

## **BILL ANALYSIS**

S.B. 1133  
By: Hegar  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recent winter storms in Texas sent demand for electricity and gas soaring and resulted in operating difficulties being reported by several electric generators that were expected to furnish power during those periods. The goal of S.B. 1133 is to prevent such difficulties in the future by requiring the Public Utility Commission of Texas to prepare a weather emergency preparedness report on the ability of the state's electric generators to respond to abnormal weather conditions.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Public Utility Commission of Texas in SECTION 1 of this bill.

### **ANALYSIS**

S.B. 1133 amends the Utilities Code to require the Public Utility Commission of Texas (PUC) to analyze emergency operations plans developed by electric utilities, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in Texas and prepare a weather emergency preparedness report on power generation weatherization preparedness. The bill requires the PUC, in preparing the report, to review the emergency operations plans currently on file with the PUC, analyze and determine the ability of the electric grid to withstand extreme weather events in the upcoming year, consider the anticipated weather patterns for the upcoming year as forecasted by the National Weather Service or any similar state or national agency, and make recommendations on improving emergency operations plans and procedures in order to ensure the continuity of electric service.

S.B. 1133 authorizes the PUC to require an electric generation entity subject to the bill's provisions to file an updated emergency operations plan if it finds that an emergency operations plan on file does not contain adequate information to determine whether the electric generation entity can provide adequate electric generation services. The bill authorizes the PUC to adopt rules relating to the implementation of the required weather emergency preparedness report and requires the PUC to submit the report to the lieutenant governor, the speaker of the house of representatives, and the members of the legislature not later than September 30, 2012.

S.B. 1133 authorizes the PUC to submit subsequent weather emergency preparedness reports if the commission finds that significant changes to weatherization techniques have occurred or are necessary to protect consumers or vital services, or if there have been changes to statutes or rules relating to weatherization requirements. The bill requires such a report to be submitted not later than March 1 for a summer weather emergency preparedness report and not later than September 1 for a winter weather emergency preparedness report.

S.B. 1133 establishes that the emergency operations plans submitted for the required weather emergency preparedness report and any plans submitted for the subsequent reports authorized by the bill's provisions are public information, except for the portions of the plan considered confidential under state open records law or other state or federal law. The bill requires a plan, if

portions of the plan are designated as confidential, to be provided to the PUC in a redacted form for public inspection with the confidential portions removed. The bill requires an electric generation entity within the Electric Reliability Council of Texas (ERCOT) power region to provide the entity's plan to ERCOT in its entirety. The bill defines "commission."

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.