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Filing Date - 2024-11-07 08:49:53 AM

Control Number - 57033

Item Number - 9

DOCKET NO. 57033

APPLICATION OF THE CITY OF	§	BEFORE THE
LUBBOCK, ACTING BY AND THROUGH	§	
LUBBOCK POWER & LIGHT FOR A	§	PUBLIC UTILITY COMMISSION
WHOLESALE TRANSMISSION SERVICE	§	
CREDIT RIDER	§	OF TEXAS

**JOINT MOTION TO ADMIT EVIDENCE
AND PROPOSED NOTICE OF APPROVAL**

The City of Lubbock, acting by and through Lubbock Power & Light (LP&L), and the Staff (Staff) for the Public Utility Commission of Texas (Commission) file this Joint Motion to Admit Evidence and Proposed Notice of Approval. LP&L received Commission Staff's approval to file this as a joint pleading.

I. JOINT MOTION TO ADMIT EVIDENCE

LP&L and Commission Staff jointly request to admit the following evidence into the record of this proceeding:

- (1) LP&L's application and all attachments filed on September 3, 2024;
- (2) Commission Staff's Recommendation on Application and Notice and Procedural Schedule filed on October 3, 2024;
- (3) LP&L's Proof of Notice filed on October 8, 2024;
- (4) Commission Staff's Recommendation on Sufficiency of Notice filed on October 25, 2024; and
- (5) Commission Staff's Final Recommendation filed on October 30, 2024.

II. PROPOSED NOTICE OF APPROVAL

LP&L and Commission Staff respectfully request that the Commission adopt the Proposed Notice of Approval attached to this pleading.

Respectfully submitted,


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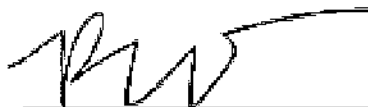
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**ATTORNEYS FOR THE CITY OF LUBBOCK,
ACTING BY AND THROUGH LUBBOCK
POWER & LIGHT**

CERTIFICATE OF SERVICE

I certify that notice of the filing of this document was provided to all parties of record via electronic mail on November 7, 2024, in accordance with the Order Suspending Rules, issued in Project No. 50664.



ROSLYN M. WARNER

PROPOSED NOTICE OF APPROVAL

This Notice of Approval addresses the application of the City of Lubbock, acting by and through Lubbock Power & Light (LP&L), for approval of its revised wholesale transmission service (WTS) credit rider to incorporate changes to the Electric Reliability Council of Texas (ERCOT) average four-coincident-peak (4CP) load as required by Ordering Paragraph No. 3 in the Notice of Approval in Docket No. 55439.¹ The Commission approves LP&L's revised WTS credit rider rate.

I. FINDINGS OF FACT

The Commission adopts the following findings of fact:

Applicant

1. LP&L is a municipally owned utility that owns and operates for compensation in Texas facilities and equipment to transmit and distribute electricity in the ERCOT region.

Background

2. On March 15, 2018, the Commission filed its Order in Docket No. 47576, approving LP&L's application for authority to connect a portion of its system into the ERCOT region.
3. As part of its Order in Docket No. 47576, the Commission ordered as follows:

If LP&L chooses to integrate its affected load into ERCOT, LP&L shall pay a total of \$22 million each year for five years to ERCOT wholesale transmission customers as agreed to by the signatories and described in findings of fact 36 and 37. LP&L shall submit an initial application to establish the wholesale transmission credit rider no later than four months prior to the integration date. LP&L shall apply annually, or more frequently as needed, to update its wholesale transmission credit rate to incorporate any changes to the ERCOT 4CP billing units.²
4. On April 9, 2021, LP&L filed an application for approval of its initial WTS credit rider in Docket No. 52011.³
5. LP&L completed the integration of its affected load into ERCOT on May 30, 2021.

¹ *Application of the City of Lubbock, Acting by and through Lubbock Power & Light for a Wholesale Transmission Service Credit Rider*, Docket No. 55439, Corrected Notice of Approval at 5 (Jan. 25, 2024).

² *Application of the City of Lubbock through Lubbock Power and Light for Authority to Connect a Portion of its System with the Electric Reliability Council of Texas*, Docket No. 47576, Order at Ordering Paragraph No. 6 (Mar. 15, 2018).

³ *Application of the City of Lubbock, Acting by and through Lubbock Power & Light for a Wholesale Transmission Service-Credit Rider*, Docket No. 52011. Application of the City of Lubbock, Acting by and through Lubbock Power & Light for a Wholesale Transmission Service-Credit Rider (Apr. 9, 2021).

6. On August 31, 2021, the Commission approved LP&L's initial WTS credit rider in Docket No. 52011, effective for five years upon the effective date of the rates approved in LP&L's next interim transmission cost of service update. LP&L was additionally ordered to apply annually, or more frequently as needed, to update its WTS credit rider rate to incorporate any changes to the ERCOT average 4CP load.
7. In Docket No. 55439, the Commission approved LP&L's revised monthly WTS credit rider incorporating the ERCOT 4CP kW from Docket No. 54507.⁴

Application

8. On September 3, 2024, LP&L filed an application for approval of a WTS credit rider to incorporate the updated average four-coincident-peak load as required by Ordering Paragraph No. 3 in the Notice of Approval in Docket No. 55439.
9. LP&L requested a monthly WTS credit rider rate of \$0.02191 per ERCOT 4CP kW.
10. In Order No. 2 issued on October 4, 2024, the administrative law judge (ALJ) found the application administratively complete.

WTS Credit Rider Rate

11. LP&L's requested revised WTS credit rider rate updates its wholesale transmission service credit rate using the Commission-approved wholesale transmission service charges from Docket No. 56050.⁵
12. The requested monthly WTS credit rider of \$0.02191 per ERCOT 4CP kW is correctly calculated and accurately reflects the annual refund of \$22,000,000 to ERCOT wholesale transmission customers as ordered by the Commission in Docket No. 47576.

Notice

13. On September 3, 2024, LP&L filed its application for the WTS credit rider and indicated that notice of the application was provided to all parties from Docket No. 51100 (i.e., Commission Staff, the Office of Public Utility Counsel, and Texas Industrial Energy Consumers).
14. On October 8, 2024, LP&L filed proof of notice.
15. On October 28, 2024, the ALJ issued Order No. 3 finding notice sufficient.

⁴ Docket No. 55439, Corrected Notice of Approval at 5.

⁵ *Commission Staff's Petition to Set 2024 Wholesale Transmission Service Charges for the Electric Reliability Council of Texas, Inc.*, Docket No. 56050, Order at 5 (May 16, 2024).

Evidence

16. In Order No. __ filed on _____, the ALJ admitted the following evidence into the record: (1) LP&L's application and all attachments filed on September 3, 2024; (2) Commission Staff's Recommendation on Application and Notice and Procedural Schedule filed on October 3, 2024; (3) LP&L's Proof of Notice filed on October 8, 2024; (4) Commission Staff's Recommendation on Sufficiency of Notice filed on October 25, 2024; and (5) Commission Staff's Final Recommendation filed on October 30, 2024.

Informal Disposition

17. At least 15 days have passed since the completion of all notice requirements in this docket.
18. No protests, motions to intervene, or requests for hearing were filed.
19. Commission Staff and LP&L are the only parties to this proceeding.
20. The approval of the application is not adverse to any party.

II. CONCLUSIONS OF LAW

The Commission makes the following conclusions of law:

1. LP&L is a municipally owned utility as defined in Public Utility Regulatory Act⁶ (PURA) § 11.003(11) and an electric utility as defined in PURA § 35.001.
2. LP&L is a transmission service provider in ERCOT, as defined by 16 Tex. Admin. Code (TAC) § 25.5(141).
3. The Commission has authority over this application pursuant to PURA §§ 35.004 and 41.004(1).
4. The application was processed in accordance with the Administrative Procedure Act,⁷ PURA, and the Commission's rules.
5. LP&L's WTS credit rider complies with the Order in Docket No. 47576.
6. LP&L provided notice of the application in compliance with 16 TAC § 22.55.
7. The requirements for informal disposition in 16 TAC § 22.35 have been met in this proceeding.

⁶ Public Utility Regulatory Act, Tex. Util. Code §§ 11.001-66.016.

⁷ Tex. Gov't Code § 2001.001-.903.

III. ORDERING PARAGRAPHS

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

1. The Commission approves LP&L's monthly credit rider rate of \$0.02191 per ERCOT 4CP kW, effective the date of this Notice of Approval.
2. LP&L must begin applying the revised WTS credit rider rate for services rendered on and after the effective date until the Commission approves updated ERCOT 4CP billing units and the Commission approves a revised WTS credit rider incorporating the updated ERCOT 4CP billing units.
3. LP&L must apply annually, or more frequently as needed, to update its wholesale transmission credit rider rate to incorporate any changes to the ERCOT 4CP billing units.
4. Within ten days of the date of this Notice of Approval, LP&L must file a clean copy of the revised WTS credit rider to be stamped *Approved* and retained by Central Records.
5. The Commission denies all other motions and any other requests for general or specific relief, if not expressly granted.

SIGNED AT AUSTIN, TEXAS on the _____ day of _____, 2024.

PUBLIC UTILITY COMMISSION OF TEXAS

SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE