement with Barilla Solar, LLC’s (“Barilla’s”) assertion of good cause, Barilla files this proof of compliance with the weatherization requirements set forth in 16 TAC § 25.55(c)(1)(B). As set forth below, because Barilla asserts that it is in compliance with the weatherization requirements in 16 TAC § 25.55(c)(1)(B) for which it initially sought the good cause exception, Barilla no longer seeks a good cause exception.

I. BACKGROUND

Barilla is a power generation company (“PGC”) registered with the Commission under PGC registration number 20316. On December 1, 2021, Barilla submitted to the Electric Reliability Council of Texas (ERCOT) a winter weather readiness report (“WWRR”) for one generation resource in compliance with 16 TAC § 25.55(c)(2). Barilla’s WWRR included a notice of good cause exception for non-compliance with the Commission’s weatherization requirements established under 16 TAC § 25.55(c)(1)(B). Specifically, Barilla sought an exception from the requirement to “establish a schedule for testing of such freeze protection components on a monthly basis from November through March”

On December 17, 2021, the Commission Staff filed a notice of its disagreement with the above-described assertion of good cause. The Commission Staff further informed Barilla that it must, within seven days of receiving the notice of disagreement, provide the Commission with proof of compliance, or alternatively, may preserve the disputed good cause assertion by submitting to the Commission a request for approval of a good cause exception pursuant to 16 TAC § 25.55(c)(6)(C). This response therefore is timely.

II. PROOF OF COMPLIANCE

Barilla offers the following proof that it is in compliance with the 16 TAC § 25.55(c)(1)(B) requirement to establish a schedule for testing of freeze protection components on a monthly basis

from November through March:

Barilla will implement procedure *MP.819210.BRS.1 – (Barilla) Technician Rounds*, under which, from November through March, trained technicians will (i) inspect inverters each calendar month; and (ii) perform site rounds each week to identify issues that could impact operations. Furthermore, trained technicians will continue to perform annual inspections and maintenance of inverters. A copy of the inspection procedures and the monthly inspection log is attached as Confidential Attachment 1 hereto.

III. SWORN ATTESTATION

Attached is the attestation of Jason Allen affirming the veracity of the statements contained in this response.

Respectfully submitted,



Michael J. Tomsu
State Bar No. 20125875
VINSON & ELKINS LLP
2801 Via Fortuna, Suite 100
Austin, Texas 78746
512-542-8527
512-236-3211 (Fax)

Attorneys for Barilla Solar, LLC

Winter Weather Readiness Report for Generation Resource
or Energy Storage Resource

Sworn Attestation

Resource Entity: BARILLA SOLAR LLC (RE)

Generation Resource or Energy Storage Resource: HOVEY - UNIT1

I attest that I am the highest-ranking representative, official, or officer with binding authority over the Resource Entity identified above.

I attest that all activities described in 16 Tex. Admin. Code § 25.55(c)(1) have been completed for the above-identified Generation Resource or Energy Storage Resource, subject to any notice of or request for good cause exception submitted under 16 Tex. Admin. Code § 25.55(c)(6). Further, I attest that the statements contained in the Winter Weather Readiness Report submitted for the above-identified Generation Resource or Energy Storage Resource are true and accurate.

Signature: *Jason M. Allen*

Signatory Name: JASON M. ALLEN

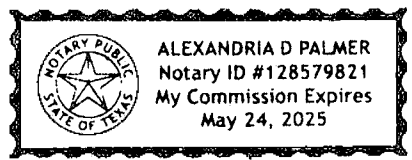
Title: CEO

State of TEXAS

County of Dallas

SUBSCRIBED AND SWORN TO BEFORE ME on this 22 day of December, 2021.

(seal)



Alexandria D Palmer
Notary Public Signature

CERTIFICATE OF SERVICE

I certify that a copy of this document was provided to all parties of record via electronic mail on December 22, 2021 in accordance with the Order Suspending Rules, issued in Project No. 50664.

ERCOT

Nathan Bigbee
Assistant General Counsel
Chad V. Seely
Vice President and General Counsel
7620 Metro Center Drive
Austin, Texas 78744
nathan.bigbee@ercot.com
chad.seely@ercot.com

PUBLIC UTILITY COMMISSION OF TEXAS

Barksdale English
Compliance and Enforcement Division
1701 N. Congress Avenue
Austin, Texas 78701
barksdale.english@puc.texas.gov

/s/ Michael J. Tomsu

Michael J. Tomsu

CONFIDENTIAL – PROTECTED MATERIAL

BARILLA SOLAR, LLC’S CONFIDENTIAL ATTACHMENT 1

The Confidential Attachment 1 to Barilla Solar, LLC’s (“Barilla”) Response to the Commission Staff’s Notice of Disagreement with Assertion of Good Cause has been designated as “Protected Material” pursuant to 16 TEX. ADMIN. CODE § 22.71(d), and is being submitted under seal to the Commission. The Confidential Attachment 1 contains Barilla’s proprietary, confidential, and security sensitive information that should be afforded appropriate protections.