

BILL ANALYSIS

Senate Research Center
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S.B. 1139
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current substantive rules of the Public Utility Commission of Texas (PUC), each transmission and distribution utility (TDU) sets its own protocol to reduce energy consumption during a rolling blackout. Rolling blackouts are employed during times of peak energy usage to alleviate the pressure on the electric grid and avoid a total blackout of the power system. PUC rules also identify “critical loads” for which electric service is considered crucial for the protection or maintenance of public safety, such as hospitals, nursing homes, or certain government buildings. TDUs and electric utilities are required to maintain a registry of critical loads, as well as a process for assisting and communicating with those entities identified as critical loads. While hospitals are considered critical load, they are not exempt from rolling blackouts in many of the TDUs protocols.

Because a loss of power at a hospital triggers a higher probability of a life or death situation, S.B. 1139 exempts hospitals from rolling blackouts.

As proposed, S.B. 1139 amends current law relating to the exclusion of hospital facilities from a rolling blackout.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Public Utility Commission of Texas in SECTION 1 (Section 38.006, Utilities Code) and SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 38, Utilities Code, by adding Section 38.006, as follows:

Sec. 38.006. EXCLUSION OF HOSPITAL FACILITIES FROM ROLLING BLACKOUT. Requires the Public Utility Commission of Texas (PUC) by rule to require each electric utility, municipally owned utility, and electric cooperative to exclude any circuits that provide power to a hospital facility from participation in the utility's or cooperative's attempt to shed load in response to a rolling blackout initiated by the Electric Reliability Council of Texas or another reliability council or power pool in which the utility or cooperative operates.

SECTION 2. Requires PUC to adopt rules required by Section 38.006, Utilities Code, as added by this Act, as soon as possible after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2013.