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NOTICE OF VIOLATION BY SHELL	§	PUBLIC UTILITY COMMISSION
OIL COMPANY FOR VIOLATIONS OF	§	
16 TAC § 25.55 AND ERCOT NODAL	§	OF TEXAS
PROTOCOLS § 3.21, CONCERNING	§	
WINTER WEATHER READINESS	§	
REPORTING REQUIREMENTS	§	

COMMISSION STAFF’S CORRECTIONS TO THE PROPOSED ORDER

The Staff of the Public Utility Commission of Texas (Commission) offers corrections to two conclusions of law proposed by the administrative law judge (ALJ) in the November 2, 2022 proposed order. The deadline to file corrections or exceptions to the proposed order is November 16, 2022. Therefore, this pleading is timely filed.

I. Conclusions of Law

Commission Staff recommends minor, typographical corrections to proposed Conclusions of Law No. 3 and 4. As noted by the ALJ in the proposed order at Footnote No. 1, the petition to determine a violation at issue in this case was filed on December 8, 2021. Subsequently, the Commission amended 16 Texas Administrative Code (TAC) § 25.55, effective October 20, 2022. The ALJ specified that all references and citations to 16 TAC § 25.55 in the proposed order are made in reference to the version of the rule in effect at the time the petition was filed. However, proposed Conclusions of Law No. 2 and 3 appear to reference subsections of the current version of the rule, rather than the version applicable at the time of the petition. Accordingly, Commission Staff recommends that Conclusions of Law No. 3 and 4 be amended as follows:

3. On December 1, 2021, Shell was a generation entity as defined under 16 TAC § 25.55(b)(~~23~~).
4. On December 1, 2021, each of the four Deer Park Refinery generation facilities was a generation resource as defined under 16 TAC § 25.55(b)(~~34~~).

Dated: November 16, 2022

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS

**DIVISION OF COMPLIANCE AND
ENFORCEMENT**

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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on November 16, 2022 in accordance with the Order Suspending Rules, issued in Project No. 50664

/s/ Courtney Dean
Courtney N. Dean