



## **Filing Receipt**

**Filing Date - 2025-04-24 09:02:03 AM**

**Control Number - 56896**

**Item Number - 74**

# *Public Utility Commission of Texas*

---

## **Memorandum**

**TO:** Chairman Thomas J. Gleeson  
Commissioner Kathleen Jackson  
Commissioner Courtney K. Hjaltman

**FROM:** Tracie Tolle, Texas Energy Fund Director

**DATE:** April 24, 2025

**RE:** April 24, 2025, Open Meeting – Item No. 37

**Project No. 56896** – Texas Energy Fund In-ERCOT Loan Program Reports and Filings

---

At the August 29, 2024, December 12, 2024, January 16, 2025, and March 13, 2025, open meetings, the Commission advanced a portfolio of applications seeking funding under the Texas Energy Fund (TEF) In-ERCOT Generation Loan Program to due diligence review.

Following the withdrawal of Application 143, Application 215, and Application 237 and the removal of Application 122 and Application 131 from the loan portfolio, Commission Staff (Staff) have identified four applications from the pool of remaining applications to recommend for advancement to due diligence. Staff recommends that the Commission advance the four applications outlined below and presented in Attachment 1 of this memo – Application 159, Application 161, Application 221, and Application 224 – to due diligence review.

<b>Application Number</b>	<b>Sponsor Name</b>	<b>Capacity (MW)<sup>1</sup></b>
APP – 159	Nightpeak Energy LLC	305
APP – 161	Nightpeak Energy LLC	260
APP – 221	Invenergy	890
APP – 224	Invenergy	479

Application 159, Application 161, Application 221, and Application 224 seek a sum of \$1.08 billion in TEF funds and represent 1,934 megawatts of potential new generation. The advancement of Application 159, Application 161, Application 221, and Application 224 to due diligence would result in a portfolio of 18 total applications, \$5.04 billion in requested loaned TEF funds, and 9,218 megawatts<sup>1</sup> in potential new dispatchable generation.

---

<sup>1</sup> The loan amounts and nameplate capacities are those identified in the original applications.

Attachment 1 shows aggregated application information for the portfolio, inclusive of the removal of Application 122, Application 131, Application 143, Application 215, and Application 237, and invitation to due diligence of the applications recommended herein.

### **Methodology**

Staff arrived at the recommendation of Application 159, Application 161, Application 221, and Application 224 by completing a comparative analysis of applications remaining in the pool. As stated in Staff's January 16, 2025, memorandum, applications were assessed based on responses to six major categories of application information: (1) project technical and regional attributes, (2) project financial attributes, (3) application sponsor history, (4) application sponsor financial characteristics, (5) response to Request for Information (RFIs), and (6) response to PUCT's Term Sheet Framework. In its review of applications, Staff aimed to meet the commissioners' stated priorities: (1) diversity among applicant types, (2) diversity in siting location, (3) speed to market, (4) ability to relieve transmission constraints, and (5) diversity of generation resource types. Finally, Staff also assessed whether each applicant has made arrangements to obtain required equity and equipment to begin timely construction of the TEF project.

In response to lessons learned from the first round of applications invited to due diligence, Staff performed an enhanced Know Your Customer review to ensure that the recommended applications would result in suitable TEF borrowers.

### **Staff Recommendation to Due Diligence**

Staff recommends that the Commission approve the advancement of Application 159, Application 161, Application 221, and Application 224 to due diligence review. In due diligence, applications will be analyzed to determine their eligibility for TEF funding. Due diligence is expected to take between four to seven months to complete.

A Proposed Order Approving Loan Application Advancement and Delegation of Authority to Executive Director is also attached.

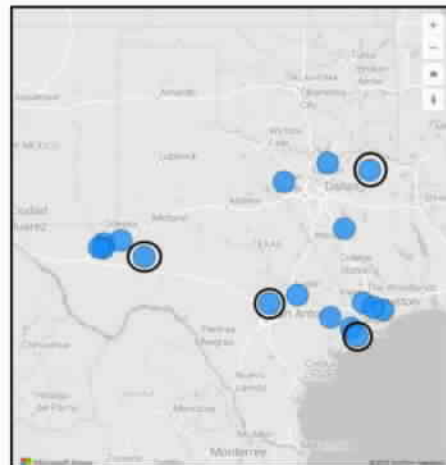
Staff will be available to discuss any part of this memo at the April 24, 2025, open meeting.

### In-ERCOT General Loans Program – Recommended Portfolio, April 2025

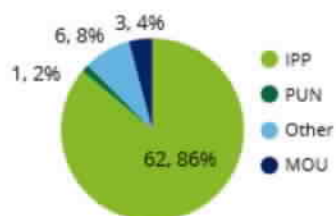
Locations of 72 Applications



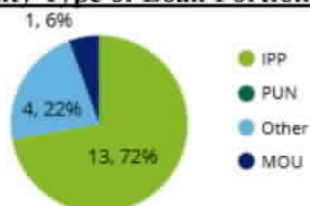
Locations of Portfolio of 18



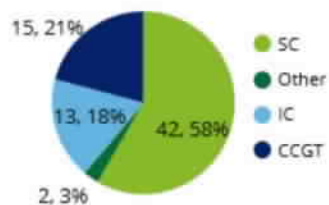
Entity Type<sup>2</sup> of Loan Applications



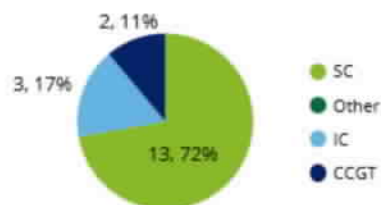
Entity Type of Loan Portfolio



Technology Type<sup>3</sup> of Loan Applications



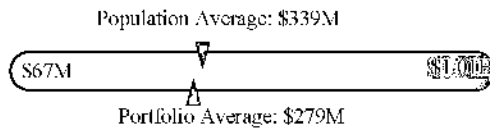
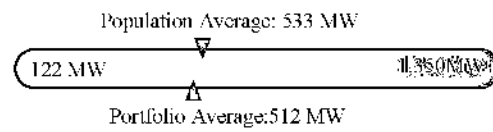
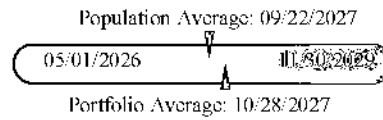
Technology Type of Loan Portfolio<sup>4</sup>



<sup>2</sup> Independent Power Producer (IPP), Private Use Network (PUN), Municipal Owned Utility (MOU).

<sup>3</sup> Simple Cycle (SC), Internal Combustion (IC), Combined Cycle Gas Turbine (CCGT).

<sup>4</sup> Data in pie charts is shown as (number of applications, percentage of applications).

**Value of Loans****Megawatts (MW) of Projects****Resource Commissioning Date**

**PROJECT NO. 56896**

**TEXAS ENERGY FUND IN-ERCOT  
LOAN PROGRAM REPORTS AND  
FILINGS**

**§  
§  
§**

**PUBLIC UTILITY COMMISSION  
  
OF TEXAS**

**PROPOSED ORDER APPROVING LOAN APPLICATION ADVANCEMENT AND  
DELEGATION OF AUTHORITY TO EXECUTIVE DIRECTOR**

This order addresses the set of applications submitted in accordance with 16 Tex. Admin. Code § 25.510 seeking funding under the Texas Energy Fund In-ERCOT Generation Loan Program. After reviewing that set of applications, the Commission determines that the following applications will be advanced to due diligence review:

<b>Application Number</b>	<b>Sponsor Name</b>
APP – 159	Nightpeak Energy LLC
APP – 161	Nightpeak Energy LLC
APP – 221	Invenergy
APP – 224	Invenergy

The Commission delegates authority to the executive director to approve any application identified in this order and enter into a loan agreement relating to that application, provided that the application undergoes due diligence review to the executive director's satisfaction. Additionally, the Commission delegates authority to the executive director to deny any application in this order for failure to meet due diligence requirements.

Signed at Austin, Texas the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

**PUBLIC UTILITY COMMISSION OF TEXAS**

---

**THOMAS J. GLEESON, CHAIRMAN**

---

**KATHLEEN JACKSON, COMMISSIONER**

---

**COURTNEY K. HJALTMAN, COMMISSIONER**