



Control Number: 52941



Item Number: 103



2022 MAY 16 AM 10:52

May 13, 2022

Central Records Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

RE: Project No. ⁵²⁹⁴¹ §1761, *Retail Performance Measure Reports Pursuant to PUC Subst. R. 25.88 and Disconnect for Non-Pay Report for 1st Quarter 2022.*

Dear Sir or Madam,

Please accept for filing in the above referenced proceeding the Performance Measure report of Texpo Power, LP ("Texpo") for 1st Quarter 2022 (the "Metrix Report") and the Disconnect for Non-Pay Report for January, February, and March of 2022 (the "DNP Report").

The measures required by PUC Subst. R. 25.88 for retail electric providers relative to the Metrix Report are:

1. Measure A-1: Customers Served by REPs; and
2. Measure C: Technical Field Performance.

Attached is the required report attestation, which is being publicly filed. Texpo is also submitting confidentially and under seal the Metrix Report and the required analysis thereof, which discusses and reveals the required information along with the DNP Report.

Texpo is submitting the Metrix Report and the DNP Report confidentially and under seal consistent with PUC Proc. R. 22.71. Please note that the disclosure of the Metrix Report, the DNP Report, or any part thereof, would: 1) reveal Texpo's market share and details about Texpo's market served; 2) would reveal certain information that may give Texpo's competitors knowledge of Texpo's financial position/condition, which could be used to Texpo's substantial detriment in, among other situations, bidding situations and in responses to RFPs; and 3) could reveal Texpo's proprietary supplier arrangements, service arrangements and cost structure that would, among other things, reduce Texpo's competitive advantages. The Metrix Report and the DNP Report are therefore highly confidential and protected from public disclosure, as described in Texas Government Code, Title 5, Chapter 552, Subchapter C, Section 552.104 and 552.110, and Texpo respectfully requests the confidential treatment of such information.

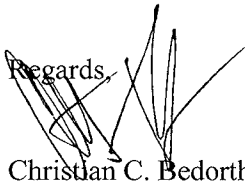
Additionally, Texpo notes that in connection with Measure A-1 of the Metrix Report, which requires it to file both paper and electronic copies of its DOE EIA-826 reports, Texpo has submitted only paper copies of the Metrix Report because the information contained in the Metrix Report constitutes confidential information. PUC Proc. R. 22.71(d)(3) provides that a party shall not file confidential materials electronically unless specific arrangements are made and agreed to by the parties involved on a case by case basis. Texpo is unaware of any such arrangements

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having been made at this time and, accordingly, is not filing the Metrix Report electronically at this time.

Should the Staff wish to review electronic copies of the Metrix Report, Texpo will discuss appropriate arrangements for filing such materials in consideration of the rule. Thank you for your attention to this matter.

Regards,



Christian C. Bedortha
Assistant General Counsel
Texpo Power, LP

Attachments

PROJECT NUMBER 51761

PUC PROCEEDING TO	§	PUBLIC UTILITY
ESTABLISH PERFORMANCE	§	COMMISSION OF TEXAS
MEASURES RELATING TO	§	
THE COMPETITIVE RETAIL	§	
ELECTRIC MARKET	§	

AFFIDAVIT OF KEVIN MEERS

STATE OF TEXAS §

COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared Kevin Meers, the affiant, who is known to me and who, after being duly sworn upon oath, did depose and state as follows:

1. “I am over twenty-one (21) years of age, of sound mind, and am fully competent and have the authority to make this affidavit and to testify the matters set forth herein. I have personal knowledge of the statements contained herein and the facts stated herein are true and correct to the best of my knowledge and belief.

2. I am Vice President of Operations for Texpo Power, LP d/b/a Texpo Energy and d/b/a YEP (“Texpo”), PUCT No. 10126, located at 7660 Woodway Drive, Ste. 471A, Houston, Texas 77063.

3. I swear or affirm that I have personal knowledge of the facts stated in the 2022 Q1 Performance Measure Report, that I am competent to testify to them, and that I have the authority to submit this document on behalf of Texpo. I further swear or affirm that all statements made in the document are true, correct and complete.

4. I swear or affirm that any assertions of confidentiality regarding this response have been made with a good faith belief that an exception to public disclosure under

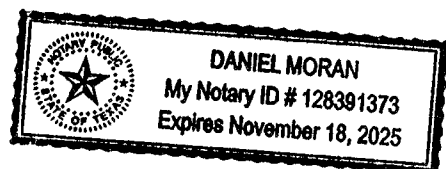
Chapter 552 of the Texas Government Code applies to the information provided herein.”

Further Affiant sayeth not.



Kevin Meers
Vice President of Operations and
Authorized Representative
Texpo Power, LP

SWORN TO AND SUBSCRIBED TO BEFORE ME on the 15th day of May, 2022.



Notary Public in and for the State of Texas

Printed Name Daniel Moran

My Commission Expires: 11-18-25