



## **Filing Receipt**

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**Item Number - 8**

**DOCKET NO. 58316**

<b>APPLICATION OF TENASKA POWER</b>	<b>§</b>	<b>PUBLIC UTILITY COMMISSION</b>
<b>SERVICES CO. TO AMEND ITS</b>	<b>§</b>	
<b>RETAIL ELECTRIC PROVIDER</b>	<b>§</b>	<b>OF TEXAS</b>
<b>CERTIFICATE</b>	<b>§</b>	

**COMMISSION STAFF'S FINAL RECOMMENDATION**

On June 27, 2025, Tenaska Power Services Co. (Tenaska) filed an application to amend its Option 2 retail electric provider (REP) certificate number 10035. Tenaska requests an amendment to remove an REP customer under Public Utility Regulatory Act<sup>1</sup> § 39.352 and 16 Texas Administrative Code (TAC) § 25.107.

On July 21, 2025, the administrative law judge filed Order No. 2, directing the Staff (Staff) of the Public Utility Commission of Texas (Commission) to file a final recommendation or to request a hearing by August 15, 2025. Therefore, this pleading is timely filed.

**I. FINAL RECOMMENDATION**

Staff has reviewed the application and, as supported by the attached memorandum from Josephine Gonzalez of the Rate Regulation Division, recommends that Tenaska satisfies the requirements of 16 TAC § 25.107. Therefore, Staff recommends that the application be approved.

**II. CONCLUSION**

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

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<sup>1</sup> PURA, Tex. Util. Code §§ 11.001-66.016.

Dated: August 15, 2025

Respectfully submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS  
LEGAL DIVISION**

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/s/ Rowan Pruitt  
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**DOCKET NO. 5**

**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 August 15, 2025, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Rowan Pruitt  
Rowan Pruitt

# ***Public Utility Commission of Texas***

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## **Memorandum**

**TO:** Rowan Pruitt, Attorney  
Legal Division

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

**DATE:** August 15, 2025

**RE:** Docket No. 58316 *Application of Tenaska Power Services Co for a Retail Electric Provider Certificate*

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### **Staff Recommendation on Final Disposition**

#### **I. Application**

On June 27, 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 seeks to amend REP certificate No. 10035 for the deletion of a customer.

Tenaska filed confidential supplemental information on June 27, 2025, and July 25, 2025, to support their application.

#### **II. Technical and Managerial Analysis**

##### ***Rule Requirements***

Under 16 TAC § 25.107(c)(1), an application for REP certification “shall be on a form approved by the [C]ommission, 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 filed their amendment on June 27, 2025, and stated the effective date of the material change was June 9, 2025. Tenaska did not timely file their application. Staff recommended that Tenaska be given a deadline of August 1, 2025, to file a good-cause exception request to 16 TAC § 25.107(h)(2). On July 25, 2025, Tenaska filed a good-cause exception request and provided a response regarding the delay of their filing a material change amendment and the steps they intend to implement to avoid any future delays in filing material change information in accordance with § 25.107(h)(2). As such, Staff recommends that Tenaska's good-cause exception request be granted.

#### ***Customer Addition/Deletion Requirements***

Under 16 TAC § 25.107(d)(2)(I), an "Option 2 REP must file with the [C]ommission 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."<sup>1</sup>

Tenaska stated that they are deleting a customer above one megawatt and the effective date was June 9, 2025. Tenaska provided the required identifying information on their customer deletion in their confidential filing on June 27, 2025; thus, satisfying this requirement.

### **III. Conclusion**

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

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<sup>1</sup> 16 TAC § 25.107(d)(2)(I).