

By: Anchia

H.B. No. 4562

A BILL TO BE ENTITLED

AN ACT

relating to the extreme weather emergency preparedness of facilities providing gas or fuel to be used in the production of an electric service; requiring reporting.

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

SECTION 1. Subchapter C, Chapter 81, Natural Resources Code, is amended by adding Section 81.073 to read as follows:

Sec. 81.073. 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 16 days.

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

(1) implement measures to prepare generation facilities, including weatherization protocols and standards, to provide adequate supply during an extreme weather emergency;

(2) make all reasonable efforts to prevent interruptions of gas supply during an extreme weather emergency;

1 (3) reestablish supply within the shortest possible
2 time, should an interruption occur due to an extreme weather
3 emergency; and

4 (4) make reasonable efforts to manage emergencies
5 resulting from a failure of service caused by an extreme weather
6 emergency, including issuing instructions to its employees on
7 procedures to be followed in the event of an extreme weather
8 emergency.

9 (c) The rules adopted under Subsection (b) may not neglect
10 any local neighborhood or geographic area, including rural areas,
11 communities of less than 1000 people, and low-income areas.

12 SECTION 2. Subchapter C, Chapter 81, Natural Resources
13 Code, is amended by adding Section 81.074 to read as follows:

14 Sec. 81.074. REPORTING INCIDENTS. (a) In this section,
15 "extreme weather emergency" has the meaning assigned by Section
16 81.073, Natural Resources Code.

17 (b) The commission by rule shall require each provider of
18 gas producers providing supply intended for generation in the ERCOT
19 power region to:

20 (1) Register with the Transmission Distribution
21 Utility serving the power for the location of the gas wellhead,
22 equipment or facility, as critical infrastructure.

23 (2) Contact the Transmission Distribution Utility
24 providing the power to the gas wellhead, equipment or facility
25 within 4 hours after power is lost during an extreme weather
26 emergency.

27 (3) Report outages of power to gas wellheads,

1 equipment or a facility providing gas for supply of electric
2 generation in the ERCOT region within 4 hours of notification or
3 knowledge of power loss and during an extreme weather emergency;

4 (c) The commission shall require incident reports for power
5 outages that result in a loss of gas supply intended for electric
6 generation in the ERCOT market.

7 (d) The commission shall develop an electronic process of
8 filing all incident reports.

9 (e) The commission shall provide immediate and free access
10 to the reporting of incidents. This shall be provided on the
11 commission website for viewing as reports are made.

12 (f) The commission shall develop the electronic reporting
13 system and provide the website access by November 1, 2021. The
14 information included shall begin with incident reports filed with
15 the commission beginning January 1, 2021.

16 SECTION 3. The Railroad Commission of Texas shall adopt
17 rules as required by Sections 81.073 and 81.074, Natural Resources
18 Code, as added by this Act, not later than November 1, 2020.

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