

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

Subchapter C. QUALITY OF SERVICE.

§25.53. Electric Service Emergency Operations Plans.

- (a) **Application.** Unless the context clearly indicates otherwise, this section is applicable to electric utilities, transmission and distribution utilities (TDUs), power generation companies (PGCs), retail electric providers (REPs), and the Electric Reliability Council of Texas (ERCOT), collectively referred to as “market entities,” and electric cooperatives (“cooperatives”) and shall refer to the definitions provided in the Public Utility Regulatory Act §11.003 and §31.002. For the purposes of this section, market entities and cooperatives are those operating within the State of Texas.
- (b) **Filing requirements.** Each market entity shall file with the commission a copy of its emergency operations plan or a comprehensive summary of its emergency operations plan, as required in subsection (c) of this section, by May 1, 2008. To the extent significant changes are made to an emergency operations plan, the market entity shall file the revised plan or a revision to the comprehensive summary that appropriately addresses the changes to the plan no later than 30 days after such changes take effect.
- (c) **Information to be included in the emergency operations plan.**
- (1) TDUs and electric utilities shall include in their emergency operations plans, but are not limited to, the following:
- (A) A registry of critical load customers, as defined in §25.497(a) of this title (relating to Critical Care Customers), directly served. This registry shall be updated as necessary but, at a minimum, annually. The description filed with the commission shall include the location of the registry, the process for maintaining an accurate registry, the process for providing assistance to critical load customers in the event of an unplanned outage, the process for communicating with the critical load customers, and a process for training staff with respect to serving critical load customers;
 - (B) A communications plan that describes the procedures for contacting the media, customers, and critical load customers directly served as soon as reasonably possible either before or at the onset of an emergency affecting electric service. The communications plan should also address its telephone system and complaint-handling procedures during an emergency;
 - (C) Curtailment priorities, procedures for shedding load, rotating black-outs, and planned interruptions;
 - (D) Priorities for restoration of service;
 - (E) A plan to ensure continuous and adequate service during a pandemic; and
 - (F) A hurricane plan, including evacuation and re-entry procedures (if facilities are located within a hurricane evacuation zone, as defined by the Governor’s Division of Emergency Management).
 - (G) Following the annual drill, the utility shall assess the effectiveness of the drill and modify its emergency operations plan as needed.
 - (H) An affidavit from the market entity’s operations officer indicating that all relevant operating personnel within the market entity are familiar with the contents of the emergency operations plan; and such personnel are committed to following the plan and the provisions contained therein in the event of a system-wide or local emergency that arises from natural or manmade disasters except to the extent deviations are appropriate under the circumstances during the course of an emergency.
- (2) Electric utilities that own or operate electric generation facilities and PGCs shall include in their emergency operations plans, but are not limited to, the following:

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- (A) A summary of power plant weatherization plans and procedures;
 - (B) A summary of alternative fuel and storage capacity;
 - (C) Priorities for recovery of generation capacity;
 - (D) A pandemic preparedness plan; and
 - (E) A hurricane plan, including evacuation and re-entry procedures (if facilities are located within a hurricane evacuation zone, as defined by the Governor's Division of Emergency Management).
 - (F) An affidavit from the market entity's operations officer indicating that all relevant operating personnel within the market entity are familiar with the contents of the emergency operations plan; and such personnel are committed to following the plan and the provisions contained therein in the event of a system-wide or local emergency that arises from natural or manmade disasters except to the extent deviations are appropriate under the circumstances during the course of an emergency.
 - (G) Following the annual drill, the utility shall assess the effectiveness of the drill and modify its emergency operations plan as needed.
 - (3) REPs shall include in their filing with the commission, but are not limited to, an affidavit from an officer of the REP affirming that it has a plan that addresses business continuity should its normal operations be disrupted by a natural or manmade disaster, a pandemic, or a State Operations Center (SOC) declared event.
 - (4) ERCOT shall include in its filing with the commission, but is not limited to, an affidavit from a senior operations officer affirming the following:
 - (A) ERCOT maintains Crisis Communications Procedures that address procedures for contacting media, governmental entities, and market participants during events that affect the bulk electric system and normal market operations and include procedures for recovery of normal grid operations;
 - (B) ERCOT maintains a business continuity plan that addresses returning to normal operations after disruptions caused by a natural or manmade disaster, or a SOC declared event; and
 - (C) ERCOT maintains a pandemic preparedness plan.
- (d) **Drills.** Each market entity shall conduct or participate in an annual drill to test its emergency procedures if its emergency procedures have not been implemented in response to an actual event within the last 12 months. If a market entity is in a hurricane evacuation zone (as defined by the Governor's Division of Emergency Management), this drill shall also test its hurricane plan/storm recovery plan. The commission should be notified 21 days prior to the date of the drill.
- (e) **Emergency contact information.** Each market entity shall submit emergency contact information in a form prescribed by commission staff by May 1 of each calendar year. Notification to commission staff regarding changes to its emergency contact information shall be made within 30 days. This information will be used to contact market entities prior to and during an emergency event.
- (f) **Reporting requirements.** Upon request by the commission or commission staff during a SOC inquiry or SOC declared emergency event, affected market entities shall provide updates on the status of operations, outages and restoration efforts. Updates shall continue until all event-related outages are restored or unless otherwise notified by commission staff.

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- (g) **Copy available for inspection.** A complete copy of the emergency operations plan shall be made available at the main office of each market entity for inspection by the commission or commission staff upon request.
- (h) **Electric cooperatives.**
- (1) **Application.** This subsection is applicable to electric cooperatives, as defined in the Public Utility Regulatory Act §11.003, that operates, maintains or controls in this state a facility to provide retail electric utility service or transmission service.
 - (2) **Reporting Requirements.** Each electric cooperative shall file with the commission a copy of its emergency operations plan or a comprehensive summary of its emergency operations plan by May 1, 2008. The filing shall also include an affidavit from the electric cooperative's operations officer indicating that all relevant operating personnel within the electric cooperative are familiar with the contents of the emergency operations plan; and such personnel are committed to following the plans and the provisions contained therein in the event of a system-wide or local emergency that arises from natural or manmade disasters, except to the extent deviations are appropriate under the circumstances during the course of an emergency. To the extent significant changes are made to an emergency operations plan, the electric cooperative shall file the revised plan or a revision to the comprehensive summary that appropriately addresses the changes to the plan no later than 30 days after such changes take effect.
 - (3) **Information to be included in the emergency operations plan.** Each electric cooperative's emergency operations plan shall include, but is not limited to, the following:
 - (A) A registry of critical load customers, as defined in §25.497(a) of this title, directly served, if maintained by the electric cooperative. This registry shall be updated as necessary but, at a minimum, annually. The description filed with the commission shall include the location of the registry, the process for maintaining an accurate registry, the process for providing assistance to critical load customers in the event of an unplanned outage, the process for communicating with the critical load customers, and a process for training staff with respect to serving critical load customers;
 - (B) A communications plan that describes the procedures for contacting the media, customers, and critical load customers directly served as soon as reasonably possible either before or at the onset of an emergency affecting electric service. The communications plan should also address its telephone system and complaint-handling procedures during an emergency;
 - (C) Curtailment priorities, procedures for shedding load, rotating black-outs, and planned interruptions;
 - (D) Priorities for restoration of service;
 - (E) A plan to ensure continuous and adequate service during a pandemic;
 - (F) A hurricane plan, including evacuation and re-entry procedures (if facilities are located within a hurricane evacuation zone, as defined by the Governor's Division of Emergency Management);
 - (G) A summary of power plant weatherization plans and procedures;
 - (H) A summary of alternative fuel and storage capacity; and
 - (I) Priorities for recovery of generation capacity.
 - (J) Following the annual preparedness review, the electric cooperative shall assess the effectiveness of the review and modify its emergency operations plan as needed.

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- (4) **Preparedness Review.** Each electric cooperative shall conduct an annual review of its emergency procedures with key emergency operations personnel if its emergency procedures have not been implemented in response to an actual event within the last 12 months. If the electric cooperative is in a hurricane evacuation zone, this review shall also address its hurricane plan/storm recovery plan. The commission shall be notified 30 days prior to the date of the review.
- (5) **Emergency contact information.** Each electric cooperative shall submit emergency contact information to the commission by May 1 of each year.
- (6) **Reporting requirements.** Upon request by the commission or commission staff during a SOC inquiry or SOC declared emergency event, affected electric cooperative shall provide updates on the status of operations, outages and restoration efforts. Updates shall continue until all event-related outages are restored or unless otherwise notified by commission staff.
- (7) **Copy available for inspection.** A complete copy of the emergency operations plan shall be made available at the main office of each electric cooperative for inspection by the commission or commission staff upon request.