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DOCKET NO. 58025

APPLICATION OF TENASKA POWER SERVICES CO. TO AMEND ITS RETAIL ELECTRIC PROVIDER CERTIFICATE	§ § § §	PUBLIC UTILITY COMMISSION OF TEXAS
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**COMMISSION STAFF’S RECOMMENDATION ON SUFFICIENCY
OF THE APPLICATION AND PROPOSED PROCEDURAL SCHEDULE**

On April 29, 2025, Tenaska Power Services Co. (Tenaska Power), 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. Tenaska Power requests the amendment to add a new customer.

On April 30, 2025, the administrative law judge (ALJ) filed Order No. 1, requiring the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a recommendation on the sufficiency of the application and propose a procedural schedule by May 20, 2025. Therefore, this pleading is timely filed.

I. RECOMMENDATION REGARDING SUFFICIENCY

Staff has reviewed Tenaska Power’s application and recommends that the application be deemed sufficient for further review. This recommendation does not address the merits of the application.

II. PROCEDURAL SCHEDULE

In accordance with Staff’s sufficiency recommendation, Staff proposes the following procedural schedule:

Event	Date
Intervention and comment deadline	June 13, 2025
Deadline for Commission Staff’s request for hearing or recommendation on final disposition	June 27, 2025

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

III. CONCLUSION

Staff recommends that Tenaska Power's application be found sufficient for further review and that the above-proposed procedural schedule be adopted. Staff respectfully requests that an order be issued consistent with the foregoing recommendation.

Dated: May 20, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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/s/ Juan Guajardo
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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 May 20, 2025 in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Juan Guajardo
Juan Guajardo

Memorandum

TO: Juan Guajardo, Attorney
Legal Division

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

DATE: May 20, 2025

RE: Docket No. 58025 Application of Tenaska Power Services Co for a Retail Electric
Provider Certificate

Staff's Recommendation on Sufficiency

Technical and Managerial Requirements

I. Application

On April 29, 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 stated that they are amending their application to add new customer(s).

Tenaska filed confidential supplemental information on April 29, 2025, to support their application.

II. Sufficiency Analysis

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.” I verified Tenaska 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 filed their amendment on April 29, 2025, and stated the effective date of the material change was April 21, 2025. Tenaska meet the ten-working day 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 stated that they are adding customer(s) above one megawatt and the effective date was April 21, 2025, and provided the required signed and notarized B-2B customer(s) affidavit in a confidential supplemental filing on April 29, 2025.

Form Requirements

On the application, an Option 2 REP’s seeking to change ownership or Transfer of Certificate must complete the Title Page (TP), Mandatory Information (MI), Other Information (OI) and Part B. The applicant completed the sections and provided attachments.

III. Conclusion

I have reviewed the application of Tenaska and found that it was submitted on a commission-approved form and that it contains all the information required by 16 TAC § 25.107. Therefore, I recommend that the application be considered sufficient for further review. This recommendation does not address the merits of the application.