

Filing Receipt

Filing Date - 2025-04-17 01:46:28 PM

Control Number - 56164

Item Number - 67

Thomas J. Gleeson
Chairman
Kathleen Jackson
Commissioner
Courtney K. Hjaltman
Commissioner



Greg Abbott
Governor
Connie Corona
Executive Director

Public Utility Commission of Texas

TO: Shelah Cisneros

Commission Counsel

All Parties of Record

FROM: Isaac Ta \mathcal{I} , \mathcal{T} .

Administrative Law Judge

RE: **Docket No. 56164** – Application of City of Caldwell, Texas to Transfer Megawatts

of Load to ERCOT

DATE: April 17, 2025

On January 6, 2025, I filed a Proposed Order in the above-styled and numbered docket.

On April 3, 2025, the City of Caldwell filed supplemental proof of notice.

On April 14, 2025, I admitted supplemental evidence into the record of this proceeding. It is appropriate to revise the Proposed Order to reflect Caldwell's filing and the admission of additional evidence into the record of this proceeding. Accordingly, the Proposed Order is revised as follows:

Findings of Fact:

- 12. On April 3, 2025, Caldwell filed the following:
 - a. The affidavit of Mr. Vickery attesting that notice of the application was published in the March 22, 2024 edition of the *Texas Register*; and
 - b. The affidavit of Mr. White attesting that notice was sent by firstclass mail to all electric customers of Caldwell on March 13, 2024.
- 21. In Order No. 11 filed on April 14, 2025, the ALJ admitted Caldwell's supplemental proof of notice and all attachments, filed on April 3, 2025, as evidence into the record of this proceeding.

Other non-substantive changes to the order for matters such as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability have been made.

➂

nted on recycled paper An Equal Opportunity Employer

The Revised Proposed Order is ready for the Commission's consideration.

/lec

q/icadm/docket management/electric/miscellaneous/56xxx/56164-revised po memo.docx

DOCKET NO. 56164

APPLICATION OF CITY OF \$ PUBLIC UTILITY COMMISSION CALDWELL, TEXAS TO TRANSFER \$ MEGAWATTS OF LOAD TO ERCOT \$ OF TEXAS

REVISED PROPOSED ORDER

This Order addresses the application of the City of Caldwell, Texas for approval to transfer its load into the Electric Reliability Council of Texas (ERCOT) region from the Midcontinent Independent System Operator (MISO) region. The load to be transferred is approximately 14 megawatts (MW) and constitutes all of Caldwell's load associated with its municipal electric system. Caldwell, Commission Staff, LCRA Transmission Services Corporation (LCRA TSC), Entergy Texas, Inc., and the Office of Public Utility Counsel (OPUC) (collectively, the signatories) filed an unopposed agreement that resolves all issues between them. The sole remaining party, ERCOT, does not join the agreement, but does not oppose it. The Commission authorizes Caldwell to integrate its load into ERCOT, subject to the terms of the agreement and this Order.

I. Findings of Fact

The Commission makes the following findings of fact.

Applicant

- 1. Caldwell is a municipally owned utility.
- Caldwell provides retail service in the MISO region under certificate of convenience and necessity (CCN) number 30024.
- Caldwell serves over 2,000 retail electric meters located primarily within its municipal boundaries in Burleson County, Texas, within a retail service area that is located at the western edge of the MISO region.
- All of Caldwell's load is currently located in the Eastern Interconnection within the MISO region. The load is primarily residential with a few larger industrial customers.

<u>Application</u>

- 5. On February 1, 2024, Caldwell filed an application to transfer all of its load, which is approximately 14 MW on an ERCOT average four-coincident peak (4-CP) basis, from the MISO region to the ERCOT region.
- 6. In the application, Caldwell requests to interconnect its load to a new substation (the LCRA TSC substation) that would be constructed in-line with the T680 Lyle Wolz-to-Cooks Point 138-kilovolt (kV) transmission line operated by LCRATSC within the ERCOT region (the Cooks Point line) at a location approximately five miles southwest of the existing Cooks Point substation. The LCRA TSC substation would be constructed on property located approximately 1,500 feet from Caldwell's existing distribution facilities.
- 7. In Order No. 3 filed on March 8, 2024, the administrative law judge (ALJ) found the application administratively complete.
- 8. On May 6, 2024, Caldwell filed errata to the application.

Notice

- 9. On March 15, 2024, Caldwell filed the following:
 - a. The affidavit of Travis Vickery, attorney of record for Caldwell, attesting that, on March 12, 2024, notice was sent by first-class mail to the county government of Burleson County, MISO, ERCOT, OPUC, and the following neighboring utilities which provide the same utility service within five miles of Caldwell's electric service area: LCRA TSC, Entergy Texas, Bluebonnet Electric Cooperative, Inc., and Bryan Texas Utilities. Mr. Vickery further stated that there are no municipalities within five miles of Caldwell's electric service area.
 - The affidavit of Camden White, city administrator for Caldwell, attesting that notice was sent by first-class mail to directly affected electric customers of Caldwell on March 13, 2024; and
 - c. A publisher's affidavit attesting that notice of the application was published in the Burleson County Tribune, a newspaper published in Burleson County, on March 14, 2024.

- 10. Notice of the application was published in the March 22, 2024 edition of the *Texas* Register.
- 11. In Order No. 6 filed on April 19, 2024, the ALJ found the notice sufficient.
- 12. On April 3, 2025, Caldwell filed the following:
 - a. The affidavit of Mr. Vickery attesting that notice of the application was published in the March 22, 2024 edition of the *Texas Register*; and
 - b. The affidavit of Mr. White attesting that notice was sent by first-class mail to all electric customers of Caldwell on March 13, 2024.

Intervenors

- 13. In Order No. 2 filed on February 21, 2024, the ALJ granted the motion to intervene of Entergy Texas.
- 14. In Order No. 3 filed on March 8, 2024, the ALJ granted the motion to intervene of ERCOT.
- 15. In Order No. 4 filed on March 21, 2024, the ALJ granted the motions to intervene of OPUC and LCRA TSC.

Testimonies and Comments

- 16. Caldwell's application included the direct testimonies of Camden White, Nakee Laws, P.E., and Ramsey Cripe.
- 17. On March 25, 2024, ERCOT filed comments on Caldwell's application.
- 18. On May 6, 2024, Caldwell filed errata to the testimonies of Camden White, Ramsey Cripe, and Nakee Laws.
- 19. On December 3, 2024, Commission Staff filed the direct testimony of David Bautista, P.E, in support of the agreement.

Evidence

- 20. In Order No. 10 filed on January 6, 2025, the ALJ admitted the following evidence into the record of this proceeding:
 - a. Caldwell's application and all attachments, including the direct testimonies of Camden White, Nakee Laws, and Ramsey Cripe, and all schedules, attachments,

- and workpapers, including confidential attachments NL-2, NL-3, and RC-1, filed on February 1, 2024;
- b. Caldwell's errata to the application and testimonies of Camden White, Ramsey Cripe, and Nakee Laws, including the confidential attachment RC-1 (corrected) to the direct testimony of Ramsey Cripe filed on May 6, 2024;
- c. Caldwell's proof of notice filed on March 15, 2024;
- d. ERCOT's comments on the application filed on March 25, 2024;
- e. Caldwell's response to Commission Staff's first request for information (RFI) filed on March 27, 2024;
- f. Caldwell's response to Commission Staff's second RFI filed on April 10, 2024;
- g. the agreement and attachments filed on November 21, 2024; and
- h. Commission Staff's direct testimony of David Bautista in support of the agreement filed on December 3, 2024.
- 21. In Order No. 11 filed on April 14, 2025, the ALJ admitted Caldwell's supplemental proof of notice and all attachments, filed on April 3, 2025, as evidence into the record of this proceeding.

Background

- 22. Caldwell does not own any transmission facilities. Caldwell currently receives network integration transmission service at 69-kV from Entergy Services, LLC, acting as agent for Entergy Texas, under Entergy Texas's Open Access Transmission Tariff at a single load-serving substation. From this substation, Caldwell owns and operates approximately 65 circuit-miles of distribution lines within Burleson County. Four primary feeders extend from Caldwell's substation, which substation contains one transformer and associated bus work. Caldwell's substation is the sole source of power for the residents and businesses of Caldwell.
- 23. Entergy Texas also owns a transformer and associated facilities located at Caldwell's substation site, from which feeders extend to serve Entergy Texas's load in the area.

- 24. The Cooks Point line traverses through Caldwell's municipal boundaries and certificated service area, approximately 1,500 feet from Caldwell's existing distribution facilities. The Cooks Point line was built in 2021 and constructed on storm-hardened steel or concrete structures. The Cooks Point line is planned to be looped.
- 25. Caldwell needs to rebuild its substation to maintain reliable service. Caldwell's substation is 57-years old and requires extensive investment and modernization, including a new transformer to replace the existing one that is 35-years old, a control house, new communications equipment, a circuit switcher, bus work for four service bays, and related equipment. The existing transformer has experienced performance issues with its load tap changer that impacts the quality of service for Caldwell. The existing transformer protection is provided by a set of power fuses that are a less reliable means of isolating faults and can be prone to single phasing conditions, which are detrimental to Caldwell's customers.
- 26. There is insufficient space at the existing site of Caldwell's substation to add needed equipment, such as a control house (including modern microprocessor-based protective relaying) and a circuit switcher to protect the transformer. Rebuilding the existing substation at its current location would be more complex and involve more risk in terms of safety and reliability than building and interconnecting a new in-line substation with the Cooks Point line.
- 27. Caldwell has evaluated constructing new substation facilities in the MISO region near the existing substation at a multi-purpose sports field and recreation area that serves the community. The recreational value of the property for the Caldwell community is inconsistent with locating a new substation at that site.
- 28. The estimated cost for Caldwell to build a new substation in the MISO region is \$8,536,546. The estimated cost to build a new substation that interconnects with the Cooks Point line in the ERCOT region is \$8,158,858.
- 29. Caldwell's load, on an ERCOT average 4-CP basis, is forecasted to grow from 14.1 MW to 14.5 MW over the next five years. As a result of the load transfer, over the next five years, Caldwell estimates a power supply cost savings of \$4,757,687, on a net present value basis.

- As a result of the load transfer, by 2033, Caldwell expects to save \$8,743,082 in power supply costs, on a net present value basis.
- 30. LCRA TSC's 138-kV transmission system is robust and well-integrated with the ERCOT system, which will help to control transient voltage fluctuations and mitigate impacts to Caldwell's customers. The 138-kV operating voltage features increased phase spacing relative to the 69-kV facilities, which helps reduce the likelihood of certain types of outages.
- 31. To facilitate the load transfer, LCRA TSC will construct, operate, and maintain the transmission and transformation portions of the LCRA TSC substation. Caldwell expects LCRA TSC's experience in the industry will improve response time and allow Caldwell to better focus on its core mission of providing distribution service to its customers.
- 32. Entergy Texas owns facilities at Caldwell's existing substation site to serve Entergy Texas's load in the area. Entergy Texas will continue to operate its portion of the substation, and its facilities will remain interconnected with the MISO system and to the Entergy Texas transmission system.
- 33. The LCRA TSC substation will be available to serve Caldwell's load as well as the load of other certificated retail electric providers with ERCOT load in the area, such as Bluebonnet Electric Cooperative, Inc. The load transfer would provide a new substation source to the area, allowing for shorter distribution extensions than are currently available. This would improve service by improving voltage levels, reducing line exposure, and decreasing line losses associated with longer distribution feeders.
- 34. In March 2023, Caldwell notified Entergy Texas of its intention to pursue the load transfer and requested that Entergy Texas, as Caldwell's network integration transmission service provider, coordinate with MISO to study whether there would be any impacts resulting from the reduction of load from its transmission system. By letter dated August 11, 2023, MISO found no voltage or thermal violations, concluding that the removal of Caldwell's load would not cause any reliability issues to MISO's footprint.
- 35. In February 2022, Caldwell requested that LCRA TSC evaluate serving its load in Burleson County, Texas from a new load-serving substation interconnected to the Cooks Point Line.

- LCRA TSC modeled the proposed load in the ERCOT 2024 Summer Peak cases. The steady-state analysis under normal and contingency conditions did not indicate any new thermal or voltage criteria violations. LCRA TSC completed a facility interconnection study report in response to Caldwell's request, in accordance with North American Electric Reliability Corporation FAC-002 requirements.
- 36. On December 28, 2022, LCRA TSC shared the facility interconnection study results with ERCOT planning staff. Since October 2022, Caldwell's load has been represented in the ERCOT steady state working group cases, which are used by ERCOT for grid planning studies, and it is included in ERCOT's 2023 regional transmission plan.
- 37. Based on LCRA TSC screening studies performed in 2023 as part of its annual transmission planning cycle, LCRA TSC determined the system can support up to 17 MW of load for Caldwell, in addition to loads forecasted for the Cooks Point substation and the surrounding areas. No detrimental effects are seen in the near-term planning horizon as a result of a load addition up to 17 MW.
- 38. ERCOT does not anticipate that any material impact on grid reliability or any operational concerns would result from the integration of Caldwell's load into the ERCOT system.
- 39. No new transmission lines, and no amendments to CCNs, are required to accomplish the load transfer.
- 40. The disconnection and interconnection process would be performed in a manner to avoid any commingling of energy between the MISO and ERCOT systems. Caldwell's load will be disconnected from the MISO system before any interconnection to the ERCOT system is made. Caldwell will physically disconnect and remove facilities at the existing substation and associated distribution facilities. The disconnection will occur before any attempt to interconnect Caldwell's distribution facilities to the new substation in the ERCOT region.

<u>Agreement</u>

41. On November 21, 2024, the signatories filed an unopposed agreement that resolves the issues between them. ERCOT did not join the agreement but does not oppose the agreement.

- 42. On December 3, 2024, Commission Staff filed the direct testimony of David Bautista in support of the agreement.
- 43. The signatories agree the transfer of all Caldwell's load from the MISO region to the ERCOT region, in accordance with the terms of the agreement, is in the public interest and should be approved.
- 44. The signatories agree the load transfer will be facilitated as follows: Caldwell will disconnect its load from its existing substation in the MISO region and connect that load to the LCRA TSC substation interconnected with the Cooks Point line operated within the ERCOT region.
- 45. The signatories agree that the transmission and transformation portions of the LCRA TSC substation, through which Caldwell will interconnect its distribution facilities to the Cooks Point line, will be constructed, owned, and operated by LCRA TSC.
- 46. The signatories request the Commission to open a separate compliance project to allow Caldwell and any other party to provide updates or raise issues concerning the load transfer.
- 47. As soon as the data is available, Caldwell agrees to file in the compliance project the transferring load's 4-CP demands in accordance with the ERCOT 4-CP for the year before the transfer load is expected to interconnect into the ERCOT system, for the purpose of calculating the overall ERCOT 4-CP and properly charging Caldwell for wholesale transmission service.
- 48. In the event that the load transfer occurs between June 1 and December 31, Caldwell agrees to file with the Commission in the compliance project and in the Commission's subsequent annual wholesale transmission matrix proceeding the transferring load's 4-CP demands consistent with the ERCOT 4-CP for that calendar year.
- 49. The signatories agree that the load transfer is expected to occur during the period from March 1 through 31, 2026, or such other date as may be required if any operational, compliance, or regulatory requirement is not complete by March 31, 2026; provided, however that Caldwell retains discretion to determine whether and when to complete the load transfer and ERCOT retains discretion to postpone the date of the load transfer if ERCOT determines transferring the load into ERCOT will present a risk to the reliability

- or adequacy of the ERCOT system due to the conditions of the system on the planned transfer date.
- As soon as reasonably practicable, and in no event later than December 1, 2025, Caldwell agrees to file in the compliance project a notification to inform the Commission whether the load transfer will be completed and, if so, the date upon which the load transfer is expected to be complete.
- 51. Caldwell and LCRA TSC will notify the Commission and ERCOT that the load transfer will become operational no later than 48 hours before the load transfer becomes operational. Upon completion of the load transfer, Caldwell agrees to file a notification in the compliance project that the load transfer is complete.
- 52. The signatories agree that, if ERCOT determines transferring the load on the planned transfer date will be a risk to the reliability or adequacy of the ERCOT system, Caldwell will coordinate with ERCOT to determine a new transfer date, subject to the Commission's oversight, and provide notice of the new transfer date to ERCOT, LCRA TSC, Entergy Texas, and the Commission.
- 53. Caldwell agrees it will ensure that no commingling of energy between the MISO region and ERCOT region occurs before the load transfer date, during the physical disconnection of the transferring load from MISO region and interconnection of the transferring load to the ERCOT region, and at all times thereafter.
- 54. Caldwell agrees it will not take any action that would cause ERCOT or a market participant within the ERCOT region that is not a public utility under the Federal Power Act to become a public utility under the Federal Power Act or otherwise become subject to the Federal Energy Regulatory Commission's (FERC's) plenary jurisdiction.
- 55. Caldwell agrees it will take any action or provide any information reasonably requested by ERCOT to effectuate the load transfer to ERCOT.
- Assuming the load transfer occurs by the end of March of a MISO planning year, Entergy Texas agrees to not include Caldwell's load as part of Entergy Texas's MISO attachment O calculation for the next succeeding MISO planning year.

57. Caldwell agrees that, as required by MISO attachment O, it will compensate Entergy Texas for any remaining Caldwell allocation of Entergy Texas's MISO attachment O costs for the last MISO attachment O planning year for which Entergy Texas includes Caldwell's load as part of the MISO attachment O calculation.

Bases for Decision

- 58. The transfer of all Caldwell's load from the MISO region to the ERCOT region is reasonable and in the public interest.
- 59. It is reasonable for the load transfer to be facilitated as follows: Caldwell will disconnect its load from its existing substation in the MISO region and connect that load to the LCRA TSC substation interconnected with the Cooks Point line operated within the ERCOT region.
- 60. It is reasonable for the transmission and transformation portions of the LCRA TSC substation to be constructed, owned, and operated by LCRA TSC.
- 61. ERCOT does not anticipate that any material impact on grid reliability or any operational concerns would result from the integration of Caldwell's load into the ERCOT system.
- 62. It is reasonable and appropriate for the Commission to open a separate compliance docket to monitor the Caldwell load transfer process, and to allow Caldwell and any other party to provide updates or raise issues concerning the load transfer.
- 63. It is reasonable and necessary to require Caldwell, as soon as the data is available, to file in the compliance docket the transferring load's 4-CP demands in accordance with the ERCOT 4-CP for the year before the transfer load is expected to interconnect to the ERCOT system.
- 64. If the load transfer occurs between June 1 and December 31, it is reasonable and necessary to require Caldwell to file with the Commission, in the compliance docket and in the Commission's subsequent annual wholesale transmission matrix proceeding, the transferring load's 4-CP demands consistent with the ERCOT 4-CP for that calendar year.
- 65. The expected load transfer date range of March 1 through 31, 2026, is reasonable; provided, however, that all facilities necessary to integrate the transfer load are operational and all compliance and regulatory requirements are complete by the load transfer date, and further provided that Caldwell will retain discretion to determine whether and when to complete

the load transfer and ERCOT will retain discretion to postpone the date of the load transfer if ERCOT determines transferring the load into ERCOT will present a risk to the reliability or adequacy of the ERCOT system due to the conditions of the system on the planned transfer date.

- 66. It is reasonable to require Caldwell, as soon as reasonably practicable, and in no event later than December 1, 2025, to file in the compliance docket a notification to inform the Commission whether the load transfer will be completed and, if so, the date upon which the load transfer is expected to be complete.
- 67. It is reasonable to require Caldwell and LCRA TSC to notify the Commission and ERCOT that the load transfer will become operational no later than 48 hours before the load transfer becomes operational. Upon completion of the load transfer, it is reasonable to require Caldwell to file a notification in the compliance docket that the load transfer is complete.
- 68. If ERCOT determines transferring the load on the planned transfer date will be a risk to the reliability or adequacy of the ERCOT system, it is appropriate for Caldwell to coordinate with ERCOT to determine a new transfer date, subject to the Commission's oversight, and provide notice of the new transfer date to ERCOT, LCRA TSC, Entergy Texas, and the Commission.
- 69. It is reasonable and necessary to require that Caldwell ensure that no commingling of energy between the MISO region and the ERCOT region occurs before the load transfer date, during the physical disconnection of the transferring load from the MISO region and interconnection of the transferring load into the ERCOT region, and at all times thereafter.
- 70. It is reasonable and necessary to require that Caldwell take no action that would cause ERCOT or a market participant within the ERCOT region that is not a public utility under the Federal Power Act to become a public utility under the Federal Power Act or otherwise become subject to FERC's plenary jurisdiction.
- 71. Assuming the load transfer occurs by the end of March of a MISO planning year, it is reasonable for Entergy Texas to agree to not include Caldwell's load as part of Entergy Texas's MISO attachment O calculation for the next succeeding MISO planning year.

72. It is reasonable that Caldwell, as required by MISO attachment O, will compensate Entergy Texas for its allocation of Entergy Texas's MISO attachment O costs for the last MISO attachment O planning year for which Entergy Texas includes Caldwell's load as part of the MISO attachment O calculation.

Informal Disposition

- 73. More than 15 days have passed since completion of the notice provided in this docket.
- 74. Caldwell, Commission Staff, ERCOT, OPUC, Entergy, and LCRA TSC are the only parties to this proceeding.
- 75. No hearing is necessary.
- 76. This decision is not adverse to any party.

II. Conclusions of Law

The Commission makes the following conclusions of law.

- 1. Caldwell is a municipally-owned utility as defined in PURA¹ § 11.003(11), an electric utility as defined in PURA § 35.001, and a retail electric utility as defined in PURA § 37.001.
- 2. The Commission has authority over this application under PURA §§ 14.001, 35.004(b), 39.151(d), and 39.203.
- 3. As a designated independent organization under PURA § 39.151(a), ERCOT has the authority to take those actions necessary to ensure the reliability and adequacy of the ERCOT system in the course of effectuating the Caldwell load transfer.
- 4. Caldwell provided reasonable notice of this proceeding in compliance with 16 Texas Administrative Code (TAC) § 22.55.
- 5. The Commission processed the application in accordance with PURA, the Administrative Procedure Act,² and Commission rules.

¹ Public Utility Regulatory Act, Tex, Util, Code §§ 11.001–66.016.

² Tex. Gov't Code §§ 2001.001–.903.

- 6. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.
- 7. Any decision made by ERCOT under this Order is subject to appeal to the Commission as provided in 16 TAC § 22.251.

III. Ordering Paragraphs

In accordance with these findings of fact and conclusions of law, the Commission issues the following orders.

- The Commission authorizes Caldwell to transfer all of its load into the ERCOT region, subject to the terms of the agreement and this Order.
- 2. All filings, notices, reports, or other information required by this Order to be given to the Commission must be filed in Docket No. 57517, Compliance Filing for Docket No. 56164 (Application of City of Caldwell, Texas to Transfer Megawatts of Load to ERCOT).
- Caldwell must, as soon as the data is available, file in Docket No. 57517 the transferring load's 4-CP demands in accordance with the ERCOT 4-CP for the year before the transfer load is expected to interconnect to the ERCOT system.
- 4. In the event the load transfer occurs between June 1 and December 31, Caldwell must file with the Commission in Docket No. 57517 and in the Commission's subsequent annual wholesale transmission matrix proceeding the transferring load's 4-CP demands consistent with the ERCOT 4-CP for that calendar year.
- 5. The date of the load transfer into the ERCOT region will be during the period from March 1 through 31, 2026, or such other date as may be required if any operational, compliance, or regulatory requirement is not complete by that date; provided, however, that Caldwell may determine to not complete the load transfer or may postpone the load transfer and ERCOT may postpone the load transfer date as set out in Ordering Paragraph No. 7.
- 6. Caldwell must, as soon as reasonably practicable, and no later than December 1, 2025, file notice in Docket No. 57517 informing the Commission whether the load transfer will be completed and, if so, the date upon which the load transfer is expected to be complete.

- 7. ERCOT may postpone the load transfer date if ERCOT determines the transfer of Caldwell's load into ERCOT will present a risk to the reliability or adequacy of the ERCOT system due to conditions of the system on the planned load transfer date. If ERCOT determines transferring the load on the planned transfer date will be a risk to the reliability or adequacy of the ERCOT system, Caldwell must coordinate with ERCOT to determine a new transfer date, subject to the Commission's oversight, and provide notice of the new transfer date to ERCOT, LCRA TSC, Entergy Texas, and the Commission.
- 8. The transfer of Caldwell's load into the ERCOT system must not occur unless and until Caldwell has provided all information and taken all actions ERCOT deems necessary to facilitate the load transfer as required by this Order.
- 9. Caldwell and LCRA TSC must notify the Commission and ERCOT that the load transfer will become operational no later than 48 hours before the load transfer becomes operational. Upon completion of the load transfer, Caldwell must file notice in Docket No. 57517 that the load transfer is complete.
- 10. Caldwell must take no action that would cause ERCOT or a market participant within the ERCOT region that is not a public utility under the Federal Power Act to become a public utility under the Federal Power Act or otherwise become subject to FERC's plenary jurisdiction. Caldwell must ensure that no commingling of energy between the MISO region and the ERCOT region occurs before the load transfer date, during the physical disconnection of the transferring load from the MISO region and interconnection of the transferring load into the ERCOT region, and at all times thereafter.
- 11. If the load transfer occurs by the end of March of a MISO planning year, Entergy Texas must not include Caldwell's load as part of Entergy Texas's MISO attachment O calculation for the next succeeding MISO planning year.
- 12. As required by attachment O, Caldwell will compensate Entergy Texas for any remaining Caldwell allocation of Entergy Texas's MISO attachment O costs for the last MISO attachment O planning year for which Entergy Texas includes Caldwell's load as part of the MISO attachment O calculation.

- 13. Entry of this Order does not indicate the Commission's endorsement or approval of any principle or methodology that may underlie the agreement and must not be regarded as a binding holding or precedent as to the appropriateness of any principle or methodology underlying the agreement.
- 14. The Commission denies all other motions and any other requests for general or specific relief that are not expressly granted.

Signed at Austin, Texas on the	day of	2025.
PUI	BLIC UTILITY CO	MMISSION OF TEXAS
THO	OMAS J. GLEESON	N, CHAIRMAN
KA	THLEEN JACKSON	N, COMMISSIONER
$\overline{\mathbf{CO}}$	URTNEY K. HJALT	rman, commissioner

 $q:\cadm\docket\ management\electric\mbox{\sc miscellaneous}\ 56xxx\ 56164-po.docx$