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PROJECT NO. 53169

**REVIEW OF TRANSMISSION RATES § PUBLIC UTILITY COMMISSION
FOR EXPORTS FROM ERCOT §
 § OF TEXAS**

**OFFICE OF PUBLIC UTILITY COUNSEL’S REPLY COMMENTS
ON THE PROPOSAL FOR PUBLICATION OF AMENDMENTS TO 16 TAC § 25.192**

The Office of Public Utility Counsel (“OPUC”) respectfully submits these reply comments in response to the initial comments on the Public Utility Commission of Texas’ (“Commission”) proposed amendments to 16 Texas Administrative Code (TAC) § 25.192, relating to Transmission Service Rates.¹ The Commission requests reply comments on the proposal for publication by September 15, 2021. These comments are timely filed.

Comments from the parties generally reflect support for the proposed amendments. OPUC’s reply comments are in response to those comments filed by Conservative Texans for Energy Innovation (“CTEI”), Grid United, LLC (“GU”), Southern Cross Transmission, LLC (“SCT”), Joint Transmission Service Providers² (“Joint TSPs”), and Texas Industrial Energy Consumers (“TIEC”). Regarding CTEI’s Comments, OPUC is generally in accord. As CTEI rightly points out, eliminating the seasonal price differential in paragraph (e)(2), as proposed, will “facilitate more efficient market outcomes in the ERCOT region.”³ With respect to GU’s comments, OPUC takes no position on GU’s suggestion to eliminate export fees outside of the peak-months entirely.⁴ Concerning SCT’s comments, OPUC agrees that adoption of the proposal for publication would benefit ratepayers and the ERCOT system by “better align[ing] DC tie flows with ERCOT system needs and proper ERCOT market outcomes.”⁵ As to the comments of Joint

¹ Proposal for Publication of Amendments to 16 TAC § 25.192 as Approved at the August 4, 2022, Open meeting (Aug. 4, 2022).

² Comprising AEP Texas Inc., CenterPoint Energy Houston Electric, LLC, Electric Transmission Texas, LLC, Oncor Electric Delivery Company LLC, and Texas-New Mexico Power Company.

³ Comments of Conservative Texas for Energy Innovation at 2 (Aug. 29, 2022).

⁴ Grid United’s Comments on Staff’s Proposal for Publication Proposing Changes to § 25.192(e) at 2 (Sep. 1, 2022).

⁵ Southern Cross Transmission LLC’s Initial Comments on Proposal for Publication at 3 (Sep. 1, 2022).

TSPs, unopposed to the proposed rule amendments, OPUC supports the suggestion that “a single compliance project be opened for the submission of the compliance tariffs [to] enable the implementation of the TSP export rates in a timely, consistent, and efficient manner.”⁶ Lastly, while OPUC agrees with TIEC that the Commission “should ensure that transmission pricing creates appropriate behavior incentives for DC Ties to contribute to grid costs that will otherwise be borne by native ERCOT customers and promote grid reliability during peak demand,” OPUC takes no position on TIEC’s suggestion that the Commission “more narrowly tailor the ‘on-peak’ period to the hours of 2-7 PM during weekdays in the summer months.”⁷

OPUC believes that adoption of the proposed amendments set out in the proposal for publication would result in a consistent charge for exporting power from the ERCOT region throughout the year, enabling ratepayers to pay a consistent export charge for each month of the year. As a representative for residential and small commercial consumers, OPUC believes that adoption of the proposed rule is in the public interest. OPUC appreciates the opportunity to provide these reply comments on the proposal for publication and looks forward to working with Commission Staff and other stakeholders on this project

⁶ Comments of the Joint Transmission Service Providers Related to the Proposal for Publication of Amendments to 16 TAC § 25.192 at 1 (Sep. 1, 2022).

⁷ Texas Industrial Energy Consumers’ Comments on the Proposal for Publication at 2-4 (Sep. 1, 2022).

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