

PROJECT NO. 21072

GOAL FOR NATURAL GAS

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

**ORDER GRANTING GOOD CAUSE EXCEPTION TO THE ANNUAL REPORT
AND FILING REQUIREMENTS OF PUC SUBST. R. 25.172**

This Order grants a good cause exception pursuant to P.U.C. SUBST. R. 25.3 to the 2003 annual reporting requirements set forth in P.U.C. SUBST. R. 25.172(h).

DISCUSSION

P.U.C. SUBST. R. 25.172(h) requires that each registered power generation company, municipally owned utility, or electric cooperative (Generator) file information with the Commission needed to prepare an annual report on the fuel mix of new generation installed in the State after January 1, 2000. Capacity based on renewable energy is exempt from these reporting requirements.¹

The Commission maintains a database that tracks the installation of new power plants in Texas. This database compiles the information requested from the Generators in P.U.C. SUBST. R. 25.172. According to this database, almost every new thermal generating unit planned, under construction, or completed will be powered by natural gas. As such, the marketplace is greatly exceeding the targets for gas-fired generation in Texas that are set forth PURA § 39.9044² and P.U.C. SUBST. R. 25.172(b) and (e).

Accordingly, the Commission finds good cause to grant an exception to P.U.C. SUBST. R. 25.172(h)(1) and waive the requirement that Generators file information by February 14, 2003, regarding new generating facilities that they own or operate in Texas. The Commission also finds good cause to grant an exception to P.U.C. SUBST. R. 25.172(h)(3) that requires it to publish information by May 15, 2003 showing whether the generating capacity in Texas is in

¹ P.U.C. SUBST. R. 25.172(c)(1).

² Public Utility Regulatory Act, TEX. UTIL. CODE ANN. § 39.9044 (Vernon 1998 & Supp. 2003)(PURA).

compliance with the goals for natural gas established in P.U.C. SUBST. R. 25.172. Generators shall file information in 2004 that would cover their historical activity from January 1, 2000, as well as projected additions to capacity in the future.

SIGNED AT AUSTIN, TEXAS the 5thday of March 2003.

PUBLIC UTILITY COMMISSION OF TEXAS

REBECCA KLEIN, CHAIRMAN

BRETT A. PERLMAN, COMMISSIONER

JULIE CARUTHERS PARSLEY, COMMISSIONER