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TEXAS ENERGY FUND

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

**TEXAS INDUSTRIAL ENERGY CONSUMERS'
PROPOSED TOPICS AND QUESTIONS FOR WORKSHOP**

Texas Industrial Energy Consumers (TIEC) files the following proposed questions and topics for discussion at the public workshop on September 21, 2023.

PROPOSED TOPICS AND QUESTIONS

PURA § 34.0106(b)(1) prohibits the Commission from providing loans or grants “for a facility that will be used *primarily* to serve an industrial load or private use network” (emphasis added).

Some TIEC members are exploring adding dispatchable generating to serve on-site loads (i.e., as part of a private use network). Given the inherent economics of scale, these companies would potentially oversize the generating facilities relative to their on-site loads and export the excess energy to the grid if they were able to qualify for SB 2627 funds. Arguably, this excess capacity would *not* be used “primarily to serve an industrial load or private use network” as it would be exported to be used by others.

TIEC asks the Commission to provide an interpretation of the word “primarily,” in the prohibition cited above, that clarifies if and when loan funds may be used for such overbuild situations. To that end, TIEC submits the following question:

Is dispatchable generating capacity that exceeds the demand of the loads being served in a private use network eligible for funding under SB 2627?

TIEC looks forward to discussing this at the upcoming workshop.

Respectfully submitted,

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