

PROJECT NO. 57603

**UNPLANNED GENERATION
SERVICE INTERRUPTION
REPORTING**

§
§
§

**PUBLIC UTILITY COMMISSION

OF TEXAS**

PROPOSAL FOR PUBLICATION OF AMENDMENTS TO 16 TAC §25.506

The Public Utility Commission of Texas (commission) proposes amendments to §25.506, relating to Publication of Resource and Load Information in the Electric Reliability Council of Texas Power Region. The amended rule will implement Public Utility Regulatory Act (PURA) §35.0022 as enacted by House Bill 1500, Section 8, during the 88th Texas Legislative Session (R.S.).

The amended rule will require owners and operators of generation resources and energy storage resources to provide ERCOT with information regarding each unplanned outage and derate, including the name of the resource experiencing the outage or derate, details on the duration of the outage or derate, details on the resource's return to normal operations, and the reason for the outage or derate. Additionally, the amended rule will require ERCOT to post the provided information in a publicly accessible location on its website within three business days of a resource's return to normal operations.

Growth Impact Statement

The agency provides the following governmental growth impact statement for the proposed rule, as required by Texas Government Code §2001.0221. The agency has determined that for each year of the first five years that the proposed rule is in effect, the following statements will apply:

- (1) the proposed rule will not create a government program and will not eliminate a government program;
- (2) implementation of the proposed rule will not require the creation of new employee positions and will not require the elimination of existing employee positions;
- (3) implementation of the proposed rule will not require an increase and will not require a decrease in future legislative appropriations to the agency;
- (4) the proposed rule will not require an increase and will not require a decrease in fees paid to the agency;
- (5) the proposed rule will create a new regulation;
- (6) the proposed rule will expand, limit an existing regulation;
- (7) the proposed rule will change the number of individuals subject to the rule's applicability; and
- (8) the proposed rule will not affect this state's economy.

Fiscal Impact on Small and Micro-Businesses and Rural Communities

There is no adverse economic effect anticipated for small businesses, micro-businesses, or rural communities as a result of implementing the proposed rule. Accordingly, no economic impact statement or regulatory flexibility analysis is required under Texas Government Code §2006.002(c).

Takings Impact Analysis

The commission has determined that the proposed rule will not be a taking of private property as defined in Chapter 2007 of the Texas Government Code.

Fiscal Impact on State and Local Government

Julie Gauldin, Power Markets Analyst, Market Analysis, has determined that for the first five-year period the proposed rule is in effect, there will be no fiscal implications for the state or for units of local government under Texas Government Code §2001.024(a)(4) as a result of enforcing or administering the section.

Public Benefits

Ms. Gauldin has determined that for each year of the first five years the proposed section is in effect the public benefit anticipated as a result of enforcing the section will be greater transparency into the reliability of generation resources and energy storage resources on the ERCOT system. There will be no probable economic cost to persons required to comply with the rule under Texas Government Code §2001.024(a)(5).

Local Employment Impact Statement

For each year of the first five years the proposed section is in effect, there should be no effect on a local economy; therefore, no local employment impact statement is required under Texas Government Code §2001.022.

Costs to Regulated Persons

Texas Government Code §2001.0045(b) does not apply to this rulemaking because the commission is expressly excluded under subsection §2001.0045(c)(7).

Public Hearing

Commission staff will conduct a public hearing on this rulemaking if requested in accordance with Texas Government Code §2001.029. The request for a public hearing must be received by March 20, 2025. If a request for public hearing is received, commission staff will file in this project a notice of hearing.

Public Comments

Interested persons may file comments electronically through the interchange on the commission's website. Comments must be filed by March 20, 2025. Comments should be organized in a manner consistent with the organization of the proposed rule. The commission invites specific comments regarding the costs associated with, and benefits that will be gained by, implementation of the proposed rule. The commission will consider the costs and benefits in deciding whether to modify the proposed rule on adoption. All comments should refer to Project Number 57603.

The commission also requests comments on the following issue:

Under PURA § 35.0022, the commission must require providers of electric generation service to report the reason for each "unplanned service interruption" to ERCOT. However, the statutory language leaves the commission with discretion to determine what constitutes an "unplanned service interruption" in this context.

In addition to unplanned outages, the proposed rule would require owners and operators of generation resources and energy storage resources to report the reason for each unplanned derate to ERCOT. By contrast, ERCOT Nodal Protocol §3.1.4.7 only requires generation resources and

energy storage resources to report on unplanned derates that: (1) occur at an amount greater than 10 megawatts and 5% of their seasonal net maximum sustainable rating; and (2) last longer than 30 minutes.

The commission requests comments on whether all unplanned derates should be considered “unplanned service interruptions” for purposes of this rule.

Each set of comments should include a standalone executive summary as the last page of the filing. This executive summary must be clearly labeled with the submitting entity's name and should include a bulleted list covering each substantive recommendation made in the comments.

Statutory Authority

The amendment is proposed under Public Utility Regulatory Act (PURA) §14.001, which grants the commission the general power to regulate and supervise the business of each public utility within its jurisdiction and to do anything specifically designated or implied by this title that is necessary and convenient to the exercise of that power and jurisdiction; §14.002, which authorizes the commission to adopt and enforce rules reasonably required in the exercise of its powers and jurisdiction; and §35.0022, which directs the commission to require providers of electric generation service to report to ERCOT the reason for each unplanned service interruption.

Cross Reference to Statute: Public Utility Regulatory Act §§ 14.001; 14.002; and 35.0022.

**§25.506. Publication of Resource and Load Information in the Electric Reliability Council
of Texas Power Region.**

- (a) **General Requirements.** To increase the transparency of the ERCOT-administered markets, ERCOT must post the information required in this section at a publicly accessible location on its website. In no event will ERCOT disclose competitively sensitive consumption data. The information released must be made available to all market participants.

(b) ~~(1)~~—ERCOT will post the following information in aggregated form, for each settlement interval and for each area where available, two calendar days after the day for which the information is accumulated:

(1) ~~(A)~~—quantities and prices of offers for energy and each type of ancillary capacity service, in the form of supply curves;

(2) ~~(B)~~—self-arranged energy and ancillary capacity services, for each type of service;

(3) ~~(C)~~—actual resource output;

(4) ~~(D)~~—load and resource output for all entities that dynamically schedule their resources;

(5) ~~(E)~~—actual load; and

(6) ~~(F)~~—energy bid curves, cleared energy bids, and cleared load.

~~(c) (2)~~—ERCOT will post the following information in entity-specific form, for each settlement interval, 60 calendar days after the day for which the information is accumulated, except where inapplicable or otherwise prescribed. Resource-specific offer information must be linked to the name of the resource (or identified as a virtual offer), the name of the entity submitting the information, and the name of the entity controlling the resource. If there are multiple offers for the resource, ERCOT must post the specified information for each offer for the resource, including the name of the entity submitting the offer and the name of the entity controlling the resource. ERCOT will use §25.502(d) of this title (relating to Pricing Safeguards in Markets Operated by the Electric Reliability Council of Texas) to determine the control of a resource and must include this information in its market operations data system.

~~(1) (A)~~—Offer curves (prices and quantities) for each type of ancillary service and for energy in the real time market, except that, for the highest-priced offer selected or dispatched for each interval on an ERCOT-wide basis, ERCOT will post the offer price and the name of the entity submitting the offer three calendar days after the day for which the information is accumulated.

~~(2) (B)~~—If the clearing prices for energy or any ancillary service exceeds a calculated value that is equal to 50 times a natural gas price index selected by ERCOT for each operating day, expressed in dollars per megawatt-hour (MWh) or dollars per megawatt (MW) per hour, during any interval, the portion of every market participant's price-quantity offer pairs for balancing energy service and each other ancillary service that is at or above a calculated value that is equal to 50 times a natural gas price index selected by ERCOT for each operating day, expressed in

dollars per ~~MWh~~megawatt-hour (MWh) or dollars per ~~MW~~megawatt per hour, for that service and that interval must be posted seven calendar days after the day for which the offer is submitted.

(3) ~~(C)~~—Other resource-specific information, as well as self-arranged energy and ancillary capacity services, and actual resource output, for each type of service and for each resource at each settlement point.

(4) ~~(D)~~—The load and generation resource output, for each entity that dynamically schedules its resources.

(5) ~~(E)~~—For each hour, transmission flows, voltages, transformer flows, voltages and tap positions (i.e., State Estimator data). Notwithstanding the provisions of this ~~subparagraph~~ and the provisions of ~~paragraphs (1) through (4)~~~~subparagraphs (A) through (D)~~ of this ~~subsection~~~~paragraph~~, ERCOT must release relevant State Estimator data earlier than 60 days after the day for which the information is accumulated if, in its sole discretion, it determines the release is necessary to provide a complete and timely explanation and analysis of unexpected market operations and results or system events, including but not limited to pricing anomalies, recurring transmission congestion, and system disturbances. ERCOT's release of data in this event must be limited to intervals associated with the unexpected market or system event as determined by ERCOT. The data released must be made available simultaneously to all market participants.

(d) Reporting on unplanned generation outages and derates.

(1) An owner or operator of a generation resource or energy storage resource must submit to ERCOT, in a manner determined by ERCOT, the following information related to each unplanned outage or unplanned derate of a generation resource or energy storage resource:

(A) the name of the resource;

(B) the date of the first day and the start time of the resource's unplanned outage or unplanned derate;

(C) the date of the last day and the end time of the resource's unplanned outage or unplanned derate;

(D) the date and time the resource returned to normal operations following the unplanned outage or derate;

(E) the reason for the resource's unplanned outage or unplanned derate; and

(F) any other information required under the ERCOT Nodal Protocols.

(2) Not later than the third business day after a generation resource or energy storage resource returns to normal operations following an unplanned outage or unplanned derate, ERCOT must post the information received under paragraph (1)(A), (B), (C), and (E) of this subsection, in resource-specific form, for each operating day.

(e)(b) **Development and implementation.** ERCOT must use a stakeholder process, in consultation with commission staff, to develop and implement rules that comply with this section. Nothing in this section prevents the commission from taking actions necessary to

protect the public interest, including actions that are otherwise inconsistent with the other provisions in this section.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

**ISSUED IN AUSTIN, TEXAS ON THE 13TH DAY OF FEBRUARY 2025 BY THE
PUBLIC UTILITY COMMISSION OF TEXAS
ADRIANA GONZALES**