By:  Buckingham S.B. No. 985

(In the Senate - Filed March 3, 2021; March 18, 2021, read first time and referred to Committee on Jurisprudence; April 9, 2021, reported adversely, with favorable Committee Substitute by the following vote: Yeas 5, Nays 0; April 9, 2021, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Huffman           X

Hinojosa             X

Creighton            X

Hughes               X

Johnson              X

COMMITTEE SUBSTITUTE FOR S.B. No. 985 By:  Johnson

A BILL TO BE ENTITLED

AN ACT

relating to reports 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.  The heading to Section 186.007, Utilities Code, is amended to read as follows:

Sec. 186.007.  WEATHER EMERGENCY PREPAREDNESS REPORTS [~~REPORT~~].

SECTION 2.  Sections 186.007(a-1), (b), (d), (e), and (f), Utilities Code, are amended to read as follows:

(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, including weather events that have only a one percent or two percent chance of occurring 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

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

(b)  The commission shall [~~may~~] require an electric generation entity subject to this section 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.

(d)  The commission shall submit the report described by Subsection (a-1) to the lieutenant governor, the speaker of the house of representatives, and the members of the legislature not later than September 30 of each even-numbered year[~~, 2012~~].

(e)  The commission may submit additional [~~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. A report under this subsection must be submitted not later than:

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

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

(f)  The emergency operations plans submitted for a [~~the~~] report described by Subsection (a-1) and any additional [~~subsequent~~] plans submitted under Subsection (e) are public information except for the portions of the plan considered confidential under Chapter 552, Government Code, or other state or federal law. If portions of a plan are designated as confidential, the plan shall be provided to the commission in a redacted form for public inspection with the confidential portions removed. An electric generation entity within the ERCOT power region shall provide the entity's plan to ERCOT in its entirety.

SECTION 3.  The first report described by Section 186.007(a-1), Utilities Code, as amended by this Act, is due September 30, 2022.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

\* \* \* \* \*