A BILL TO BE ENTITLED

AN ACT

relating to the preparedness for extreme weather emergencies of facilities that provide electricity service.

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

SECTION 1. Subchapter A, Chapter 35, Utilities Code, is amended by adding Section 35.0021 to read as follows:

Sec. 35.0021. WEATHER EMERGENCY PREPAREDNESS. (a) In this section, "extreme weather emergency" means a period when:

(1) the previous day's highest temperature did not exceed 10 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports; or

(2) the National Weather Service issues a heat advisory for any county in the relevant service territory, or when such an advisory has been issued on any one of the previous two calendar days.

(b) The commission by rule shall require each provider of generation in the ERCOT power region to:

(1) implement measures to prepare generation facilities to provide adequate electric generation service during an extreme weather emergency;

(2) make reasonable efforts to prevent electric generation service interruptions during an extreme weather emergency;
reestablish service in the shortest possible time period after an electric generation service interruption that occurs due to an extreme weather emergency; and

(4) make reasonable efforts to manage emergencies caused by electric generation service interruptions during extreme weather emergencies, including issuing instructions to employees on procedures to be followed in the event of an extreme weather emergency.

(c) The rules must address electric generation service for all neighborhoods, rural areas, communities of fewer than 1,000 people, and low-income areas in the ERCOT power region.

SECTION 2. Subchapter D, Chapter 38, Utilities Code, is amended by adding Section 38.074 to read as follows:

Sec. 38.074. WEATHER EMERGENCY PREPAREDNESS. (a) In this section, "extreme weather emergency" has the meaning assigned by Section 35.0021.

(b) The commission by rule shall require each electric cooperative, municipally owned utility, and transmission and distribution utility providing transmission or distribution service in the ERCOT power region to:

(1) implement measures to prepare facilities to maintain service quality and reliability during an extreme weather emergency;

(2) make reasonable efforts to prevent service interruptions during an extreme weather emergency;

(3) reestablish service in the shortest possible time period after a service interruption that occurs due to an extreme weather emergency;
weather emergency; and

(4) make reasonable efforts to manage emergencies caused by service interruptions during extreme weather emergencies, including issuing instructions to employees on procedures to be followed in the event of an extreme weather emergency.

(c) The rules must address service for all neighborhoods, rural areas, communities of fewer than 1,000 people, and low-income areas in the ERCOT power region.

SECTION 3. The Public Utility Commission of Texas shall adopt the rules required by Sections 35.0021 and 38.074, Utilities Code, as added by this Act, not later than November 1, 2021.

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.