

By: Lucio III

H.B. No. 3749

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision of electric service during extreme
3 weather conditions.

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

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

7 Sec. 35.0021. EXTREME WEATHER PREPAREDNESS. The commission
8 shall conduct regular inspections of facilities and equipment used
9 by providers of generation in the ERCOT power region to ensure
10 adequate weatherization preparedness for extreme weather
11 conditions.

12 SECTION 2. Subchapter Z, Chapter 39, Utilities Code, is
13 amended by adding Section 39.918 to read as follows:

14 Sec. 39.918. PUBLICATION OF ENERGY EMERGENCY ALERTS. If an
15 independent organization certified under Section 39.151 for the
16 ERCOT power region declares an energy emergency alert, the
17 commission shall publish a notification regarding the alert on the
18 home page of the commission's Internet website as soon as
19 practicable.

20 SECTION 3. Subchapter A, Chapter 186, Utilities Code, is
21 amended by adding Section 186.008 to read as follows:

22 Sec. 186.008. EMERGENCY OPERATIONS PLAN AUDITS. (a) The
23 Public Utility Commission of Texas by rule shall develop a
24 procedure for auditing emergency operations plans developed by:

- 1 (1) electric utilities, as defined by Section 31.002;
2 (2) power generation companies, as defined by Section
3 31.002;
4 (3) municipally owned utilities, as defined by Section
5 11.003;
6 (4) electric cooperatives;
7 (5) retail electric providers, as defined by Section
8 31.002; and
9 (6) the independent organization certified under
10 Section 39.151 for the ERCOT power region.

11 (b) The procedure for auditing emergency operations plans
12 must require an entity described by Subsection (a) to file an
13 updated emergency operations plan if the Public Utility Commission
14 of Texas finds that the entity's emergency operations plan on file
15 does not contain adequate information to determine whether the
16 entity can provide adequate services during an emergency.

17 SECTION 4. (a) Not later than December 1, 2021, the governor
18 shall appoint a task force to conduct a study of the actions of the
19 Public Utility Commission of Texas, the independent organization
20 certified under Section 39.151, Utilities Code, for the ERCOT power
21 region, and electricity market participants taken during February
22 2021 to respond to the extreme weather event of that month.

23 (b) A person must have expertise in electricity markets to
24 be eligible for appointment to the task force.

25 (c) Not later than September 1, 2022, the task force shall
26 submit a report of the findings of the study and any associated
27 recommendations to the legislature.

1 (d) The task force is abolished and this section expires
2 December 31, 2022.

3 SECTION 5. This Act takes effect September 1, 2021.