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Received - 2022-12-22 12:10:31 PM Control Number - 52924 ItemNumber - 23

DOCKET NO. 52924

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NOTICE OF VIOLATION BY BT COOKE SOLAR LLC FOR VIOLATIONS OF 16 TAC §§ 25.55, CONCERNING WINTER WEATHER READINESS REPORTING REQUIREMENTS, AND 25.109(h), RELATING TO POST-REGISTRATION REQUIREMENTS FOR POWER GENERATION COMPANIES PUBLIC UTILITY COMMISSION

OF TEXAS

AFFIDAVIT OF PAYMENT

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

BT Cooke Solar, LLC ("BT Cooke"), in accordance with Ordering Paragraph No. 4 in the Public Utility Commission of Texas ("Commission") Final Order in this proceeding,¹ files this Affidavit of Payment within five calendar days of remitting the applicable payment to the Commission.

Respectfully submitted,

By: /s/ Alaina Zermeno

Donald J. Miller Adapture Renewables, Inc. 1901 Harrison Street, Ste. 1630 Oakland, California 94612 dmiller@adapturerenewables.com Alaina Zermeno State Bar No. 24098656 alaina.zermeno@huschblackwell.com Chris Reeder State Bar No. 16692300 chris.reeder@huschblackwell.com HUSCH BLACKWELL LLP 111 Congress Avenue, Suite 1400 Austin, Texas 78701 Telephone: (512)-479-1183 Telecopier: (512) 479-1101

ATTORNEYS FOR BT COOKE SOLAR, LLC

¹ Order at 7 (December 15, 2022).

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been forwarded to all parties of record via electronic mail on the 22^{nd} day of December 2022.

/s/ Alaina Zermeno

Alaina Zermeno

AFFIDAVIT

BEFORE ME, the undersigned authority appeared, being first duly sworn, deposed and stated:

- 1. My name is Donald J. Miller. I am over the age of twenty-one and am competent to make the following statements.
- I am the General Counsel for Adapture Renewables, Inc. ("ARI"), having its principal place of business at 1901 Harrison Street, Suite 1630, Oakland, California 94612. ARI manages and is responsible for BT Cooke Solar, LLC's ("BT Cooke") operations.
- 3. The facts stated in this affidavit are within my personal knowledge and are true and correct. I verify and affirm that I have personal knowledge of the facts stated within, that I am competent to testify, and that I have authority to make this Affidavit on behalf of BT Cooke.
- 4. Ordering Paragraph No. 3 in the Public Utility Commission of Texas ("Commission") Final Order in Docket No. 52924 ("Final Order") requires BT Cooke to remit payment of the full amount of the \$150,000 administrative penalty on or before 30 calendar days after the date the Commission signs the Final Order.
- 5. Ordering Paragraph No. 4 in the Commission's Final Order in Docket No. 52924 states "BT Cooke must file, in this docket, an affidavit of payment of the administrative penalty no later than five calendar days after remitting payment."
- 6. The Commission's Final Order in Docket No. 52924 was signed on December 15, 2022.
- 7. I hereby affirm and certify that, in accordance with Ordering Paragraph No. 3 in the Commission's Final Order, on December 20, 2022, BT Cooke issued a check for \$150,000 and, referencing Docket No. 52924, sent the check via United States Postal Service, Certified Mail to:

Public Utility Commission of Texas ATTN: Fiscal Services PO Box 13326 Austin, TX 78711-3326

Such remittance date is prior to the 30-calendar-day deadline provided for in Ordering

Paragraph No. 3 of the Commission's Final Order in Docket No. 52924.

The foregoing statements offered by me are true and correct to the best of my knowledge and belief.

TM By:

Donald J. Miller

ACKNOWLEDGMENT	
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.	
State of California County ofAlameda)	
On <u>12/22/2022</u> before me, <u>Ho</u>	oi K Kwan, Notary Public (insert name and title of the officer)
personally appeared	
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.	
WITNESS my hand and official seal.	HOI KONG KWAN Notary Public - California Alameda County Commission # 2302291 My Comm, Expires Sep 17, 2023
Signature Mar IC CC	(Seal)