

BILL ANALYSIS

Senate Research Center
87R10686 BRG-F

S.B. 985
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Jurisprudence
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the Public Utility Commission (PUC) was previously required to compile a report analyzing the emergency operations plans developed by electric utilities, power generation companies, municipally owned utilities, and electric cooperatives that operate generation facilities in this state and prepare a weather emergency preparedness report on power generation weatherization preparedness. This report was submitted to the Legislature in September 2012. The PUC also has the option to require electric generation entities to file an updated emergency operations plan in the event the report filed with the PUC was inadequate. This has raised questions about the amount of oversight provided by the PUC regarding regulated entities' most recent emergency preparedness plans.

To address this issue, S.B. 985 would assure that the PUC increases its oversight of electric utilities, power generation companies, municipally owned utilities, and electric cooperatives by requiring the PUC to review emergency preparedness plans to determine what updates need to be made and submit its findings to the legislature on an annual basis. To ensure these emergency plans are sufficient, the bill also requires the PUC to determine whether the electric grid is prepared to withstand both 50- and 100-year weather events.

As proposed, S.B. 985 amends current law relating to reports by the Public Utility Commission of Texas on the ability of electric generators to respond to abnormal weather conditions.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 186.007, Utilities Code, to read as follows:

Sec. 186.007. WEATHER EMERGENCY PREPAREDNESS REPORTS.

SECTION 2. Amends Sections 186.007(a-1), (b), (d), (e), and (f), Utilities Code, as follows:

(a-1) Requires the Public Utility Commission of Texas (PUC), in preparing the weather emergency preparedness report on power generation weatherization preparedness, to take certain actions, including analyzing and determining the ability of the electric grid to withstand extreme weather events in the upcoming year, including weather events that have only a one percent or two percent chance of occurring in the upcoming year.

(b) Requires, rather than authorizes, the PUC to require an electric generation entity subject to Section 186.007 to file an updated emergency operations plan if it finds that an emergency operations plan on file does not contain adequate information to determine whether the electric generation entity can provide adequate electric generation services.

(d) Requires the PUC to submit the report described by Subsection (a-1) to the lieutenant governor, the speaker of the house of representatives, and the members of the legislature not later than September 30 of each year, rather than not later than September 30, 2012.

(e) Authorizes the PUC to submit additional, rather than subsequent, weather emergency preparedness reports if the PUC finds that significant changes to weatherization techniques have occurred or are necessary to protect consumers or vital services, or if there have been changes to statutes or rules relating to weatherization requirements.

(f) Makes conforming changes to this subsection.

SECTION 3. Provides that the first report described by Section 186.007(a-1), Utilities Code, as amended by this Act, is due September 30, 2021.

SECTION 4. Effective date: upon passage or September 1, 2021.