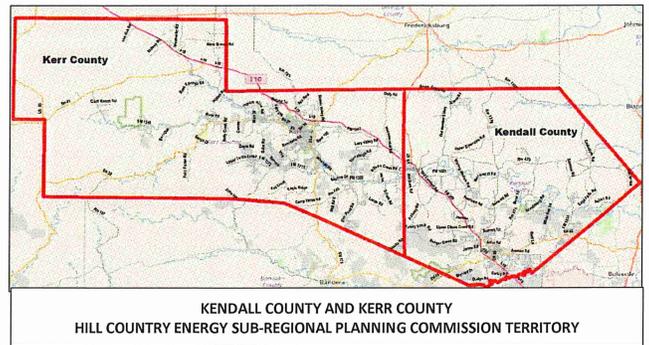


HILL COUNTRY ENERGY SUB-REGIONAL PLANNING COMMISSION



May 16, 2025

Mr. Mike Hoke, Director of Public Engagement
Public Utilities Commission of Texas
William B. Travis Building
1701 N. Congress Ave
PO Box 13326
Austin, TX 78711

Dear Mr. Hoke,

I write in response to your email dated May 8, 2025 in which you stated that you “are not aware of any existing state programs related to battery storage facilities that involve PUCT administration”.

We appreciate that the PUCT may not have the ability to directly affect the location or type of electric generation in the ERCOT region. We also understand that power generation is largely deregulated, which is precisely the problem and the reason that our commission was formed. We disagree with your statement that “formation and participation in these 391 Commissions is dependent on the jurisdiction of the state agencies involved.”

You must be aware that ERCOT, who is subject to oversight by the PUCT, is planning for the addition of 15.8 MW of battery energy storage capacity by 2029 as shown in ERCOT’s recent publication entitled “Advancing Reliability 2024 State of the Grid” in the graph on page 6 titled “By the Numbers” (copy attached). The footnote states that “*2029 accounts for forecasted planned projects expected to be in-service between 2025 to 2029 that have reached the signed interconnection agreement (SGIA) interconnection milestone from the February 2025 file of the Resource Capacity Trend Charts.”

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Further, according to your letter dated March 31, 2025, a company that wants to sell power in the wholesale market must register with the PUCT as a power generation company, including contact information and corporate ownership structure.

Hence your statement that “in this situation relating to battery projects, we are not aware of any existing state programs related to battery storage facilities that involve PUCT administration” does not appear accurate. If you are not aware of ERCOT’s plans and/or programs considering battery storage facilities, you absolutely should be in your oversight role.

The state may not be the entity actually developing or installing the BESS facilities, but PUCT in its oversight role is clearly **involved** in the development of a plan for future generation capacity and the mix of supply thereof and it is clearly involved in the registration of all companies that want to sell power in the wholesale market.

Our commission is attempting to understand the role that PUCT and its subordinate system operator, ERCOT, has in the development planning associated with BESS. We also need to make PUCT fully aware of our concerns regarding BESS facilities in our counties and the potentially catastrophic damage that could be inflicted upon the health, safety and welfare of our people. We also need to discover the state and federal agencies who are responsible for permitting, funding and/or development of these BESS facilities to enable planning coordination with those responsible agencies.

I reiterate our belief that in addition to the legal obligation as a governmental agency subject to Chapter 391 of the Texas Local Government Code, PUCT has a moral obligation to coordinate planning for BESS with our HCESRPC to ensure the health, safety, and welfare of our constituents first and foremost.

So once again, we insist on PUCT sending its representatives to meet with our Board as required under Section 391.009(c) of the Local Government Code which requires all state agencies to coordinate development planning with commissions to the greatest extent feasible. Please send your authorized delegates to meet with us on **June 3rd at 2:00 pm** at the Kendall County courthouse located at 201 E. San Antonio Ave. Boerne, Texas 78006, in the Commissioners’ Courtroom on the 3rd floor. If June 3rd is unacceptable, please propose an alternative date and time on or before June 24th.

PUCT representatives should be prepared to answer all questions from the commission regarding the current and future plans of the PUCT as it may impact our residents and their health, safety and general welfare, as well as our economies. It would also be beneficial if PUCT would bring its subordinate system operator, ERCOT, to our coordination meeting so that they might provide their unique insights as well as benefit from hearing our concerns.

Your prompt response is appreciated.

Respectfully yours,



Richard S. Paces

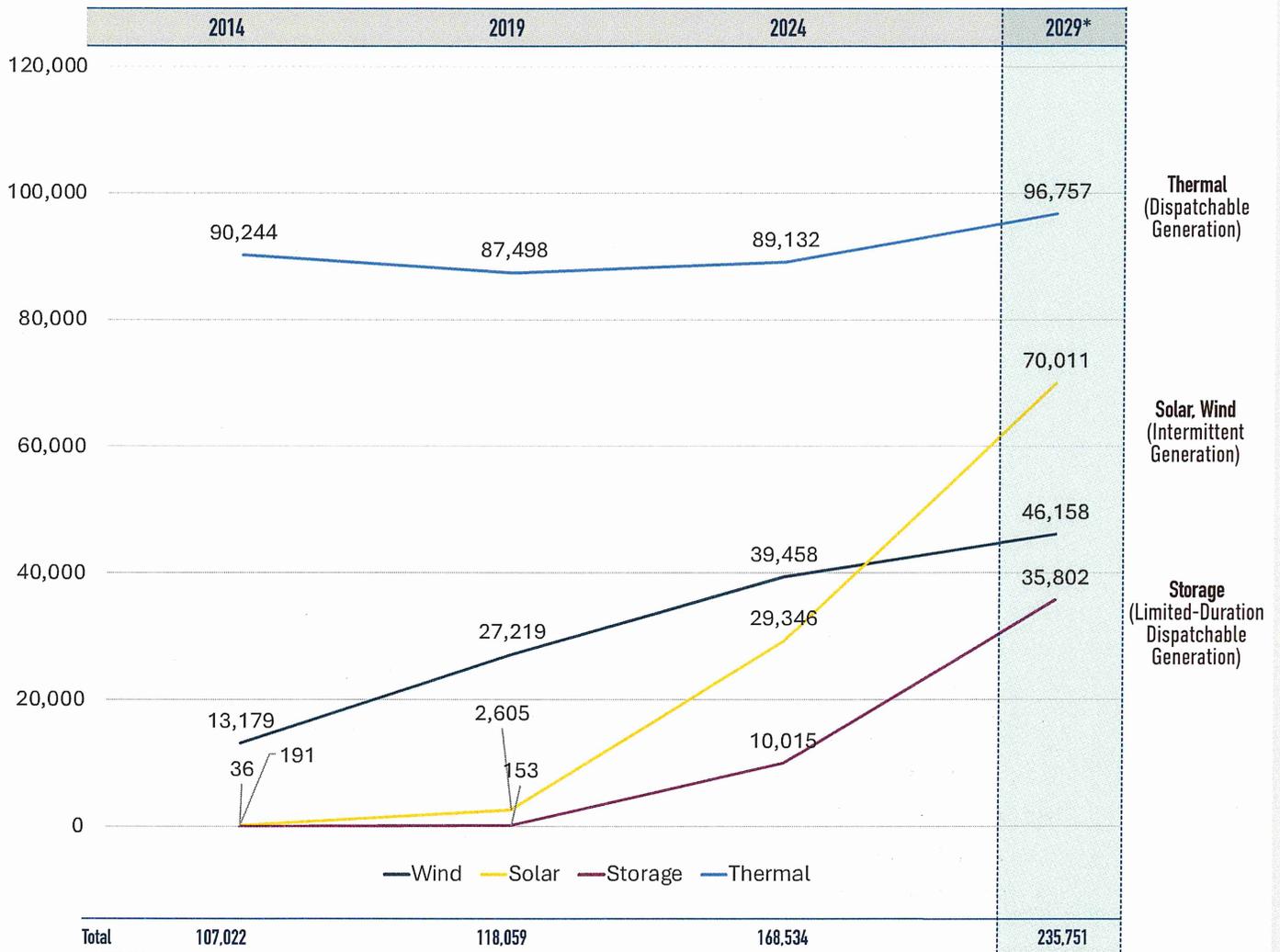
President, HCESRPC

Attachment

Cc: Mr. Thomas J. Gleeson, Chairman Public Utilities Commission of Texas
Wes Virdell, State Representative, District 53
Ellen Troxclair, State Representative, District 19
Pete Flores, State Senator, District 24
Donna Campbell, State Senator, District 25
Chip Roy, US Congress, 21st District of Texas

By the Numbers

SUPPLY: Fuel Mix Snapshot (MW Capacity)



DISPATCHABLE THERMAL GENERATION (Numbers are rounded)

2015-2024			
-11,980 MW of dispatchable thermal generation retired	10,867 MW of new dispatchable thermal generation added	-1,112 MW of net new dispatchable thermal generation added	~9,700 MW Texas Energy Fund Projects in Due Diligence process

- Capacity totals are based on Installed Capacity Ratings for generating units. "Thermal" is made up of Natural Gas, Nuclear, Coal, Biomass, and Diesel.
 - Planned projects are added to installed capacity after approval for synchronization to ERCOT Grid.
 - Totals include Private-Use Networks (PUNs), Distribution Generation Resources (DGRs), Settlement Only Distribution Generator (SODGs), Unavailable Switchable Capacity, Extended Outage Units, and Mothballed Units.
 *2029 accounts for forecasted planned projects expected to be in-service between 2025 to 2029 that have reached the signed interconnection agreement (SGIA) interconnection milestone from the February 2025 file of the Resource Capacity Trend Charts. Unconfirmed Retirements listed in the December 2024 CDR are also reflected in this snapshot, which is comprised of 2,137 MW of Coal retirements and 880 MW of Natural Gas Steam retirements. Includes mid-Feb 2025 snapshot of Texas Energy Fund Projects in Due Diligence process.