

By: Buckingham

S.B. No. 985

A BILL TO BE ENTITLED

1 AN ACT
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 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, 2021.

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.