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PROJECT NO. 52786

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

**NOTICE OF REMOVAL OF KCE TX 2 LLC'S
ASSERTION OF GOOD CAUSE**

On December 1, 2021, KCE TX 2 LLC (KCE 2) submitted to the Electric Reliability Council of Texas, Inc. (ERCOT) a winter weather readiness report (WWRR) for one generation resource in compliance with 16 TAC § 25.55(c)(2). The report included one or more assertion(s) of good cause for non-compliance with the Commission's weather preparedness requirements established under 16 TAC § 25.55(c)(1). KCE 2's WWRR included an assertion of good cause for non-compliance with the Commission's weatherization requirements established under 16 TAC § 25.55(c)(1)(D). Specifically, KCE 2 sought an exception from the requirement to "provide training on winter weather preparations and operations to relevant operational personnel" because the KCE 2 resource facility is generally unmanned.

On December 17, 2021, Commission Staff filed in this project a notice of its disagreement with the above-described assertion of good cause.¹ Commission Staff also notified KCE 2 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).

On December 28, 2021, KCE 2 timely filed its response to the notice of disagreement.² In its response, KCE 2 offered verification of its compliance with the 16 TAC § 25.55(c)(1)(D) requirement to provide training on winter weather preparations and operations to relevant operational personnel. More specifically, KCE 2 provided a sworn affidavit attesting that on December 22, 2021, KCE 2 provided the requisite weather preparation training to the operations

¹ *ERCOT Compliance Reports of Generation Resource Winter Readiness Pursuant to 16 TAC § 25.55(c)(4)*, Project No. 52786, Notice of Disagreement with KCE TX 2 LLC's Good Cause Assertion (Dec. 17, 2021).

² *ERCOT Compliance Reports of Generation Resource Winter Readiness Pursuant to 16 TAC § 25.55(c)(4)*, Project No. 52786, KCE TX 2 LLC's Response to Commission Staff's Notice of Disagreement with KCE TX 2 LLC's Assertion of Good Cause (Dec. 28, 2021).

team that provides services in the ERCOT region. The affidavit also detailed the information provided as part of the training. Because KCE 2 asserts that it is now in compliance with the weatherization requirements in 16 TAC § 25.55(c)(1)(D), KCE 2 no longer asserts good cause for non-compliance.

Commission Staff has reviewed KCE 2's response, agrees that KCE 2 is now in compliance with all filing requirements under 16 TAC § 25.55(c)(2), and has determined that KCE 2's good cause assertion is now moot. As a result, investigation record number 2021120012 will be closed with no additional action required.

Dated: January 19, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS

**COMPLIANCE AND ENFORCEMENT
DIVISION**

Barksdale English
Division Director

/s/Courtney Dean _____
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CERTIFICATE OF SERVICE

I certify that notice of filing of this document was provided to all parties of record via electronic mail on January 19, 2022 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Courtney Dean
Courtney N. Dean