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**SOAH DOCKET NO. 473-22-1662
DOCKET NO. 52931**

NOTICE OF VIOLATION BY TEXAS	§	BEFORE THE STATE OFFICE
BIG SPRING LP FOR VIOLATIONS OF	§	
16 TAC § 25.55 AND ERCOT NODAL	§	
PROTOCOLS § 3.21(3), CONCERNING	§	
FAILURE TO COMPLY WITH	§	OF
WINTER WEATHER EMERGENCY	§	
PREPAREDNESS REPORTING	§	
REQUIREMENTS	§	ADMINISTRATIVE HEARINGS

FIFTH AMENDED RULE 11 AGREEMENT

Pursuant to Rule 11 of the Texas Rules of Civil Procedure, Staff of the Public Utility Commission of Texas (Commission) and Texas Big Spring, LLC¹ (TBS) (collectively, Parties) agree to the following modification of the Fourth Amended Rule 11 Agreement previously signed and filed in this docket and agree to be bound by the following during the pendency of this case to the same extent as if these terms were ordered by the administrative law judge.

The Parties agree as follows:

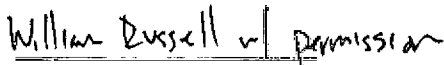
1. TBS and Commission Staff have previously agreed in a Fourth Amended Rule 11 Agreement filed in this docket on August 19, 2022, to extend the deadlines for Commission Staff to file its Direct Testimony or Statement of Position until September 9, 2022, and for TBS to file its Objections to Staff Direct Testimony until September 23, 2022, its deadline to Serve Discovery on Staff's Direct Testimony until October 7, 2022, and its deadline to file its Direct Testimony until October 14, 2022.
2. The purpose of the agreed extensions was to allow the Parties to negotiate in good faith to address a possible settlement in this case.
3. The Parties continue to negotiate and have agreed that further extensions of deadlines will


¹ Formerly known as Texas Big Spring, LP.

be productive. Therefore, the deadlines mentioned above as previously extended shall each be extended as set forth below:

- a. The deadline for Commission Staff to file its Direct Testimony or Statement of Position shall be extended from September 9, 2022 to September 30, 2022.
 - b. The deadline for TBS to file its Objections to Staff Direct Testimony shall be extended from September 23, 2022 to October 14, 2022.
 - c. The deadline for TBS to Serve Discovery on Staff's Direct Testimony shall be extended from October 7, 2022 to October 28, 2022.
 - d. The deadline for TBS to file its Direct Testimony shall be extended from October 14, 2022 to November 4, 2022.
4. The parties will use the time provided to negotiate in good faith to address a possible settlement of the issues in this case.
 5. The remaining deadlines set forth in SOAH Order No. 2 dated April 6, 2022 not set forth above, some of which currently have dates before the deadlines above, shall be revised as needed if a settlement cannot be reached during the time provided above.
 6. This Fifth Amended Rule 11 Agreement will be filed and made a part of the record in this case.

SIGNED AND AGREED:


William W. Russell
State Bar No. 00794573
Reed Smith LLP
Counsel for Texas Big Spring LLC


Barksdale English
Director, Division of Compliance &
Enforcement
Public Utility Commission of Texas