

PROJECT NO. 42227

RULEMAKING PROCEEDING TO	§	PUBLIC UTILITY COMMISSION
REPEAL PUC PROC. R. 22.252	§	
RELATING TO PROCEDURES FOR	§	OF TEXAS
APPROVAL OF ERCOT FEES AND	§	
RATES	§	

**ORDER ADOPTING REPEAL OF §22.252
AS APPROVED AT THE JUNE 20, 2014 OPEN MEETING**

The Public Utility Commission of Texas (commission) adopts the repeal of §22.252, relating to Procedures for Approval of ERCOT Fees and Rates, without changes to the proposal as published in the March 21, 2014 issue of the *Texas Register* (39 TexReg 2005). The repeal removes from the commission's procedural rules an obsolete section that no longer has a function and that does not accurately reflect the process used by the commission when it reviews and approves the ERCOT budget. This repeal is adopted under Project Number 42227.

No public hearing on the repeal was requested and therefore no public hearing was held.

The commission did not receive comments on the proposed repeal.

This repeal is adopted under the Public Utility Regulatory Act, Texas Utilities Code Annotated §14.002 (West 2007 and Supp. 2014) (PURA) which provides the Public Utility Commission with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction; PURA §14.052, which gives the commission authority to make and enforce rules of practice and procedure; and specifically, PURA §39.151, which grants the commission oversight and review authority over an independent organization to which the commission delegates its

authority to adopt and enforce rules relating to the reliability of the regional electric network and accounting for the production and delivery of electricity among market participants. PURA §39.151 also provides that an independent organization is directly responsible and accountable to the commission; provides that the commission has complete authority to oversee and investigate the organization's finances, budget, and operations as necessary to ensure the organization's accountability and to ensure that it adequately performs its functions and duties; and requires an independent organization to provide reports and information relating to the independent organization's performance of its functions and relating to the organization's revenues, expenses, and other financial matters. This section directs the commission to investigate the organization's cost efficiencies, salaries and benefits, and use of debt financing and permits it to require an independent organization to provide any information needed to effectively evaluate the organization's budget and the reasonableness and neutrality of a rate or proposed rate or the effectiveness or efficiency of the organization.

Cross Reference to Statutes: Public Utility Regulatory Act §§14.002, 14.052, and 39.151.

§22.252. Procedures for Approval of ERCOT Fees and Rates.

(REPEALED)

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority. It is therefore ordered by the Public Utility Commission of Texas that §22.252, relating to Procedures for Approval of ERCOT Fees and Rates, is hereby repealed without changes to the text as proposed.

SIGNED AT AUSTIN, TEXAS the _____ day of JUNE 2014.

PUBLIC UTILITY COMMISSION OF TEXAS

DONNA L. NELSON, CHAIRMAN

KENNETH W. ANDERSON, JR., COMMISSIONER

BRANDY D. MARTY, COMMISSIONER