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PUBLIC UTILITY COMMISSION  
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May 23, 2012

Public Utility Commission of Texas  
1701 N. Congress  
P.O. Box 13326  
Austin, TX 78711-3326

Subject: PUC Proceeding Relating to Resource and Reserve Adequacy and Shortage Pricing

Commissioners:

Texas Power, L.P. recognizes the difficult position of the Public Utility Commission and shares the concerns addressed in Projects 37897 and 40268. We further recognize this is a burden that is going to be shared by all market participants. To further clarify our position in the market, we are an ERCOT market participant serving as an LSE (REP) as well as a QSE without generation resources. We provide consumer choice electricity to over 25,000 residential and commercial customers throughout ERCOT.

Understanding the burden that the PUC, Commissioners and ERCOT are facing regarding resource adequacy we respectfully request the Commissioners not take any action regarding market price changes to the System Wide Offer Cap (SWOC) or Power Balance Penalty Curve (PBPC) until after summer 2012. We recognize the potential need for market price increases and support this direction. However, we believe postponing pricing changes will allow industry participants the appropriate time to prepare for such changes while fully understanding the implications.

We believe the pending Brattle Group study will better prepare all decision makers with more complete data to implement holistic short and long term industry improvements.

Sincerely,

Bart Simmons  
President/CEO  
Texas Power, L.P.

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