



Filing Receipt

Filing Date - 2024-03-05 09:57:04 AM

Control Number - 53385

Item Number - 1787

PROJECT NO. 53385

**PROJECT TO SUBMIT EMERGENCY § PUBLIC UTILITY COMMISSION
OPERATIONS PLANS AND RELATED §
DOCUMENTS UNDER 16 TAC § 25.53 § OF TEXAS**

**FORMOSA UTILITY VENTURE, LTD.'S EMERGENCY OPERATIONS PLAN
ANNUAL REVIEW STATEMENT FOR 2024**

COMES NOW, Formosa Utility Venture, Ltd. on behalf of itself and Neumin Production Company (collectively "Formosa") and submits this Annual Review Statement for 2024 in compliance with 16 Tex. Admin. Code ("TAC") § 25.53(c)(3)(B).

In accordance with 16 TAC § 25.53(c)(3)(B)(iii), Attachment A to this pleading is an Affidavit from Ken Mounger, Executive Vice President, Formosa Plastics Corporation, Texas, the highest-ranking representative, official, or officer with binding authority over Formosa, as described under 16 TAC § 25.53(c)(4)(C). Pursuant to 16 TAC § 25.53(c)(3)(B)(ii), the Affidavit also states that Formosa did not make a change to its EOP that materially affects how it would respond to an emergency.

Respectfully submitted,



BAKER BOTTS L.L.P.

Patrick Leahy

State Bar No. 24092674

401 South 1st Street, Suite 1300

Austin, Texas 78704

Telephone: (512) 322-2500

Facsimile: (512) 322-2501

Email: patrick.leahy@bakerbotts.com

STATE OF NEW JERSEY §
 §
COUNTY OF ESSEX §

AFFIDAVIT OF KEN MOUNGER

BEFORE ME, the undersigned authority, on this day appeared Ken Mounger who being by me first duly sworn, on oath, deposed and said the following:

1. I am the highest-ranking representative, official, or officer with binding authority over Formosa Utility Venture, Ltd. (“Formosa”) and Neumin Production Company (“Neumin”). Formosa is a registered power generation company and Neumin is an Option II retail electric provider. I have personal knowledge of the facts stated in this affidavit and they are true and correct.
2. I am familiar with Formosa and Neumin’s the Emergency Operations Plan (“EOP”) and the executive summary of the EOP filed with the Public Utility Commission of Texas in accordance with 16 Tex. Admin. Code (“TAC”) § 25.53.
3. As required by 16 TAC § 25.53(c)(4)(C)(i), I affirm that all relevant operating personnel within Formosa and Neumin are familiar with and have received training on the applicable contents and execution of the EOP, and such personnel are instructed to follow the applicable portions of the EOP except to the extent deviations are appropriate as a result of specific circumstances during the course of an emergency.
4. As required by 16 TAC § 25.53(c)(4)(C)(ii), I affirm that the EOP has been reviewed and approved by the appropriate executives.
5. As required by 16 TAC § 25.53(c)(4)(C)(iii), I affirm that a drill was conducted in calendar year 2023 as appropriate for Formosa and Neumin, in accordance with 16 TAC § 25.53(f).
6. As required by 16 TAC § 25.53(c)(4)(C)(iv), I affirm that the EOP or an appropriate summary has been distributed to local jurisdictions as needed.
7. As required by 16 TAC § 25.53(c)(4)(C)(v), I affirm that Formosa and Neumin each maintains a business continuity plan that addresses returning to normal operations after disruptions caused by an incident.
8. As required by 16 TAC § 25.53(c)(4)(C)(vi), I affirm that Formosa’s and Neumin’s emergency management personnel who are designated to interact with local, state, and federal emergency management officials during emergency events have received the latest IS-100, IS-200, IS-700, and IS-800 National Incident Management System training.

9. Pursuant to 16 TAC § 25.53(c)(3)(B)(ii), I affirm that during the previous calendar year Formosa and Neumin did not make a change to their EOP that materially affects how they would respond to an emergency.

Further affiant sayeth not.



Ken Mounger, Executive Vice President
Formosa Plastics Corporation, Texas as
general partner of Formosa Utility Venture,
Ltd.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 28 OF February, 2024.



Notary Public

NORBERTO J. TORRES
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires March 14, 2024