



Filing Receipt

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Control Number - 56896

Item Number - 73



April 16, 2025

Connie Corona
Public Utility Commission of Texas
William B. Travis Building
1701 Congress Avenue
Austin, Texas 78701

Dear Ms. Corona,

We are writing in response to PUC Filing, Control Number 56896, regarding the decision to deny EmberYork Energy Center's (EYEC) application under the TEF loan program, citing failure to meet due diligence requirements.

The EYEC team has dedicated significant resources to the due diligence process and has met all the necessary requirements to advance the Project. Key accomplishments include:

- Receipt of the Final Air Permit (Standard Permit #1778571) on December 17, 2024
- Receipt of the Generation Interconnection Agreement (SGIA) in April 2025
- Selection of an EPC contractor and negotiation of a binding EPC agreement
- Ongoing negotiations with gas turbine suppliers, with binding proposals in progress
- Project site access to two major interstate gas pipelines, eliminating the need for costly new infrastructure
- Secured a long-term gas supply commitment and tolling agreement with a leading exploration and production (E&P) company
- Completion of all environmental clearances on the site, including endangered species and historical preservation studies
- A recent water study confirming both the quality and sufficiency of the site's water resources, available on site
- Paul Hastings, our project counsel, successfully negotiated Loan Term Sheet C with TEF's legal team and met the required submission deadline
- Submitted a first-round equity commitment letter and KYC documentation from a large power asset owner and operator backed by a parent company with an "A" credit rating

Based on the foregoing, the Project has met all required milestones and TEF deadlines. At no time has EYEC received a notice of deficiency, and to date, no loan documentation has been provided.

We respectfully urge TEF to reconsider its decision, and if deficiencies have been identified, allow us the opportunity to cure so that we may comply with all program requirements. EYEC remains fully committed to reaching financial close and delivering 900 MW of peaking capacity to the CenterPoint grid, supporting the energy needs of the Houston metropolitan area.

Sincerely,

EmberYork Energy Center Team

Raj Suri/CEO/EmberClear
Peter Perri/Managing Partner/Jupiter Island Capital
Jon Cody/Managing Director/Whitehall & Company