

By: Metcalf

H.B. No. 3737

A BILL TO BE ENTITLED

AN ACT

relating to facilities included in the electricity supply chain.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 37.157, Utilities Code, is amended to read as follows:

Sec. 37.157. MAPS. (a) An electric utility shall file with the commission one or more maps that show each utility facility and that separately illustrate each utility facility for the generation, transmission, or distribution of the utility's services on a date the commission orders.

(b) Each electric utility and municipally owned utility shall provide the utility's service area boundary map in a geographic information system format to the commission. The service area boundary map may be provided to the commission in a geodatabase feature class or shapefile.

SECTION 2. Section 38.201, Utilities Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (a-1) to read as follows:

(a) In this subchapter, "electricity supply chain" means:

(1) facilities and methods used for producing, treating, processing, pressurizing, storing, or transporting natural gas for delivery to electric generation facilities; ~~and~~

(2) critical infrastructure necessary to maintain electricity service; and

1 (3) roads necessary to access facilities in the
2 electricity supply chain.

3 (a-1) A reference in this subchapter to the "electricity
4 supply chain" includes water and wastewater treatment plants.

5 (b) The Texas Electricity Supply Chain Security and Mapping
6 Committee is established to:

7 (1) map this state's electricity supply chain;

8 (2) identify critical infrastructure sources in the
9 electricity supply chain;

10 (3) establish best practices to prepare facilities
11 [~~that provide electric service and natural gas service~~] in the
12 electricity supply chain to maintain service in an extreme weather
13 event and recommend oversight and compliance standards for those
14 facilities; and

15 (4) designate priority service needs to prepare for,
16 respond to, and recover from an extreme weather event.

17 (c) The committee is composed of:

18 (1) the executive director of the commission;

19 (2) the executive director of the Railroad Commission
20 of Texas;

21 (3) the president and the chief executive officer of
22 the independent organization certified under Section [39.151](#) for the
23 ERCOT power region; [~~and~~]

24 (4) the chief of the Texas Division of Emergency
25 Management; and

26 (5) the executive director of the Texas Department of
27 Transportation.

1 SECTION 3. Section 38.202(c), Utilities Code, is amended to
2 read as follows:

3 (c) The commission, the Railroad Commission of Texas, ~~and~~
4 the Texas Division of Emergency Management, and the Texas
5 Department of Transportation shall provide staff as necessary to
6 assist the committee in carrying out the committee's duties and
7 responsibilities.

8 SECTION 4. Section 38.203, Utilities Code, is amended by
9 amending Subsection (a) and adding Subsections (f), (g), (h), and
10 (i) to read as follows:

11 (a) The committee shall:

12 (1) map the state's electricity supply chain in order
13 to designate priority electricity service needs during extreme
14 weather events;

15 (2) identify and designate the sources in the
16 electricity supply chain necessary to operate critical
17 infrastructure, as defined by Section 421.001, Government Code;

18 (3) develop a communication system between critical
19 infrastructure sources, the commission, and the independent
20 organization certified under Section 39.151 for the ERCOT power
21 region to ensure that electricity and natural gas supplies in the
22 electricity supply chain are prioritized to those sources during an
23 extreme weather event; and

24 (4) establish best practices to prepare facilities
25 ~~[that provide electric service and natural gas service]~~ in the
26 electricity supply chain to maintain service in an extreme weather
27 event and recommend oversight and compliance standards for those

1 facilities.

2 (f) On request, the committee shall provide view-only
3 access to the electricity supply chain map to:

4 (1) an electric utility, a transmission and
5 distribution utility, an electric cooperative, or a municipally
6 owned utility;

7 (2) an operator of a gas supply chain facility, as
8 defined by Section 86.044, Natural Resources Code; or

9 (3) an operator of a gas pipeline facility described
10 by Section 121.2015.

11 (g) Access to the electricity supply chain map by an entity
12 described by Subsection (f)(1) is limited to the critical natural
13 gas facilities on the map that are located in the requesting
14 entity's service area.

15 (h) The committee may not provide an entity described by
16 Subsection (f)(1) with access to the electricity supply chain map
17 unless the entity has complied with Section 37.157.

18 (i) Access to the electricity supply chain map by an
19 operator described by Subsections (f)(2) and (3) is limited to the
20 critical natural gas facilities owned by the requesting operator.

21 SECTION 5. The Public Utility Commission of Texas shall
22 require each entity to which Section 37.157(b), Utilities Code, as
23 added by this Act, applies to comply with that section not later
24 than September 30, 2023.

25 SECTION 6. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2023.