

By: Bucy

H.B. No. 4224

A BILL TO BE ENTITLED

AN ACT

relating to the winter weather emergency preparedness of facilities for providing electric 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 35.0025 to read as follows:

Sec. 35.0025. WINTER WEATHER EMERGENCY PREPAREDNESS. (a)

The commission by rule shall establish best practices and procedures for providers of generation in the ERCOT power region for:

(1) winterization, including supplies, equipment, personnel, and preventative action checklists for preparations for extreme weather events;

(2) plant design for new plants and modifications to existing plants to ensure the plants can operate at the lowest recorded ambient temperature for the nearest municipality for which historical data is available;

(3) maintenance and inspections, especially of freeze protection elements;

(4) heat tracing;

(5) thermal insulation;

(6) the erection of adequate windbreaks and enclosures;

(7) annual winter-specific and plant-specific

1 operator awareness and maintenance training;

2 (8) prioritizing winter preparation each fall;

3 (9) establishing personnel accountability and audit
4 procedures; and

5 (10) updating facility procedures at least annually as
6 needed.

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

9 (1) prepare, submit to the commission, and update as
10 necessary a plan for:

11 (A) using the best practices and procedures to
12 provide adequate electric generation service during a winter
13 weather emergency;

14 (B) conducting regular preventative maintenance
15 for freeze protection elements;

16 (C) inspecting freeze protection elements before
17 and during the winter;

18 (D) testing and evaluating freeze protection
19 elements after winter to identify potential improvements, required
20 maintenance, and any necessary component replacement; and

21 (E) making any needed repairs or improvements
22 before the next winter; and

23 (2) implement the plan submitted under Subdivision
24 (1).

25 (c) The commission shall regularly inspect facilities of
26 providers of generation for compliance with rules adopted under
27 this section.

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

3 Sec. 38.074. WINTER WEATHER EMERGENCY PREPAREDNESS. (a)

4 The commission by rule shall establish best practices and
5 procedures for electric cooperatives, municipally owned utilities,
6 and transmission and distribution utilities providing transmission
7 or distribution service in the ERCOT power region for:

8 (1) winterization, including supplies, equipment,
9 personnel, and preventative action checklists for preparations for
10 extreme weather events;

11 (2) maintenance and inspections, especially of freeze
12 protection elements;

13 (3) heat tracing;

14 (4) thermal insulation;

15 (5) the erection of adequate windbreaks and
16 enclosures;

17 (6) annual winter-specific operator awareness and
18 maintenance training;

19 (7) prioritizing winter preparation each fall;

20 (8) establishing personnel accountability and audit
21 procedures; and

22 (9) updating facility procedures at least annually as
23 needed.

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

1 (1) prepare, submit to the commission, and update as
2 necessary a plan for:

3 (A) using the best practices and procedures to
4 maintain service quality and reliability during a winter weather
5 emergency;

6 (B) conducting regular preventative maintenance
7 for freeze protection elements;

8 (C) inspecting freeze protection elements before
9 and during the winter;

10 (D) testing and evaluating freeze protection
11 elements after winter to identify potential improvements, required
12 maintenance, and any necessary component replacement; and

13 (E) making any needed repairs or improvements
14 before the next winter; and

15 (2) implement the plan submitted under Subdivision
16 (1).

17 (c) The commission shall regularly inspect facilities of
18 electric cooperatives, municipally owned utilities, and
19 transmission and distribution utilities providing transmission or
20 distribution service in the ERCOT power region for compliance with
21 rules adopted under this section.

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