



## Filing Receipt

**Received - 2023-02-10 02:17:03 PM**  
**Control Number - 53169**  
**ItemNumber - 32**

**Peter M. Lake**  
Chairman

**Will McAdams**  
Commissioner

**Lori Cobos**  
Commissioner

**Jimmy Glotfelty**  
Commissioner

**Kathleen Jackson**  
Commissioner



**Greg Abbott**  
Governor

**Thomas J. Gleeson**  
Executive Director

## ***Public Utility Commission of Texas***

### *Tariff Control No. 54527 – Tariff Filings in Compliance with Project No. 53169*

Project No. 53169 amended the rule that specifies the method for calculating the transmission charge for exporting power outside the Electric Reliability Council of Texas (ERCOT) region, 16 Texas Administrative Code (TAC) § 25.192(e). As part of the public comment period on that rule, compliance with the amendment to 16 TAC § 25.192(e) would require transmission service providers (TSPs) to file amended compliance tariffs after the amendment became effective. That amendment was approved on November 30, 2022.

Staff has attached the notice that was provided to the list of TSPs in Tariff Control No. 54527. If you have any questions, please contact us at your convenience.

Dated: February 10, 2023

Respectfully Submitted,

### **PUBLIC UTILITY COMMISSION OF TEXAS LEGAL DIVISION**

Keith Rogas  
Division Director

Marisa Lopez Wagley  
Managing Attorney

/s/ Anthony Kanalas  
Anthony Kanalas  
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**Peter M. Lake**  
Chairman

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Commissioner

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Executive Director

## ***Public Utility Commission of Texas***

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To:

RE: *Tariff Control No. 54527 – Tariff Filings in Compliance with Project No. 53169*

Project No. 53169 amended the rule that specifies the method for calculating the transmission charge for exporting power outside the Electric Reliability Council of Texas (ERCOT) region, 16 Texas Administrative Code (TAC) § 25.192(e). As part of the public comment period on that rule, compliance with the amendment to 16 TAC § 25.192(e) would require transmission service providers (TSPs) to file amended compliance tariffs after the amendment became effective. That amendment was approved on November 30, 2022. This Compliance docket was opened on December 28, 2022.

Attached is Order No. 1 and Order No. 2 explaining what is required of TSPs to be compliant with the amended rule. If you have any questions, please contact us at your convenience.



Dated: February 10, 2023

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF  
TEXAS LEGAL DIVISION**

Keith Rogas  
Division Director

Marisa Lopez Wagley  
Managing Attorney

/s/ Anthony Kanalas

Anthony Kanalas

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## Filing Receipt

**Received - 2023-01-20 09:23:26 AM**  
**Control Number - 54527**  
**ItemNumber - 8**

**TARIFF CONTROL NO. 54527**

**TARIFF FILINGS IN COMPLIANCE      §      PUBLIC UTILITY COMMISSION  
WITH PROJECT NO. 53169               §  
   §                                OF TEXAS**

**ORDER NO. 1  
RECLASSIFYING PROCEEDING AND  
REQUIRING COMMISSION STAFF COMMENTS AND  
RECOMMENDATIONS, AND REQUIRING NOTICE**

Recently, in Project No. 53169,<sup>1</sup> the Commission amended its rule that specifies the method for calculating the transmission charge for exporting power outside the Electric Reliability Council of Texas (ERCOT) region, 16 Texas Administrative Code (TAC) § 25.192(e). During the public comment period on that rule amendment, commenters referred to as the “Joint TSPs” noted that the amendment to 16 TAC § 25.192(e) would require certain transmission service providers (TSPs) to file amended compliance tariffs after the amendment became effective. In response, in its Order Adopting Amendments to 16 TAC § 25.192 as Approved at the November 30, 2022 Open Meeting, the Commission noted as follows:

The commission agrees with Joint TSPs that a single compliance project will facilitate implementation of tariff amendments in a timely, consistent, and efficient manner. The commission will open a compliance project and post the project information in this project.<sup>2</sup>

On December 28, 2022, Commission Staff opened Project No. 54527, which it styled as Tariff Filings in Compliance with Project No. 53169. Since Project No. 54527 was opened, several TSPs have filed tariffs in the project which apparently have been revised to reflect the changes necessitated by the amendment of 16 TAC § 25.192(e). To date, no Commission action has been taken on those filings.

Because Project No. 54527 was opened as a project, no administrative law judge (ALJ) was assigned to the matter. On January 18, 2022, the undersigned ALJ was made aware of the project.

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<sup>1</sup> *Review of Transmission Rates for Exports from ERCOT*, Project No. 53169, Order Adopting Amendments to 16 TAC § 25.192 as Approved at the November 30, 2022 Open Meeting (Nov. 30, 2022).

<sup>2</sup> 47 Tex. Reg. 8267, 8268 (2022).

Under 16 TAC § 22.33, the Commission must take action on tariff filings. Under 16 TAC § 22.33(d), it is the responsibility of a Commission ALJ to establish reasonable deadlines for comments or recommendations on tariff filings, issue orders as necessary to process the filings, and take final action on the filings or docket them for further handling by the Commission.

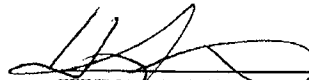
Because formal action must be taken on the tariff filings made in this proceeding, the ALJ orders as follows:

- This matter is hereby restyled as a Tariff Control number rather than as a Project number, as reflected in the style of this Order;
- Rather than opening separate Tariff Control numbers for each TSP that files a revised tariff, all TSP tariffs that are revised in response to the recent amendment of 16 TAC § 25.192(e) will be considered in Tariff Control No. 54527;
- As to each TSP that has, by the date this Order is issued, filed a revised tariff in Tariff Control No. 54527, Commission Staff must, by February 3, 2023, file:
  - comments on the sufficiency of the filing, and
  - recommendations as to whether the filed tariff is compliant with the new version of 16 TAC § 25.192(e), and whether the filed tariff should be approved, approved with modification, denied, or docketed;
- By February 3, 2023, Commission Staff must:
  - file a list of any additional TSPs that Commission Staff believes may need to file a revised tariff in Tariff Control No. 54527, but that have not yet done so;
  - provide to the TSPs on its list notice of this proceeding, including a copy of this Order; and
  - file a copy of its notice in Project No. 53169;

- By February 10, 2023, Commission Staff must:
  - file proof of notice; and
  - file a proposed schedule for further processing of this proceeding.

**Signed at Austin, Texas the 20th day of January 2023.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

A handwritten signature in black ink, appearing to read 'HB', is written over a horizontal line.

**HUNTER BURKHALTER  
CHIEF ADMINISTRATIVE LAW JUDGE**





## Filing Receipt

**Received - 2023-02-03 10:45:22 AM**  
**Control Number - 54527**  
**ItemNumber - 23**

**TARIFF CONTROL NO. 54527**

**TARIFF FILINGS IN COMPLIANCE  
WITH PROJECT NO. 53169**

**§  
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§**

**PUBLIC UTILITY COMMISSION  
  
OF TEXAS**

**ORDER NO. 2  
GRANTING EXTENSION AND REVISING DEADLINES**

This Order addresses Commission Staff's February 2, 2023 request to extend all of its deadlines established in Order No. 1 filed on January 20, 2023. Commission Staff states that additional time is needed due to complications from the winter storm that have affected Commission Staff's ability to work this past week as many have been without power for several days.

The administrative law judge grants Commission Staff's request for extension and orders as follows:

- As to each transmission service provider (TSP) that had, by January 20, 2023, filed a revised tariff in Tariff Control No. 54527, Commission Staff must, by February 10, 2023, file:
  - comments on the sufficiency of the filing; and
  - a recommendation as to whether the filed tariff is compliant with the new version of 16 TAC § 25.192(e), and whether the filed tariff should be approved, approved with modification, denied, or docketed.
- By February 10, 2023, Commission Staff must also:
  - file a list of any additional TSPs that Commission Staff believes may need to file a revised tariff in Tariff Control No. 54527, but that have not yet done so;
  - provide to the TSPs on its list notice of this proceeding, including a copy of this Order; and
  - file a copy of its notice in Project No. 53169;

- By February 17, 2023, Commission Staff must:
  - file proof of notice; and
  - file a proposed schedule for further processing of this proceeding.

**Signed at Austin, Texas the 3rd day of February 2023.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

  
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**HUNTER BURKHALTER**  
**CHIEF ADMINISTRATIVE LAW JUDGE**