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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

JOINT MOTION TO ADMIT EVIDENCE AND REMAND PROCEEDING

On December 16, 2022, the Staff of the Public Utility Commission of Texas (Commission) and Texas Big Spring, LLC¹ (TBS) (collectively, the Parties) jointly filed a Notice of Settlement Agreement in the above-styled docket. If approved by the Commission, this agreement would resolve all the issues in Docket No. 52931, regarding Commission Staff's Notice of Violation by Texas Big Spring LP for Violations of 16 TAC § 25.55 and ERCOT Nodal Protocols § 3.21(3), concerning winter weather preparedness reporting requirements.

I. MOTION TO ADMIT

For the purpose of supporting the Commission's order in this proceeding, Commission Staff, on behalf of the Parties, moves to admit the following items into the record of this proceeding as evidence.

- a) Commission Staff's petition to determine violation and impose an administrative penalty (Interchange Item No. 3).
- b) TBS's request for hearing (Interchange Item No. 4).
- c) The settlement agreement and all attachments filed on December 16, 2022.
- d) The proposed order attached to this motion as Attachment 1.

II. MOTION TO REMAND PROCEEDING

Commission Staff, on behalf of the Parties, is filing an agreed proposed order that addresses and resolves all issues in this proceeding. The parties request that the administrative law judge issue an order dismissing this proceeding from the State Office of Administrative Hearings docket

¹ Formerly known as Texas Big Spring, LP.

and remanding it to the Commission for consideration of the settlement agreement and proposed order. Commission Staff is authorized to represent that TBS supports this motion and entry of the proposed order.

III. PROPOSED ORDER

Attached to this pleading is the Parties' agreed proposed order. Commission Staff, on behalf of TBS, respectfully requests entry of a final order consistent with the Parties' Settlement Agreement.

IV. CONCLUSION

Commission Staff, on behalf of the parties, respectfully requests that the above-listed items be admitted as evidence into the record of this proceeding, the proceeding be remanded back to the Commission, and an order consistent with the foregoing motions be entered.

Dated: December 16, 2022

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS

**DIVISION OF COMPLIANCE AND
ENFORCEMENT**

Barksdale English
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/s/Van Moreland
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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 December 16, 2022 in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Van Moreland
Van Moreland