



## **Filing Receipt**

**Filing Date - 2024-03-06 11:03:17 AM**

**Control Number - 53385**

**Item Number - 1801**



**NRG Energy, Inc.**  
1005 Congress Ave., Ste. 950  
Austin, TX 78701

March 6, 2024

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

**RE: Project No. 53385, Project to Submit Emergency Operations Plans and Related Documents under 16 TAC § 25.53**

To Whom It May Concern:

The following entities submit this filing to comply with 16 Tex. Admin. Code (TAC) § 25.53(c)(3)(B): Reliant Energy Retail Services, LLC (Retail Electric Provider (REP) Certificate No. 10007), Direct Energy LP (REP Certificate No. 10040), Direct Energy Business LLC (REP Certificate No. 10011), Green Mountain Energy Company (REP Certificate No. 10009), NRG Controllable Load Services LLC (REP Certificate No. 10311), Stream SPE, Ltd. (REP Certificate No. 10104), US Retailers LLC (REP Certificate No. 10177), and, XOOM Energy Texas, LLC (REP Certificate No. 10203) (collectively NRG Energy, Inc. REPs (NRG REPs)).

Until January 2024, NRG REPs also included CPL Retail Energy LP (Formerly REP Certificate No. 10023), WTU Retail Energy LP (Formerly REP Certificate No. 10022), and First Choice Power LLC (Formerly REP Certificate No. 10008). The applications to relinquish the certificates were approved in Dockets 55856, 55857, and 55858 respectively.

This filing includes:

1. Affidavits from Elizabeth Killinger and Scott Hart:
  - a. attesting that no changes were made to the EOP that materially affect how NRG REPs would respond to an emergency; and,
  - b. providing the affirmations required by 16 TAC § 25.53(c)(4)(C).
2. A pleading concerning NRG Energy, Inc. REPs' Emergency Contacts.

Should you have any questions regarding this filing, please contact at me at 512.691.6150.



Sincerely,

A handwritten signature in cursive script that reads "Lauren D. Damen".

Lauren D. Damen  
Lauren.damen@nrg.com  
Senior Counsel, NRG Energy, Inc.  
State Bar No. 24078394  
Attorney for NRG Energy, Inc. Retail Electric Providers



## EK Affidavit - 25.53 - 2024.pdf

DocVerify ID: 625ACD68-F46A-445B-A76E-6D3FE34DC413  
 Created: March 01, 2024 12:38:34 -8:00  
 Pages: 2  
 Electronic Notary: Yes / State: TX

This document is a DocVerify VeriVaulted protected version of the document named above. It was created by a notary or on the behalf of a notary, and it is also a DocVerify E-Sign document, which means this document was created for the purposes of Electronic Signatures and/or Electronic Notary. Tampered or altered documents can be easily verified and validated with the DocVerify veriCheck system.

Go to [www.docverify.com](http://www.docverify.com) at any time to verify or validate the authenticity and integrity of this or any other DocVerify VeriVaulted document.

### E-Signature Summary

#### E-Signature 1: Elizabeth Killinger (EK)

March 01, 2024 12:40:42 -8:00 [4B3B9C340E0A] [149.19.43.115]  
 Elizabeth.Killinger@nrg.com (Principal)

#### E-Signature Notary: L Alvarado (LA)

March 01, 2024 12:40:42 -8:00 [5EB70B7B137A] [149.19.43.115]  
 la@nrg.com

I, L Alvarado, did witness the participants named above electronically sign this document.



AFFIDAVIT OF ELIZABETH KILLINGER

STATE OF TEXAS

§

§

COUNTY OF HARRIS

§

BEFORE ME, the undersigned authority, on this day personally appeared Elizabeth Killinger who, being duly sworn deposed and stated as follows:

1. My name is Elizabeth Killinger. My business address is 910 Louisiana Street, Houston, Texas, 77002. I am over eighteen (18) years of age. I have personal knowledge of the facts contained herein, and to the best of my knowledge, they are true and correct.
2. I am currently employed as Executive Vice President, NRG Home with NRG Energy, Inc. (NRG). Reliant Energy Retail Services, LLC (Retail Electric Provider (REP) Certificate No. 10007) (Reliant), Direct Energy LP (REP Certificate No. 10040) (Direct Energy), Green Mountain Energy Company (REP Certificate No. 10009) (GMEC), Stream SPE, Ltd. (REP Certificate No. 10104) (Stream Energy), US Retailers LLC (REP Certificate No. 10177) (US Retailers), and XOOM Energy Texas, LLC (REP Certificate No. 10203) (XOOM Energy) are REPs and subsidiaries of NRG. Additionally, CPL Retail Energy LP (Formerly REP Certificate No. 10023) (CPL), First Choice Power LLC (Formerly REP Certificate No. 10008) (First Choice Power), and WTU Retail Energy LP (Formerly Certificate No. 10022) (WTU) are subsidiaries of NRG that held REP certificates until January of 2024. I am the President for each of these entities. I am authorized to make this affidavit on their behalf.
3. The above listed REPs, and Direct Energy Business LLC (Certificate No. 10011) and NRG Controllable Load Services LLC (Certificate No. 10311), are collectively the NRG Energy, Inc. REPs or NRG REPs. A separate affidavit is being provided on behalf of Direct Energy Business LLC and NRG Controllable Load Services LLC.
4. The NRG REPs submitted the Executive Summary and redacted Joint Emergency Operations Plan for NRG Retail Electric Providers (EOP) on April 14, 2022 in Project No. 53385, Items 49 and 50. On the same day, NRG REPs submitted the non-redacted EOP to the Electric Reliability Council of Texas.
5. I hereby attest that no changes were made to the EOP that materially affect how the NRG REPs would respond to an emergency.
6. On behalf of Reliant, Direct Energy, GMEC, Stream Energy, US Retailers, and XOOM Energy as well as CPL, First Choice Power, and WTU through the end of their certifications, I affirm the following:

625ACD68-F46A-445B-A76E-6D3FE34DC413 -- 2024/03/01 12:38:34 -8:00

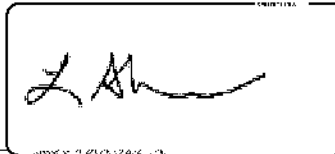


- i. Relevant operating personnel are familiar with, and have received training, on the applicable contents and execution of the EOP. Such personnel are instructed to follow the applicable portions of the EOP except to the extent deviations are appropriate as a result of specific circumstances in the course of an emergency.
- ii. The EOP has been reviewed and approved by the appropriate executives.
- iii. NRG REPs comply with the requirements for drills contained within the Commission's Emergency Operations Plan rule, subsection (f). In 2023, drills were conducted, and NRG REPs activated emergency procedures for a hurricane. For 2024, drills are currently planned. NRG REPs will comply with the requirement for REPs to provide notification 30 days prior to a drill.
- iv. The EOP or a summary will be distributed to local jurisdictions if deemed necessary.
- v. NRG maintains business continuity plans that cover our corporate functions and retail operations. These documents outline our plans to return to normal operations after a disruption caused by an incident.
- vi. The relevant emergency management personnel who are designated to interact with emergency management officials during emergency events have received the latest IS-100, IS-200, IS-700, and IS-800 National Incident Management System Training.

Elizabeth Killinger

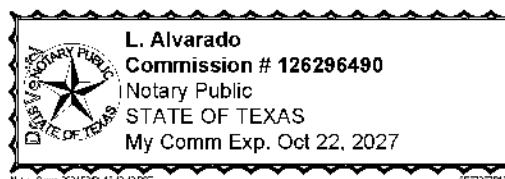
Elizabeth Killinger  
Executive Vice President, NRG Home  
NRG Energy, Inc.

SUBSCRIBED AND SWORN TO BEFORE ME on the 1<sup>st</sup> day of March, 2024 to certify which witness my official hand and seal of office.



Notary Public in and for the  
State of Texas

My Commission Expires:



## AFFIDAVIT OF SCOTT HART

STATE OF TEXAS                   §  
   §  
COUNTY OF HARRIS           §

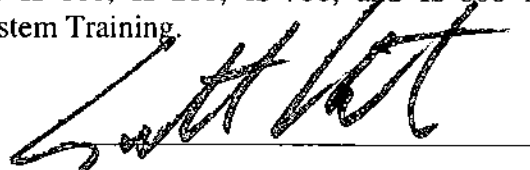
BEFORE ME, the undersigned authority, on this day personally appeared Scott Hart who, being duly sworn deposed and stated as follows:

1. My name is Scott Hart. My business address is 910 Louisiana Street, Houston, Texas, 77002. I am over eighteen (18) years of age. I have personal knowledge of the facts contained herein, and to the best of my knowledge, they are true and correct.
2. I am currently employed as Senior Vice President/Head of Sales, NRG Business with NRG Energy, Inc. (NRG). Direct Energy Business LLC dba NRG Business<sup>1</sup> (Certificate No. 10011) (DEB) and NRG Controllable Load Services LLC (Certificate No. 10311) are Retail Electric Providers (REPs), and subsidiaries of NRG. I am the President for each of these REPs. I am authorized to make this affidavit on their behalf.
3. DEB and NRG Controllable Load Services LLC, along with Direct Energy LP (REP Certificate No. 10040), Green Mountain Energy Company (REP Certificate No. 10009), Reliant Energy Retail Services, LLC (Certificate No. 10007), Stream SPE, Ltd. (REP Certificate No. 10104), US Retailers LLC (REP Certificate No. 10177), and, XOOM Energy Texas, LLC (REP Certificate No. 10203), are collectively the NRG Energy, Inc. REPs or NRG REPs. Additionally, CPL Retail Energy LP (Formerly REP Certificate No. 10023), WTU Retail Energy LP (Formerly REP Certificate No. 10022), First Choice Power LLC (Formerly REP Certificate No. 10008) were part of NRG REPs until their certificates were relinquished in January 2024. A separate affidavit is being provided on behalf of the NRG REPs other than DEB and NRG Controllable Load Services.
4. The NRG REPs submitted the Executive Summary and redacted Joint Emergency Operations Plan for NRG Retail Electric Providers (EOP) on April 14, 2022 in Project No. 53385, Items 49 and 50. On the same day, NRG REPs submitted the non-redacted EOP to the Electric Reliability Council of Texas. When NRG Controllable Load Services became certificated, it was immediately subject to the same documents and procedures described within those documents, including the same emergency contacts as DEB.

---

<sup>1</sup> The dbas of Direct Energy Business are NRG, NRG Business, CPL Business, WTU Business, and Expert Energy.

5. I hereby attest that no changes were made to the EOP that materially affect how the NRG REPs would respond to an emergency.
6. On behalf of DEB and NRG Controllable Load Services, I affirm the following:
- i. Relevant operating personnel are familiar with, and have received training, on the applicable contents and execution of the EOP. 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 in the course of an emergency.
  - ii. The EOP has been reviewed and approved by the appropriate executives.
  - iii. NRG REPs comply with the requirements for drills contained within the Commission's Emergency Operations Plan rule, subsection (f). In 2023, drills were conducted, and NRG REPs activated emergency procedures for a hurricane. For 2024, drills are currently planned. NRG REPs will comply with the requirement for REPs to provide notification 30 days prior to a drill.
  - iv. The EOP or a summary will be distributed to local jurisdictions if deemed necessary.
  - v. NRG maintains business continuity plans that cover our corporate functions and retail operations. These documents outline our plans to return to normal operations after a disruption caused by an incident.
  - vi. The relevant emergency management personnel who are designated to interact with emergency management officials during emergency events have received the latest IS-100, IS-200, IS-700, and IS-800 National Incident Management System Training.



Scott Hart  
SVP, NRG Business  
NRG Energy, Inc.

SUBSCRIBED AND SWORN TO BEFORE ME on the 5 day of March, 2024 to certify which witness my official hand and seal of office.



Notary Public in and for the  
State of Texas

My Commission Expires: 07/20/2025



**PROJECT NO. 53385**

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

**EMERGENCY CONTACT INFORMATION FOR NRG REPS**

Pursuant to 16 Tex. Admin. Code § 25.53(c)(3)(B)(i), the following Retail Electric Providers (REP) submit this pleading confirming Emergency Contacts: Reliant Energy Retail Services, LLC (REP Certificate No. 10007) (Reliant), Direct Energy LP (REP Certificate No. 10040) (Direct Energy), Green Mountain Energy Company (REP Certificate No. 10009) (GMEC), Stream SPE, Ltd. (REP Certificate No. 10104) (Stream Energy), US Retailers LLC (REP Certificate No. 10177) (US Retailers), XOOM Energy Texas, LLC (REP Certificate No. 10203) (XOOM Energy), Direct Energy Business LLC (REP Certificate No. 10011), and NRG Controllable Load Services LLC (REP Certificate No. 10311) (Collectively NRG Energy, Inc. REPS or NRG REPS).

The Emergency Contacts for NRG REPs remain the same as those filed in 2023.<sup>1</sup> All primary and backup emergency contacts for NRG REPs are restated in the confidential attachment.

Respectfully submitted,



Lauren D. Damen  
Senior Counsel  
State Bar No. 24078394  
NRG Energy, Inc.  
1005 Congress Ave., Suite 950  
Austin, Texas 78701  
Telephone: (512) 691-6150  
Email: lauren.damen@nrg.com

**ATTORNEY FOR NRG REPS**

---

<sup>1</sup> The emergency contacts for the following entities also remained the same through the relinquishment of their certificate: CPL Retail Energy LP (Formerly REP Certificate No. 10023) (CPL), First Choice Power LLC (Formerly REP Certificate No. 10008) (First Choice Power), WTU Retail Energy LP (Formerly REP Certificate No. 10022) (WTU).

[Attachment Provided Confidentially]