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DOCKET NO. 57718

**APPLICATION OF TENASKA POWER SERVICES CO. TO AMEND ITS
RETAIL ELECTRIC PROVIDER
CERTIFICATE** § **PUBLIC UTILITY COMMISSION
§
§ OF TEXAS**

COMMISSION STAFF'S FINAL RECOMMENDATION

I. INTRODUCTION

On February 18, 2025, Tenaska Power Services Co. (Tenaska) filed an application to amend its Option 2 retail electric provider certificate number 10035, under PURA¹ § 39.352 and 16 Texas Administrative Code (TAC) § 25.107.

On March 14, 2025, the administrative law judge (ALJ) filed Order No. 2, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to request a hearing or file a final recommendation by April 9, 2025. Therefore, this pleading is timely filed.

II. RECOMMENDATION ON FINAL DISPOSITION

Staff has reviewed the application and as described in the attached memorandum from Josephine Gonzalez, Consumer Protection Division, Staff recommends that the application satisfies the requirements of 16 TAC § 25.107. Accordingly, Staff recommends that the application be approved.

III. CONCLUSION

For the reasons specified above, Staff respectfully requests that the Applicant's application to amend its REP certificate be approved.

¹ Public Utility Regulatory Act, Tex. Util. Code Ann. §§ 11.001-66.016 (PURA).

Dated: April 9, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Garrett Sharp
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CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document will be provided to all parties of record via electronic mail on April 9, 2025, in accordance with the Second Order Suspending Rules issued in Project No. 50664.

/s/ Garrett Sharp
Garrett Sharp

Public Utility Commission of Texas

Memorandum

TO: Garrett Sharp, Attorney
Legal Division

FROM: Josephine Gonzalez, Licensing and Compliance Specialist
Consumer Protection Division

DATE: April 9, 2025

RE: Docket No. 57718 Application of Tenaska Power Services Co to amend its Retail Electric Provider Certificate

Staff Recommendation on Final Disposition

I. Application

On February 18, 2025, Tenaska Power Services Co (Tenaska) an Option 2 REP filed an application with the Public Utility Commission of Texas (Commission) pursuant to Public Utility Regulatory Act (PURA) § 39.352 and 16 Texas Administrative Code (TAC) § 25.107. Tenaska Power Services Co seeks to amend REP certificate No. 10035 for customer changes including additions or deletions of customers.

Tenaska seeks to amend REP certificate No. 10035 for customer changes including additions or deletions of customers.

Tenaska filed confidential supplemental information on February 18, 2025, to support their application.

II. Technical and Managerial Analysis

Application Requirements

The application instructs the Option 2 applicants that are making customer changes (additions or deletions) are to complete the Title Page (TP), Mandatory Information (MI), Other Information (OI) and part B. Tenaska completed all sections of the application and provided attachments.

Rule Requirements

Under 16 TAC § 25.107(c)(1), an application for REP certification “shall be on a form approved by the commission, verified by oath or affirmation, and signed by an executive officer of the applicant.” The applicant submitted its application on a commission-approved form, it was verified by oath or affirmation, an executive officer of the applicant signed it, and it contained all the information required by 16 TAC § 25.107.

Under 16 TAC § 25.107(h)(2)(G), “[a] REP must maintain and update the information required by subsections (d), (e), and (f) of this section, as applicable, on an ongoing basis.” A REP must apply to amend its certification within ten working days from the occurrence of a material change to its certification. A REP may apply for the commission to approve a material change by filing an application to amend its certification before the material change is anticipated to occur. A material change includes for Option 2 REPs, the addition or removal of customers served by the Option 2 REP.

Tenaska Power Services Co stated that they are adding a customer above one megawatt and the effective date was February 1, 2025. Tenaska filed their amendment within ten working days from the material change thus, satisfying the requirement.

Customer Addition Requirements

Under 16 TAC § 25.107(d)(2)(I), an “Option 2 REP must file with the commission a signed, notarized affidavit from each customer with which it has contracted to provide one megawatt or more of energy.” The affidavit “must state that the customer understands and accepts the REP’s ability to provide continuous and reliable electric service based on the applicant’s financial, managerial, and technical resources.”

Tenaska provided the required signed and notarized B-2B Option II REP customer(s) affidavit in a confidential supplemental filing on February 18, 2025; thus, satisfying the requirement.

III. Conclusion

I have reviewed the application of Tenaska Power Services Co requesting an amendment to its REP certification to reflect the addition of a customer and determined that the application meets the requirements of 16 TAC § 25.107 and the application form. Therefore, I recommend that the application be approved, from a technical and managerial perspective.