



Filing Receipt

Received - 2022-01-11 10:45:23 AM

Control Number - 52787

ItemNumber - 8

PROJECT NO. 52787

ERCOT COMPLIANCE REPORTS OF § PUBLIC UTILITY COMMISSION
TRANSMISSION SYSTEM WINTER §
READINESS PURSUANT TO 16 TAC § OF TEXAS
§ 25.55(f)(3) §

**NOTICE OF REMOVAL OF NEW BRAUNFELS UTILITY’S
ASSERTION OF GOOD CAUSE**

On December 1, 2021, New Braunfels Utilities (NBU) submitted to the Electric Reliability Council of Texas, Inc. a winter weather readiness report (WWRR) for its transmission facilities in compliance with 16 Texas Administrative Code (TAC) § 25.55(f)(2). NBU’s WWRR included an assertion of good cause for non-compliance with the Commission’s weather preparedness requirements established under 16 TAC § 25.55(f)(1)(G). Specifically, NBU sought an exception from the requirement to evaluate “other operating limitations based on temperature, precipitation, humidity, wind speed, and wind direction for facilities containing cold weather critical components.”

On December 20, 2021, the Staff (Commission Staff) of the Public Utility Commission of Texas (Commission) filed a notice of disagreement with NBU’s above-described assertion of good cause in this project.¹ Commission Staff also notified NBU that it must, within seven days of receiving the notice of disagreement, provide the Commission with proof of compliance, or alternatively, preserve the disputed good cause assertion by submitting to the Commission a request for approval of a good cause exception under 16 TAC § 25.55(f)(4)(C).

On December 23, 2021, NBU timely filed its response to the notice of disagreement.² In its response, NBU stated:

- NBU is compliant with the applicable requirements pertaining to cold weather critical components of transmission facilities according 16 TAC § 25.55(f)(1)(G).
- NBU was not provided any design limitations based on the temperature, precipitation, humidity, wind speed, and wind direction for all of its transmission equipment by the equipment manufacturer.

¹ Project 52787, item 4.

² Docket 52787, item 6.

- NBU determined and provided the minimum operating temperature experienced in the NBU service area during the period identified in the WWRR.
- The known minimum design temperature for the applicable equipment and the minimum experienced operating temperature do not place any restrictions on the transmission facilities of NBU.
- When submitting the DocuSign form, NBU inadvertently selected "Yes" asserting good cause for noncompliance with the requirements of subsection (f)(1)(G), but should have selected the "No" response to this question.

Commission Staff has reviewed NBU's filing and has determined that NBU is compliance with the referenced rule. Based on NBU's statements that it erroneously asserted good cause for non-compliance and that it had provided operating limitations in its initial WWRR submission, Commission Staff will close investigation record number 2021120022 with no further action required.

Date: January 11, 2022

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS

**COMPLIANCE AND ENFORCEMENT
DIVISION**

/s/Barksdale English
Barksdale English
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326
(512) 936-7365
(512) 936-7268 (facsimile)
barksdale.english@puc.texas.gov

PROJECT NO. 52786

CERTIFICATE OF SERVICE

I certify that notice of filing of this document was provided to all parties of record via electronic mail on January 11, 2022 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/
NAME