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PUC DOCKET NO. 52931

NOTICE OF VIOLATION BY TEXAS	§	PUBLIC UTILITY COMMISSION
BIG SPRING LP FOR VIOLATIONS OF	§	
16 TAC § 25.55 AND ERCOT NODAL	§	OF TEXAS
PROTOCOLS § 3.21(3), CONCERNING	§	
FAILURE TO COMPLY WITH	§	
WINTER WEATHER EMERGENCY	§	
PREPAREDNESS REPORTING	§	
REQUIREMENTS	§	

CORRECTION TO COMMISSION STAFF'S PROPOSED LIST OF ISSUES

On December 8, 2021, the Executive Director of the Public Utility Commission of Texas (Commission) filed a formal Notice of Violation (NOV) against Texas Big Spring LP (Big Spring) for continuing violations of 16 Texas Administrative Code (TAC) § 25.55(c)(2) and Electric Reliability Council of Texas (ERCOT) Nodal Protocols § 3.21(3), concerning Big Spring's failure to comply with winter weather emergency preparedness reporting requirements. On December 23, 2021, Big Spring filed a request for hearing on the amount of the administrative penalty recommended in the NOV.

On January 13, 2022, the Commission filed an Order Requesting Lists of Issues, permitting Commission Staff to file in this docket a list of issues to be addressed in the docket by January 24, 2022. Staff filed its list of issues on January 24, 2022. In its List of Issues, Commission Staff stated that it was the recommendation of the Executive Director that an initial administrative penalty of \$2,375,000 be assessed against Big Spring, as stated within the NOV.¹ This amount was stated in error. The correct amount of the recommended administrative, as actually stated within the NOV, is \$725,000 plus \$50,000 per violation each day the violation of 16 TAC § 25.55 persisted and \$25,000 per violation each the violation of ERCOT Nodal Protocols §3.21(3) persisted.² Commission Staff respectfully requests that the preliminary order reflect the correct recommended penalty amount and subsequent orders disregard Commission Staff's erroneous filing in its initial Proposed List of Issues.

¹ Commission Staff's Proposed List of Issues at 1 (Jan. 24, 2022).

² Notice of Violation at 2.

Dated: February 8, 2022

Respectfully Submitted,

PUBLIC UTILITY COMMISSION OF TEXAS

**DIVISION OF COMPLIANCE AND
ENFORCEMENT**

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Division Director

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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 February 8, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/Van Moreland
Van Moreland