

## CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

### Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

#### §25.114. Registration of Virtual Currency Mining Facilities.

- (a) **Registration required.** A person operating a virtual currency mining facility receiving retail electric service in the Electric Reliability Council of Texas (ERCOT) region at either transmission or distribution voltage must, not later than one working day after the date the facility begins receiving retail electric service, register the facility as a large flexible load if the facility requires a total load of more than 75 megawatts (MW) and the facility's interruptible load equals 10 percent or more of the actual or anticipated annual peak demand of the facility. A person operating a virtual currency mining facility that is required to register as a large flexible load under this section and began receiving retail electric service prior to the effective date of this rule must register no later than February 1, 2025.
- (b) **Definitions.** The following terms, when used in this section, have the following meanings.
- (1) **Virtual currency** -- has the meaning assigned by Section 12.001, Business & Commerce Code.
  - (2) **Virtual currency mining facility** -- a facility that uses electronic equipment to add virtual currency transactions to a distributed ledger.
  - (3) **Interruptible load** -- the portion of the facility's load that the facility operator can choose to interrupt due to locational marginal prices, load zone prices, response to the ERCOT coincident peak demand for the months of June, July, August and September (4CP), or due to external grid conditions.
- (c) A registrant must provide the information listed in this subsection in a format established by the commission.
- (1) The registrant's legal business name, the name of the registrant's corporate parent or parents, the name of the registrant's principals, and all business names of the registrant.
  - (2) A mailing address, telephone number, and e-mail address of the principal place of business of the registrant.
  - (3) The current name, title, business mailing address, telephone number, and e-mail address for the registrant's regulatory contact person, and whether the regulatory contact is an internal staff member of the registrant.
  - (4) The form of business being registered (e.g., corporation, partnership, or sole proprietor).
  - (5) Applicable information on file with the Texas Secretary of State, including, the registrant's endorsed certificate of incorporation certified by the Texas Secretary of State, a copy of the registrant's certificate of fact - status or other business registration on file with the Texas Secretary of State.
  - (6) For each virtual currency mining facility operated by the registrant:
    - (A) the name, address, and county of operation of each facility;
    - (B) the identity of the property owner and lessor or facility host;
    - (C) the size of the facility in square feet and a description of the infrastructure, including whether it is fixed or movable, open or enclosed;
    - (D) the names of the transmission and distribution service providers serving the facility and the load zone the facility is located in;
    - (E) the Electric Service Identifier (ESIID) or equivalent unique premise identifier assigned to the facility;
    - (F) the anticipated peak load, in MWs, from the facility for each year of the five-year period beginning on the date of the registration;
    - (G) the percentage of the site load that meets the definition of interruptible load in subsection (b)(3) of this section; and
    - (H) the actual peak load in MWs and total power consumption in MWhs for the prior calendar year, if the facility took retail electric service at any time during the prior calendar year.

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- (7) An affidavit signed by a representative, official, officer, or other authorized person with binding authority over the registrant affirming that:
- (A) the registrant is authorized to do business in Texas under all applicable laws and is in good standing with the Texas Secretary of State;
  - (B) that all statements made in the registration submission are true, correct, and complete;
  - (C) that any changes in the information will be provided in a timely manner;
  - (D) that the registrant has provided notice of its compliance with this rule to transmission distribution service providers serving its registered facilities; and
  - (E) that the registrant understands and will comply with all applicable law and rules.
- (d) **Update of registration.** A registrant must amend its registration with the commission within 30 days of a change to the information required by subsection (c) of this section.
- (e) **Renewal of registration.** A virtual currency mining facility registration expires and must be renewed on or before March 1 of every calendar year by either submitting the information required by subsection (c) of this section or by submitting updated information required by subsections (c)(6)(F) and (H) of this section and a statement that the rest of the facility's registration information on file with the commission is current and correct.
- (1) By December 31 of each calendar year, commission staff must identify each virtual currency mining facility registration that has not been renewed.
  - (2) Commission staff will provide ERCOT a list of each virtual currency mining facility that has been identified under paragraph (1) of this subsection by January 31 each year.
- (f) **Administrative penalty.** The commission may impose an administrative penalty on a person for a violation of the Public Utility Regulatory Act, commission rules, or rules adopted by an independent organization, including failure to timely respond to commission or commission staff inquiries. A violation of this section is a Class A violation under §25.8 of this title, relating to Classification System for Violations of Statutes, Rules, and Orders Applicable to Electric Service Providers.