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PUC Refuses to Release Information on Electricity Costs

Information on Texas' \$3.6 billion Electricity Tax is Hard to Come By

AUSTIN, TX (09/03/20) — The Energy Alliance today submitted a [letter](#) to Texas Attorney General Ken Paxton challenging the decision by the Public Utility Commission of Texas not to release documents related to the “electricity tax” it imposed on Texans.

“Last year, PUC commissioners added \$3.6 billion to the wholesale price of electricity in ERCOT,” said Bill Peacock, the policy director of the Energy Alliance who submitted the request. “The same thing could be happening this year, but the PUC will not release information in its possession that might inform the public how much electricity prices are being increased.”

Commissioners at the Public Utility Commission of Texas have responded to reliability challenges caused by renewable energy subsidies by creating another subsidy in the form of an electricity “tax” on Texans through an administrative price adder known as the Operating Reserve Demand Curve (ORDC). The money from the ORDC goes straight to generators, whether renewable, fossil fuel or nuclear.

To inform the public about these costs, the Energy Alliance submitted a Public Information Act request to the PUC requesting relevant information. The PIA says that “that each person is entitled ... to complete information about the affairs of government and the official acts of public officials and employees.” Yet while the PUC acknowledges it has relevant information, it has refused to release it, claiming the “work product privilege” under the Public Information Act.

“What could be more aligned with the PIA’s purpose than information in the possession of the PUC and collected by a state contractor paid with public money that explains to the public the costs of decisions made and policies adopted by public officials of the state of Texas?” added Peacock.

The ORDC operates during periods of scarcity and could be raising prices now. But Texans will have to wait months to find out how much unless the PUC releases this information.

[The Energy Alliance](#) is a project of the [Texas Business Coalition](#) to raise awareness of issues about the energy market that matter most to consumers: Reliability, Affordability, and Efficiency.

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