

By: Paul

H.B. No. 2599

A BILL TO BE ENTITLED

1 AN ACT

2 relating to ownership and use of mobile batteries to restore
3 electric service after a natural disaster in the ERCOT power
4 region.

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

6 SECTION 1. Section 35.151, Utilities Code, is amended to
7 read as follows:

8 Sec. 35.151. ELECTRIC ENERGY STORAGE. This subchapter
9 applies to the ownership or operation of electric energy storage
10 equipment or facilities that are intended to:

11 (1) provide energy or ancillary services at wholesale,
12 including electric energy storage equipment or facilities listed on
13 a power generation company's registration with the commission or,
14 for an exempt wholesale generator, on the generator's registration
15 with the Federal Energy Regulatory Commission; or

16 (2) provide reliable delivery of electric energy to
17 distribution customers after a natural disaster.

18 SECTION 2. Subchapter E, Chapter 35, Utilities Code, is
19 amended by adding Section 35.153 to read as follows:

20 Sec. 35.153. MOBILE BATTERIES FOR RESTORING SERVICE AFTER
21 NATURAL DISASTER. (a) In this section, "natural disaster" means a
22 tropical storm or hurricane, ice storm or snow storm, flood, or
23 other weather-related event that results in a widespread electric
24 power outage affecting distribution customers of transmission and

1 distribution utilities.

2 (b) Notwithstanding a provision of this subtitle that
3 directly or indirectly prohibits a transmission and distribution
4 utility from owning or operating a generation asset, a transmission
5 and distribution utility, with prior approval of the commission,
6 may own and operate a mobile battery to provide electric energy to
7 restore service to distribution customers after a natural disaster.

8 (c) The commission shall adopt rules as necessary to
9 implement this section and establish criteria for approving the
10 ownership and operation of a mobile battery under this section.

11 SECTION 3. The Public Utility Commission of Texas shall
12 adopt rules required by Section 35.153, Utilities Code, as added by
13 this Act, as soon as practicable after the effective date of this
14 Act.

15 SECTION 4. This Act takes effect September 1, 2021.