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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 WITHDRAWAL OF DISAGREEMENT WITH OCI ALAMO 1 LLC'S
ASSERTION OF GOOD CAUSE**

On December 9, 2021, OCI Alamo 1 LLC (Alamo) submitted to the Electric Reliability Council of Texas, Inc. (ERCOT) a winter weather readiness report (WWRR) for two generation resources as required by 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). Alamo'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)(A). Specifically, Alamo sought an exception from the 16 TAC § 25.55(c)(1)(A) requirements because the Alamo resource facility "is an energy storage facility."

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 Alamo 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 29, 2021, Alamo filed its response to the notice of disagreement.² In its response, Alamo offered verification of its compliance with the 16 TAC § 25.55(c)(1)(A) requirements. More specifically, Alamo provided a sworn affidavit attesting that on December 28, 2021, Alamo had completed all activities described in and required by 16 TAC § 25.55(c)(1)(A). Alamo additionally submitted a Winter Weather Readiness Report Supplement outlining its activities and measures taken to comply with the requirements of 16 TAC § 25.55(c)(1)(A).

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

² *ERCOT Compliance Reports of Generation Resource Winter Readiness Pursuant to 16 TAC § 25.55(c)(4)*, Project No. 52786, OCI Alamo 1 LLC's Response to Commission Staff's Notice of Disagreement with Assertion of Good Cause (Dec. 29, 2021).

Because Alamo asserts that it is now in compliance with the weatherization requirements in 16 TAC § 25.55(c)(1)(A), Alamo no longer asserts good cause for non-compliance.

Commission Staff has reviewed Alamo's response, agrees that Alamo is now in compliance with all filing requirements under 16 TAC § 25.55(c)(2), and has determined that Alamo's good cause assertion is now moot. As a result, Commission Staff withdraws its disagreement with Alamo's Good Cause Assertion(s) and investigation record number 2021120030 will be closed with no additional action required.

Dated: January 20, 2022

Respectfully submitted,

PUBLIC UTILITY COMMISSION OF TEXAS

**COMPLIANCE AND ENFORCEMENT
DIVISION**

Barksdale English
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/s/Van Moreland

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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 20, 2022 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Van Moreland
Van Moreland