

AN ACT

relating to a report by the Public Utility Commission of Texas on the ability of electric generators to respond to abnormal weather conditions.

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

SECTION 1. Subchapter A, Chapter 186, Utilities Code, is amended by adding Section 186.007 to read as follows:

Sec. 186.007. WEATHER EMERGENCY PREPAREDNESS REPORT.

(a) In this section, "commission" means the Public Utility Commission of Texas.

(a-1) The commission shall analyze emergency operations plans developed by electric utilities as defined by Section 31.002, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in this state and prepare a weather emergency preparedness report on power generation weatherization preparedness. In preparing the report, the commission shall:

(1) review the emergency operations plans currently on file with the commission;

(2) analyze and determine the ability of the electric grid to withstand extreme weather events in the upcoming year;

(3) consider the anticipated weather patterns for the upcoming year as forecasted by the National Weather Service or any similar state or national agency; and

1 (4) make recommendations on improving emergency
2 operations plans and procedures in order to ensure the continuity
3 of electric service.

4 (b) The commission may require an electric generation
5 entity subject to this section to file an updated emergency
6 operations plan if it finds that an emergency operations plan on
7 file does not contain adequate information to determine whether the
8 electric generation entity can provide adequate electric
9 generation services.

10 (c) The commission may adopt rules relating to the
11 implementation of the report described by Subsection (a-1).

12 (d) The commission shall submit the report described by
13 Subsection (a-1) to the lieutenant governor, the speaker of the
14 house of representatives, and the members of the legislature not
15 later than September 30, 2012.

16 (e) The commission may submit subsequent weather emergency
17 preparedness reports if the commission finds that significant
18 changes to weatherization techniques have occurred or are necessary
19 to protect consumers or vital services, or if there have been
20 changes to statutes or rules relating to weatherization
21 requirements. A report under this subsection must be submitted not
22 later than:

23 (1) March 1 for a summer weather emergency
24 preparedness report; and

25 (2) September 1 for a winter weather emergency
26 preparedness report.

27 (f) The emergency operations plans submitted for the report

1 described by Subsection (a-1) and any subsequent plans submitted
2 under Subsection (e) are public information except for the portions
3 of the plan considered confidential under Chapter 552, Government
4 Code, or other state or federal law. If portions of a plan are
5 designated as confidential, the plan shall be provided to the
6 commission in a redacted form for public inspection with the
7 confidential portions removed. An electric generation entity
8 within the ERCOT power region shall provide the entity's plan to
9 ERCOT in its entirety.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2011.

S.B. No. 1133

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1133 passed the Senate on April 4, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1133 passed the House on May 23, 2011, by the following vote: Yeas 146, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor