

By: Buckingham, Zaffirini

S.B. No. 985

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to reports by the Public Utility Commission of Texas on the  
3 ability of electric generators to respond to abnormal weather  
4 conditions.

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

6 SECTION 1. The heading to Section 186.007, Utilities Code,  
7 is amended to read as follows:

8 Sec. 186.007. WEATHER EMERGENCY PREPAREDNESS REPORTS  
9 [~~REPORT~~].

10 SECTION 2. Sections 186.007(a-1), (b), (d), (e), and (f),  
11 Utilities Code, are amended to read as follows:

12 (a-1) The commission shall analyze emergency operations  
13 plans developed by electric utilities as defined by Section 31.002,  
14 power generation companies, municipally owned utilities, and  
15 electric cooperatives that operate generation facilities in this  
16 state and prepare a weather emergency preparedness report on power  
17 generation weatherization preparedness. In preparing the report,  
18 the commission shall:

19 (1) review the emergency operations plans currently on  
20 file with the commission;

21 (2) analyze and determine the ability of the electric  
22 grid to withstand extreme weather events in the upcoming year,  
23 including weather events that have only a one percent or two percent  
24 chance of occurring in the upcoming year;

1           (3) consider the anticipated weather patterns for the  
2 upcoming year as forecasted by the National Weather Service or any  
3 similar state or national agency; and

4           (4) make recommendations on improving emergency  
5 operations plans and procedures in order to ensure the continuity  
6 of electric service.

7           (b) The commission shall [~~may~~] require an electric  
8 generation entity subject to this section to file an updated  
9 emergency operations plan if it finds that an emergency operations  
10 plan on file does not contain adequate information to determine  
11 whether the electric generation entity can provide adequate  
12 electric generation services.

13           (d) The commission shall submit the report described by  
14 Subsection (a-1) to the lieutenant governor, the speaker of the  
15 house of representatives, and the members of the legislature not  
16 later than September 30 of each even-numbered year [~~7-2012~~].

17           (e) The commission may submit additional [~~subsequent~~]  
18 weather emergency preparedness reports if the commission finds that  
19 significant changes to weatherization techniques have occurred or  
20 are necessary to protect consumers or vital services, or if there  
21 have been changes to statutes or rules relating to weatherization  
22 requirements. A report under this subsection must be submitted not  
23 later than:

24           (1) March 1 for a summer weather emergency  
25 preparedness report; and

26           (2) September 1 for a winter weather emergency  
27 preparedness report.

1           (f) The emergency operations plans submitted for a [~~the~~  
2 report described by Subsection (a-1) and any additional  
3 [~~subsequent~~] plans submitted under Subsection (e) are public  
4 information except for the portions of the plan considered  
5 confidential under Chapter 552, Government Code, or other state or  
6 federal law. If portions of a plan are designated as confidential,  
7 the plan shall be provided to the commission in a redacted form for  
8 public inspection with the confidential portions removed. An  
9 electric generation entity within the ERCOT power region shall  
10 provide the entity's plan to ERCOT in its entirety.

11           SECTION 3. The first report described by Section  
12 186.007(a-1), Utilities Code, as amended by this Act, is due  
13 September 30, 2022.

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