

By: Callegari

H.B. No. 2619

A BILL TO BE ENTITLED

1 AN ACT

2 Relating to the submission of information about critical water and
3 wastewater facilities.

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

5 SECTION 1. Section 13.1396(a)(2), Water Code, is repealed
6 and the remaining subsections are renumbered accordingly.

7 SECTION 2. Section 13.1396(b) is amended to read as
8 follows:

9 (b) An affected utility shall submit to [~~the county judge,~~
10 the office of emergency management of each county in which the
11 utility has more than one customer, the Public Utility Commission
12 of Texas, and the office of emergency management of the governor, a
13 copy of:

14 (1) the affected utility's emergency preparedness plan
15 approved under Section 13.1395; and

16 (2) the commission's notification to the affected
17 utility that the plan is accepted.

18 SECTION 3. Section 13.1396(c) is amended to read as
19 follows:

20 (c) Each affected utility shall submit to each retail
21 electric provider that sells electric power to the affected
22 utility, each electric utility that provides transmission and
23 distribution service to the affected utility, [~~the county judge~~
24 ~~and~~] the office of emergency management of each county in which the

1 utility has water and wastewater facilities that qualify for
2 critical load status under rules adopted by the Public Utility
3 Commission of Texas, and to the Public Utility Commission of Texas
4 and the division of emergency management of the governor:

5 (1) information identifying the location and
6 providing a general description of all water and wastewater
7 facilities that qualify for critical load status; and

8 (2) emergency contact information for the affected
9 utility, including:

10 (A) the person who will serve as a point of
11 contact and the person's telephone number;

12 (B) the person who will serve as an alternative
13 point of contact and the person's telephone number; and

14 (C) the affected utility's mailing address.

15 (d) An affected utility shall immediately update the
16 information provided under Subsection (c) as changes to the
17 information occur.

18 (e) ~~[Not later than February 1 of each year, the county~~
19 ~~judge of each county that receives the information required by~~
20 ~~Subsections (c) and (d) shall:~~

21 ~~[(1) submit the information for each affected utility~~
22 ~~to each retail electric provider that sells electric power to an~~
23 ~~affected utility and each electric utility that provides~~
24 ~~transmission and distribution service to an affected utility, and~~

25 ~~[(2) in cooperation with the]~~ An affected utility
26 shall ~~[7]~~ submit ~~[for each affected utility]~~ any forms reasonably
27 required by an electric utility or retail electric provider for

1 determining critical load status, including a critical care
2 eligibility determination form or similar form.

3 (f) Not later than May 1 of each year, each electric utility
4 and each retail electric provider shall determine whether the
5 facilities of the affected utility qualify for critical load status
6 under rules adopted by the Public Utility Commission of Texas.

7 (g) If an electric utility determines that an affected
8 utility's facilities do not qualify for critical load status, the
9 electric utility and the retail electric provider, not later than
10 the 30th day after the date the electric utility or retail electric
11 provider receives the information required by Subsections (c) and
12 (d), shall provide a detailed explanation of the electric utility's
13 determination to the affected utility and to the office of
14 emergency management of the [each] county in which the water and
15 wastewater facilities are located [~~judge that submitted the~~
16 ~~information~~].

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.