



## **Filing Receipt**

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ENGIE North America Inc.  
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Key Capture Energy  
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December 12, 2023

The Honorable Kathleen Jackson, Chair  
The Honorable Will McAdams  
The Honorable Lori Cobos  
The Honorable Jimmy Glotfelty

Public Utility Commission of Texas  
1701 North Congress Avenue  
P.O. Box 13326  
Austin, Texas 78711

Re: NPRR1186

Dear Commissioners:

Key Capture Energy (KCE) and ENGIE NA Inc. (ENGIE) construct, own and operate Energy Storage Resources (ESRs) on the ERCOT grid. Engie has 650 MW operating, 1,330 MW under construction and over 4 GW of batteries in the pipeline. KCE has 580 MW operating and under construction and a 1 GW pipeline. Both companies have a combination of 1- and 2-hour batteries either operating or in their pipeline.

We offer these comments regarding the Commission's deliberations on the approval of NPRR 1186 for consideration at the December 14th Open Meeting. While we now understand that ERCOT is asking to defer a decision on NPRR 1186 until January, we believe any delay further than January would be detrimental to the implementation of NPRR 1186.

ERCOT benefits from ESR participation in the market. ESRs are very fast-reacting resources that perform regularly and reliably during the tightest hours of the day and periods of system scarcity. Storage is a critical component of the ERCOT fuel mix, and as a dispatchable resource, batteries help secure the reliability of Texas' electric grid.

ERCOT's request to supply their operators with the current state of charge (SOC) and planned SOC data is reasonable and important. This SOC data will help inform the Reliability Unit Commitment (RUC) process and will contribute to more efficient market outcomes.

ERCOT should create a level playing field with clear expectations for SOC requirements that are not subject to the interpretation of market participants. KCE and ENGIE have deep concerns that defining SOC requirements in the Business Practice Manual (BPM) creates regulatory uncertainty as market participants may have different interpretations regarding the manual's enforceability. For this reason, we believe it is appropriate that SOC rules reside in the Protocols. To that end, we respectfully recommend that the Commission approve NPRR 1186, but direct ERCOT to remove the grey-boxed language in paragraph (4) of Section 8.1 of the Protocols via subsequent comments in pending NPRR 1209.

KCE and ENGIE believe this is an approach that will provide a path forward for ERCOT to receive the data it requires while increasing certainty across the storage industry regarding the SOC requirements expected of battery projects.

We appreciate the opportunity to weigh in on this important Protocol revision.

Respectfully Submitted,

/s/ Robert Helton

Robert Helton  
ENGIE NA, Inc.

/s/ Danny Musher

Danny Musher  
Key Capture Energy