



## Filing Receipt

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<b>NOTICE OF VIOLATION BY SHELL</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>OIL COMPANY FOR VIOLATIONS OF</b>	<b>§</b>	
<b>16 TAC § 25.55, AND ERCOT NODAL</b>	<b>§</b>	<b>OF TEXAS</b>
<b>PROTOCOLS § 3.21(3), CONCERNING</b>	<b>§</b>	
<b>FAILURE TO COMPLY WITH</b>	<b>§</b>	
<b>WINTER WEATHER EMERGENCY</b>	<b>§</b>	
<b>PREPAREDNESS REPORTING</b>	<b>§</b>	
<b>REQUIREMENTS</b>	<b>§</b>	

**AGREED REQUEST FOR ABATEMENT**

TO THE HONORABLE CHAIRMAN AND COMMISSIONERS OF THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW Shell Oil Company (“Shell”) and files this agreed request for abatement on behalf of Shell and Staff of the Public Utility Commission (“Commission Staff” or “Staff”) (together, the “Parties”).

**I. Background**

Shell received the Executive Director’s Notice of Violation (“NOV”) on December 8, 2021, which claims that Shell violated 16 TAC § 25.55(c)(2) and ERCOT Nodal Protocols § 3.21(3) by failing to timely submit to ERCOT required winter weather emergency preparedness information for four separate generation resources.<sup>1</sup>

On December 23, 2021, Shell filed a Request for Hearing and Settlement Conference pursuant to 16 Tex. Admin. Code (“TAC”) §§ 22.246(g)(3) and 22.246(h) (“Request”).<sup>2</sup> The Request included that the settlement conference take place before the matter is referred to the State Office of Administrative Hearings (“SOAH”).

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<sup>1</sup> See *Notice of Violation by Shell Oil Company for Violations of 16 TAC § 25.55 and ERCOT Nodal Protocols § 3.21(3), Concerning Failure to Comply with Winter Weather Emergency Preparedness Reporting Requirements*, Docket No. 52930, Notice of Violation at 2 (Dec. 8, 2021) (“NOV”).

<sup>2</sup> Shell Oil Company’s Request for a Hearing and Settlement Conference (Dec. 23, 2021).

## **II. Discussions with Commission Staff**

Shell has engaged in preliminary discussions with Staff regarding a settlement conference in this matter. Staff has indicated its agreement with abating the proceeding prior to a referral to SOAH to facilitate settlement discussions. Additionally, the Parties are aware of at least one prior Docket where the Commission agreed to abate an enforcement proceeding prior to referring the matter to SOAH to allow for settlement discussions.<sup>3</sup>

## **III. Request for Abatement**

The Parties respectfully request that this proceeding be abated prior to a referral to SOAH to allow for settlement discussions to take place. If so required, the Parties will file reports on the status of negotiations, or alternatively, a request for referral to SOAH should settlement negotiations fail to result in an agreement.

## **IV. Conclusion**

Shell respectfully requests that the Parties' Agreed Request for Abatement be granted and all other relief to which it is entitled.

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<sup>3</sup> *Notice of Violation by the City of Bartlett of PURA §§ 39.151(D) and (J), Related to Market Structure; 16 TAC § 25.503(F)(2), Related to Oversight of Wholesale Participants, and ERCOT Nodal Operating Guide § 1.4, Relating to Transmission Operator*, Docket No. 47775, Order No. 1 (Dec. 27, 2017).

Respectfully submitted,

/s/ Alaina Zermeno

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**ATTORNEYS FOR SHELL OIL COMPANY**

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of this pleading has been forwarded to all parties of record via electronic mail on the 7th day of January, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ Alaina Zermeno

Alaina Zermeno