

## **BILL ANALYSIS**

C.S.H.B. 2569  
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State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

During Winter Storm Uri in 2021, people across Texas were left in the dark as power outages swept across the state following unprecedented freezing temperatures. Not only were constituents left without power, state and local government officials were not informed on the reasons for the outages. C.S.H.B. 2569 seeks to increase transparency for electricity service interruptions by requiring providers of electric generation service to notify ERCOT of each planned or unplanned service interruption that impacts generation availability and to include in the notice the reason for that service interruption.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Public Utility Commission of Texas in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 2569 amends the Utilities Code to require the Public Utility Commission of Texas (PUC) by rule to require a municipally owned utility, electric cooperative, power generation company, or exempt wholesale generator that sells electric energy at wholesale in the ERCOT power region to provide ERCOT a notice of each planned or unplanned service interruption within a reasonable time after the interruption has impacted generation availability. The bill requires the notice to state the reasons for the planned or unplanned service interruption and authorizes the notice to be provided in any reasonable manner, including by email or an electronic interface on the provider's website. The bill requires ERCOT to make each notice received publicly available.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 2569 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced directly required each municipally owned utility, electric cooperative, power generation company, or exempt wholesale generator that sells electric energy at

wholesale in the ERCOT power region to provide ERCOT a notice of each planned or unplanned service interruption, the substitute requires instead that the PUC adopt rules to implement that notification requirement. Moreover, whereas the introduced required that the notice be provided not later than 48 hours after the service interruption has impacted generation availability, the substitute requires instead that notice be provided within a reasonable time thereafter.

The substitute includes provisions absent from the introduced requiring ERCOT to make each notice received publicly available and requiring a notice to state the reasons for the service interruption.