**The following is a list of ERCOT policy questions or statements for NPRR1229, Real-Time Constraint Management Plan Energy Payment.**

**I: Operational Related Issues**

1. Operational Concerns:
   1. Is a process needed to verify, validate and track whether opening a breaker is going to cause damage to a Generation Resource (GR)? This would increase operator workload. System changes may be needed to pull and track data once dispute is made. Data may not be readily available.
   2. Does added language in 6.6.3.9(1) mean that ERCOT is still able to order the Resource offline/trip for performance or some reliability issue even if opening the breaker harms the GR? For example, if RE tells ERCOT that they can't trip due to a potential harm and ERCOT needs to bring GR offline, ERCOT must pay the QSE for the GR’s poor performance. Is this the intent?
      1. Clarifying language is needed to specify that if Resource is not performing or is causing reliability issues when generating, ERCOT can order Resource offline. Does this process apply even if damage to the Resource is incurred?
2. Other Concerns:
   1. In many cases, the Generation Resource would have a lower LMP (possibly negative) without the CMP in place and a higher LMP with the CMP in place. It’s unclear how to evaluate the cost-benefit impact to the GR without the CMP.

**II: Cost related Issues**

1. How would ERCOT know exactly which Resource costs were caused by the CMP tripping unit offline instead of other reasons, such as not performing regular maintenance?
2. Is the intent of the NPRR to pay for financial losses associated with bilateral contracts to sell energy at its Resource Node for the entire duration of the outage, which could take weeks to resolve?
3. The NPRR requires Opportunity Cost payments in the Real-Time Market if the Resource does not meet a) and b) below:
   1. Recovering costs due to a bilateral contract, or
   2. Recovering incremental costs as Resource is trying to serve its Load located in same QSE as Resource.
      1. **ERCOT**: This calculation is similar to the current HDL Override (HDLO) cost recovery process. However, for HDLO ERCOT determines demonstrable financial losses on an interval-by-interval basis whenever the QSE is capacity short. It’s unclear what is meant by “does not meet items a) or b) above.”
      2. **ERCOT**: Is the policy to pay for an Opportunity Cost on items a) and b) above for the entire duration of the outage, regardless of how long it takes for the outage to resolve?
4. Opportunity Cost calculation assumes the Resource would have been operating at its HSL had it not been for the outage, which may not have been the case. Is this the intent?
5. Is the intent to pay for actual direct costs for equipment incurred due to a Forced Outage?
6. Is there a cap on how much ERCOT should approve in outage costs?
7. The NPRR proposes that the time frame termination to be included in CMP Energy Payment is until the sooner of:
   1. The Generation Resource is On-Line and available for Dispatch as per telemetry.
   2. The first hour of availability for ERCOT Dispatch (e.g. Resource Status other than OUT) as per the COP; or
   3. The latest planned end of the Generation Resource Outage as shown in the Outage Scheduler.
      1. **ERCOT**: Will ERCOT be expected to make a CMP Energy Payment for the entire period of the outage, even if it lasts several weeks or months?

**III: Other settlements related issues**

1. The CMP Energy Payment settlement equation does not seem complete and requires further review and discussion. How this will need to change is subject to the policy decisions made.
2. The NPRR should include a provision that within 60 days of the issuance of a Real-Time Market (RTM) Initial Statement for an Operating Day impacted by a CMP, the QSE should file a Settlement and billing dispute consistent with the dispute process described in Section 9.14, Settlement and Billing Dispute Process. This is similar to the treatment of OSA, 5.6.5.1 Make-Whole Payment for Canceled or Delayed Outages for OSAs