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PROJECT NO. 38578

REPORTS OF THE ELECTRIC
RELIABILITY COUNCIL OF
TEXAS

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BEFORE THE
PUBLIC UTILITY COMMISSION
OF TEXAS

COMMENTS AND REQUEST FOR ACTION FROM AARP

In a recent filing, ERCOT detailed how they and transmission and distribution utilities are preparing for possible rolling outages as required by law. In its filing, ERCOT wrote:

“TOs [Transmission Operators] noted that inclusion of the residential critical load categories would likely result in a significant majority of TOs' load being excluded from their load shed rotation programs because most circuits had at least one residential critical customer on them. Based on that feedback, ERCOT revised the draft RFIs to limit the baseline exclusion to the non-residential critical load categories...”

This means that residential customers with critical needs—people who might otherwise die without medical equipment requiring power—will have their power cut off in rotating outages. We understand the reasoning that there would be no circuits to rotate if all circuits with a critical care customer were excluded. **However, the discussion cannot stop there**, as it did in ERCOT's filing.

Power is essential for life and all circuits are critical; people are on the other end of them and many of those people must have power for their medical devices. It is no longer tolerable, if it ever was, for ERCOT, the PUC, and utilities to proceed as if there is nothing that can be done to prevent critical care customers from being cut off during load shed events. Multiple technologies are now readily available that could save lives.

AARP urges the Commission to take up this issue as it is literally a matter of life and death. It should be incumbent upon the utilities and the Commission—working with ERCOT—to ensure that critical customers do not lose power at any time. There are many ways to do that while still rotating outages. We have three recommendations on how to achieve that:

1. **Require utilities to create incentive programs to provide backup power for critical care residential customers.** Customers who apply for “Critical Care Residential Customer Status” must have a condition serious enough that their doctor must submit to the electric utility an attestation that “the patient is depending upon an electric-powered medical device to sustain life”. The utilities have all of the applications, including the address of each person dependent on medical equipment in their home. They could easily notify each critical care customer that they are automatically eligible for a home energy retrofit to lower their energy demand and an incentive for a solar/storage system to ensure they have reliable, uninterrupted power supply during bulk grid outages and distribution

level outages. These offerings could lower utility bills year-round and be counted by the utilities towards meeting their goals.

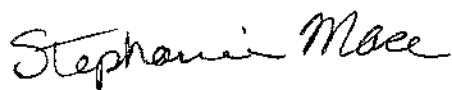
2. **Create a program to ensure emergency backup power to income-eligible Texans who are dependent on electrically powered medical devices.** This recommendation is the #1 emergency management recommendation in the Texas Governor's Committee on People with Disabilities (GCPD) report to the Governor and the 89th Texas Legislature. This could be a new program, or the PUC could allow critical care customers to be eligible for grant funding from the Texas Backup Power Program (TBPP) for onsite power that can operate during loss of power. This program could be complementary to, or an alternative to, the utility programs described above.
3. **Prioritize the rollout of the TBPP over the next few months** so that as soon as money is appropriated by Legislature, the program can begin. The availability of onsite power at critical facilities will protect vulnerable Texans at critical facilities, like skilled nursing homes and assisted living facilities. It will also limit the number of circuits that cannot be included in rotating outages and lower the duration of power outages for those not on critical circuits. Ideally, this would occur before the 2025 hurricane season as backup power can help with both load shedding and outages from natural disasters.

Finally, we encourage the Commission to prioritize onsite reliable power for the hundreds of thousands of Texans living in nursing homes and assisted living facilities. A 2020 Texas Health and Human Services (HHSC) survey following Winter Storm Uri found that around 30% of responding assisted living facilities have backup power to serve heating or air conditioning systems and less 5% have enough fuel to last even three days. We were again reminded with Hurricane Beryl of the need and urgency of backup power for these facilities. Four days after it made landfall, residents in at least 36 nursing homes and 61 assisted living facilities were still without power.

AARP and its 2.5 million members appreciate the work the Commission has already done to fortify the grid. We know and appreciate that there are many competing priorities for the Commission's time. We encourage you to prioritize activities that will protect life, particularly for the most vulnerable Texans.

Thank you for your attention to these important matters. We look forward to discussing these issues and working with the Commission to continue to improve the reliability and resiliency of the grid.

Respectfully Submitted,



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