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POWER OUTAGE ALERT CRITERIA	**§**	**PUBLIC UTILITY COMMISSION**
	§	**OF TEXAS**

TEXAS PUBLIC POWER ASSOCIATION'S RESPONSE TO STAFF'S REQUEST FOR COMMENTS

The Texas Public Power Association (TPPA) appreciates the opportunity to respond to the request for comments by the Public Utility Commission of Texas (Commission) regarding its work to support the development of a power outage alert system. These comments are submitted on behalf of TPPA and do not necessarily reflect the opinions of any individual TPPA member.

Formed in 1978, TPPA is the statewide association for the 72 municipally-owned utilities (MOUs) in Texas. TPPA members serve urban, suburban, and rural Texas and vary in size from large, vertically-integrated utilities to relatively smaller distribution-only systems. We are proud to serve approximately 5.1 million Texans across the state. Sixty-three of our members operate within the Electric Reliability Council of Texas (ERCOT) region[1] and nine are located within either the Southwest Power Pool (SPP) or Midcontinent Independent System Operator (MISO) region. MOUs offer a long track record of stability, and we serve an essential role in providing secure and reliable power to the wholesale electricity markets in these regions, including ERCOT. Many of our member systems have been providing stable and reliable electric power to communities in Texas for over 100 years, and collectively, our members provide more than 10,500 MW of generation and maintain nearly 3,000 miles of high-voltage transmission assets.

I. Background

Under new Subchapter K-1 of Chapter 411, Government Code, as created by Senate Bill 3, 87th regular session (SB3), the Texas Department of Public Safety (Texas DPS) is required to develop and implement an alert to be activated when the power supply in Texas may be inadequate to meet demand. In developing this alert, Texas DPS will coordinate with the Texas Department of Transportation (TxDOT), Texas Department of Emergency Management (TDEM), the office of the Governor, and the Commission. The Commission, in turn, is required to develop criteria

[1] 70% of Lubbock Power and Light's customers were moved to the ERCOT region on May 29 and 30, 2021. The remainder will be transitioned from SPP in 2023.

for the content, activation, and termination of the alert and whatever criteria the Commission develops must provide for both regional and statewide alerts.

II. Answers to Staff Questions

In its filing, Commission Staff requested comments on three questions.

1) **Government Code § 411.301(a) states the alert should "be activated when the power supply in this state may be inadequate to meet demand." Should the Public Utility Commission of Texas interpret this to mean that an alert will be activated when there is inadequate system-wide power supply to meet system-wide load demand? Should the commission also interpret this to mean that an alert will be activated when there are regional constraints that only restrict power supply to certain regions?**

Government Code § 411.301(b) states that the Commission's criteria "must provide for an alert to be regional or statewide." TPPA interprets this to mean that the Commission should craft criteria for alerts to be activated for regional constraints as well as system-wide issues. Further, we believe the intent of this language was to recognize that emergency conditions could occur that only impact a particular geographic region within the ERCOT operating region, a situation which ERCOT's Protocols currently recognize. We do not believe the use of the term "regional" in this context was intended to refer to a particular power region (i.e., ERCOT, MISO, or SPP). Further discussion on when the alert system should be activated is provided in response to question 3 below. Should the power outage alert system also be applicable to parts of Texas outside of the ERCOT region (i.e., MISO and SPP), consideration will need to be given to how best to communicate to these other operating regions of the electric grid given that an event can uniquely impact each region as experienced during Winter Storm Uri.

2) **Government Code § 411.301(b) states, "The criteria must provide for an alert to be regional or statewide." How should the different regions be defined?**

Given that the power outage alert system is an emergency communications tool, and may be applied statewide, TDEM's structure for carrying out emergency preparedness activities and response operations at a regional level is a natural fit. At present, TDEM maintains six statewide

regions[2] – Region 1 covers northeast Texas, Region 2 covers east Texas, Region 3 covers south Texas, Region 4 covers west Texas, Region 5 covers north Texas, and Region 6 covers central Texas. The mapping of these regions recognizes the unique weather hazard risks that each region faces. For example, Region 2 covers most of counties in Texas at high risk of hurricane damage while Region 5 covers most of the panhandle which has a higher risk of cold temperatures in the state.

It is, however, important to recognize that multiple utilities serve within each TDEM region, and some utilities' service areas cover customers over multiple TDEM regions. Therefore, there would be a need to educate customers to recognize the TDEM region in which they live, which could be accomplished through targeted public service announcements on radio and television and other news media outlets.

Nevertheless, TPPA believes that the Commission should mirror those regions in determining the boundaries of regional alerts. These regions are already used by TDEM for the deployment of state emergency resources, and the circumstances that give rise to these alerts may call for the deployment of those same resources. Ensuring that alert regions and TDEM regions match helps to streamline the process of responding to disaster circumstances, better protecting human life.

3) **Government Code § 411.301(b) states, "The Public Utility Commission of Texas by rule shall adopt criteria for the content, activation, and termination of the alert..." At what threshold should the commission choose for the alert to be activated? Terminated? What content would be the most helpful for inclusion in the alert?**

As a preliminary matter, TPPA recognizes that the Commission may not be solely responsible for the how the statewide alert is implemented, as the bill also grants to DPS significant authority in how the alert is designed. TPPA offers the below recommendations on content, activation, and termination of the alert, but TPPA fully understands that some of these decisions may not be within the ultimate purview of the Commission.

Activation. TPPA recommends that the Commission activate the alert at the regional level when events occur within ERCOT that require controlled outages within a specific region, but alerts should not be initiated when a single utility faces local constraints. This could result in

[2] A county-by-county map of the TDEM regions may be found on TDEM's website at https://tdem.texas.gov/field-response/.

over-deployment of the alert, which may result in customers becoming desensitized and ultimately ignoring them. In such situations, the local utility is the best resource for communicating with customers through local media and customer communications tools. MOUs, as well as electric cooperatives and investor-owned utilities, have all responded to the events of Winter Storm Uri by stepping up communications efforts to ensure that their customers better understand local grid conditions. When local issues occur, utilities proactively communicate with their customers, and a state alert could provide potentially conflicting information. Moreover, the local utility is better able to target communications to affected customers. It is likely that a statewide or regional alert could send messages to unaffected customers, resulting in confusion and panic. This issue further reinforces the need for an educational campaign to get Texas residents familiar with the proposed alert system.

When issues occur that are beyond the purview of a single utility, the state alert will prove helpful by ensuring that customers understand the scope of the issue. In such a circumstance, it would be helpful for customers to understand that the circumstances that led to the alert are affecting more than one utility, and the state is aware and working with local utilities to assist in resolving it. For instance, TPPA recommends use of the alert when ERCOT has entered Energy Emergency Alert Level 3 (EEA 3), which occurs when reserves drop below 1,000 MW and are not expected to recover within 30 minutes, an indication that there is inadequate system-wide power supply to meet system-wide load demand. Under EEA 3, ERCOT implements controlled outages. Usage of this alert during EEA 1 or EEA 2, when ERCOT has other tools at its disposal to mitigate an EEA 3 event (including curtailing industrial customers, deploying emergency response service, and deploying additional resources providing ancillary services), could desensitize the public to this valuable communication tool if those events occur on a repeated basis without resulting in power outages. Should ERCOT need to issue a Conservation Alert, or if it reaches EEA 1 or EEA 2 conditions, traditional communications tools such as press releases, customer email and text messaging, and social media can be used, as they already are today, to ensure public awareness of the situation. ERCOT and market participants that directly serve electricity customers are best positioned to deliver these messages and encourage any actions needed from the customer to help support the reliability of the system and prepare for the situation.

In addition to sending alerts when controlled outages are being implemented, TPPA recommends that a process be developed that allows the Commission to convene the responsible

state agencies (including Texas DPS, TxDOT, TDEM) and the Office of the Governor when there is a forecast of potential power supply inadequacy and make a collective decision on whether to deploy the power outage alert system.

Further, TPPA recommends that the Commission ensure that alerts are deployed only after local utilities are given notice of the alert, where feasible. This helps those local utilities be more actively involved in creating a unified message to customers and allows them to mobilize local resources. Advance notice also provides an opportunity to correct any inaccuracies with the alert content (for instance, the geographic area affected). In this regard, it would be important for each utility to designate a single point of contact to review notices of alerts for accuracy.

Termination. TPPA recommends that the Commission maintain the alert until grid conditions return to normal for the entire state or affected region, as necessary. Prematurely declaring that a statewide or regional alert is resolved while utilities grapple with localized recovery could send a mixed message to customers, creating anger and confusion. That said, TPPA understands that "return to normal" operating conditions may mean something different to different utilities and that multiple utilities serving within a single TDEM region may "return to normal" operating conditions at different times. These considerations will have an impact on how initial and subsequent notices of alert are crafted. TPPA recommends that the Commission encourage further discussion among stakeholders on this point.

Content. In communication, content is often dictated by form. TPPA recommends that the Texas DPS develop an alert system that works to reach Texans in a variety of ways – website postings, variable message roadway signs, TV and radio, social media, automated phone calls, and text messages are all useful methods of communication that will work together to boost public awareness of the alert. In addition, TPPA recommends that these alerts be provided in multiple languages as appropriate for Texas' varying regional demographics in different parts of the state. Further, specific communications methods must be developed to reach those members of the public that are hearing and/or visually impaired. This would include the integration of alerts with TDD/TYY equipment.

In terms of specific content, TPPA recommends that the alert use plain language, without jargon, wherever possible. TPPA also recommends that the alert provide as much detail as possible (and as the form of communication allows) – including information about, if known, the cause of the issue, anticipated duration of the event (if it can be reasonably forecast), the utility or utilities

affected, and what sort of action customers need to take in response. This could include requests for customers to conserve energy, emergency preparedness messaging unique to the season and event, and tips for how to stay safe if a power outage is experienced. Much of this information could be pre-populated on a single website or webpage that the public can be directed to in the communications. TPPA recommends that the Commission work with the Texas DPS to develop pre-approved draft communications in advance for predictable events, such as hurricanes, tornadoes, and extreme summer and winter weather, while still leaving adequate flexibility for the alert message to be adjusted to reflect current conditions. These draft communications can be shared with utilities and ERCOT to ensure consistency in messaging.

III. Conclusion

TPPA appreciates the opportunity to submit these comments on the request for comments. As always, TPPA looks forward to working with the Commission, its staff, and the stakeholders on these important questions and this broader discussion in the coming months.

Dated: August 13, 2021

Respectfully,

_/s/ Taylor Kilroy_____
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