

1-1 By: Buckingham S.B. No. 985
1-2 (In the Senate - Filed March 3, 2021; March 18, 2021, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 9, 2021, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 9, 2021,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 985 By: Johnson

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to reports by the Public Utility Commission of Texas on the
1-18 ability of electric generators to respond to abnormal weather
1-19 conditions.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. The heading to Section 186.007, Utilities Code,
1-22 is amended to read as follows:

1-23 Sec. 186.007. WEATHER EMERGENCY PREPAREDNESS REPORTS
1-24 [~~REPORT~~].

1-25 SECTION 2. Sections 186.007(a-1), (b), (d), (e), and (f),
1-26 Utilities Code, are amended to read as follows:

1-27 (a-1) The commission shall analyze emergency operations
1-28 plans developed by electric utilities as defined by Section 31.002,
1-29 power generation companies, municipally owned utilities, and
1-30 electric cooperatives that operate generation facilities in this
1-31 state and prepare a weather emergency preparedness report on power
1-32 generation weatherization preparedness. In preparing the report,
1-33 the commission shall:

1-34 (1) review the emergency operations plans currently on
1-35 file with the commission;

1-36 (2) analyze and determine the ability of the electric
1-37 grid to withstand extreme weather events in the upcoming year,
1-38 including weather events that have only a one percent or two percent
1-39 chance of occurring in the upcoming year;

1-40 (3) consider the anticipated weather patterns for the
1-41 upcoming year as forecasted by the National Weather Service or any
1-42 similar state or national agency; and

1-43 (4) make recommendations on improving emergency
1-44 operations plans and procedures in order to ensure the continuity
1-45 of electric service.

1-46 (b) The commission shall [~~may~~] require an electric
1-47 generation entity subject to this section to file an updated
1-48 emergency operations plan if it finds that an emergency operations
1-49 plan on file does not contain adequate information to determine
1-50 whether the electric generation entity can provide adequate
1-51 electric generation services.

1-52 (d) The commission shall submit the report described by
1-53 Subsection (a-1) to the lieutenant governor, the speaker of the
1-54 house of representatives, and the members of the legislature not
1-55 later than September 30 of each even-numbered year [~~2012~~].

1-56 (e) The commission may submit additional [~~subsequent~~]
1-57 weather emergency preparedness reports if the commission finds that
1-58 significant changes to weatherization techniques have occurred or
1-59 are necessary to protect consumers or vital services, or if there
1-60 have been changes to statutes or rules relating to weatherization

2-1 requirements. A report under this subsection must be submitted not
2-2 later than:

2-3 (1) March 1 for a summer weather emergency
2-4 preparedness report; and

2-5 (2) September 1 for a winter weather emergency
2-6 preparedness report.

2-7 (f) The emergency operations plans submitted for a ~~[the]~~
2-8 report described by Subsection (a-1) and any additional
2-9 ~~[subsequent]~~ plans submitted under Subsection (e) are public
2-10 information except for the portions of the plan considered
2-11 confidential under Chapter 552, Government Code, or other state or
2-12 federal law. If portions of a plan are designated as confidential,
2-13 the plan shall be provided to the commission in a redacted form for
2-14 public inspection with the confidential portions removed. An
2-15 electric generation entity within the ERCOT power region shall
2-16 provide the entity's plan to ERCOT in its entirety.

2-17 SECTION 3. The first report described by Section
2-18 186.007(a-1), Utilities Code, as amended by this Act, is due
2-19 September 30, 2022.

2-20 SECTION 4. This Act takes effect immediately if it receives
2-21 a vote of two-thirds of all the members elected to each house, as
2-22 provided by Section 39, Article III, Texas Constitution. If this
2-23 Act does not receive the vote necessary for immediate effect, this
2-24 Act takes effect September 1, 2021.

2-25 * * * * *