



Control Number: 56641



Item Number: 14

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



**Greg Abbott**  
Governor  
**Connie Corona**  
Executive Director

## *Public Utility Commission of Texas*

**TO:** Chairman Thomas J. Gleeson  
Commissioner Kathleen Jackson  
Commissioner Courtney K. Hjaltman  
All Parties of Record

**FROM:** Shelah Cisneros, Commission Counsel

**DATE:** 12 February 2025

**RE:** February 20, 2025 Open Meeting – Item No. 18  
Docket No. 56641 – *Proceeding to Determine Appropriate Method to Distribute Disgorged Funds from Docket No. 56459*

A handwritten signature in black ink, appearing to be "SC", is written over the "FROM:" line.

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2025 FEB 12 PM 2:38  
PUBLIC UTILITY COMMISSION  
FILING CLERK

A proposed order in the above-referenced docket is posted for consideration and action by the Commission. If the Commission approves the proposed order, I recommend the following change to conclusion of law 11 for clarity and consistency with conclusion of law 10.

### **II. Conclusions of Law**

11. With the exception of those affiliated with Mercuria providing certification under oath to the Commission that the entirety of the revenues from the disgorgement was distributed to retail electric customers, affected wholesale market participants receiving disgorged excess revenues do not need to demonstrate how the amounts were used to reduce the costs or fees incurred by retail electric customers under 16 TAC § 22.246(k)(2), nor is it necessary for ERCOT to instruct that the monies must be used to reduce the costs or fees incurred by retail electric customers under 16 TAC § 22.246(k)(1).

Additionally, the Commission should delegate to the Office of Policy and Docket Management the authority to modify the order to conform to the Citation and Style Guide for the Public Utility Commission of Texas and to make other non-substantive changes to the order for such matters as capitalization, spelling, grammar, punctuation, style, correction of numbering, and readability.

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