**PROJECT NO. 55955**

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| **REVIEW OF ADMINISTRATIVE PENALTY AUTHORITY RELATED TO VOLUNTARY MITIGATION PLANS**  | **§****§****§****§****§** | **PUBLIC UTILITY COMMISSION****OF TEXAS** |

**TCPA COMMENTS ON PROPOSAL FOR PUBLICATION OF AMENDMENTS TO 16 TAC §22.246**

Texas Competitive Power Advocates (“TCPA”) appreciates the opportunity to provide the following comments on the proposed amendments to 16 Texas Administrative Code (“TAC”) §22.246 relating to Administrative Penalties.

The proposed amendments establish an appropriate framework to implement the statutory changes enacted by Section 7, House Bill (“HB”) 1500 during the 88th Regular Legislative Session. The proposed rule gives effect to the amendments HB 1500 made to both PURA § 15.023(b-1) and to PURA § 15.023(f). It is important for the generation entity, the Commission, and the Independent Market Monitor to have mutual understanding of the voluntary mitigation plan’s function, and the transparency proposed in this rulemaking provides that clarity.

TCPA looks forward to working with Staff, the Commission and other stakeholders on this project and appreciates the work that was put into the proposed amendments.

Dated: February 22, 2024

Respectfully submitted,

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