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POWER OUTAGE ALERT CRITERIA

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

COMMENTS OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC

CenterPoint Energy Houston Electric, LLC (“CenterPoint Energy” or the “Company”) is a transmission and distribution utility (“TDU”) in the ERCOT region and appreciates the opportunity to submit these comments in response to Commission Staff’s July 30, 2021 request for comments. Tex. Gov’t Code §§ 411.301-.308 (the “Act”) directs the Texas Department of Public Safety (“DPS”) to “develop and implement” a power outage alert system “to be activated when the power supply in this state may be inadequate to meet demand”¹ and to “immediately” issue a power outage alert “to designated media outlets” upon DPS’s receipt and confirmation of an alert notice from either the Commission or ERCOT.² The Company’s primary position in this proceeding is to ensure that the customer-facing entities (the TDUs and retail electric providers or “REPs”) are proactively engaged through a clear pre-activation process to ensure coordinated, consistent steps can be taken by all “downstream” parties in a timely fashion so public confusion is avoided and the industry, as a whole, demonstrates its preparedness for such an event.

If a power outage alert is activated, the TDUs and REPs will likely be viewed by the public as their primary source for additional information about the alert, and they will be the first ones the public likely turns to for answers and assurances. The TDUs and REPs must be prepared to respond to inquiries not only from their customers, but also to inquiries from state and local government officials and from the

¹ Act § 411.301(a).

² Act § 411.305 directs DPS to “immediately issue a power outage alert” to media outlets as soon as DPS confirms the accuracy of an alert notice received from either the Commission or ERCOT. *Id.* § 411.302 directs the public safety director (who is a member of the Texas Public Safety Commission) to adopt rules and procedures to be used by the Commission and ERCOT for communicating an alert notice to DPS.

media as soon as an alert is activated. Ensuring the public's confidence will be paramount, and a clear pre-activation process that involves all the key parties will be essential to coordinated, credible outreach.

Activation of an Alert

The Act directs the Commission to not only determine the criteria for the content of any power outage alerts required to be issued by DPS, but also to specify the criteria for the alert's activation and termination.³ Since DPS is mandated to issue an alert "immediately" upon its confirmation of an alert notice from the Commission or ERCOT, the term "activation" used in the Act necessarily refers to the issuance of the alert notice to DPS as described in Act § 411.305(a). DPS's role is ministerial insofar as the timing of the power outage alert; it has no discretion in the timing of a power outage alert issuance to the public other than the time needed to "confirm the accuracy of the information" contained in the alert notice it receives from the Commission or ERCOT. It is the issuance of the alert notice to DPS under Act § 411.305 that constitutes the activation trigger for the DPS alert to "media outlets," and the Act's charge to the Commission is therefore to adopt the criteria for when it will issue an alert notice to DPS under Act § 411.305.

The Act gives the Commission discretion in establishing the criteria for activating and terminating a power outage alert. Whatever criteria is established for activating a power outage alert, the Company believes that coordination with the TDUs and REPs prior to the alert's activation is essential. It is important that the Commission and ERCOT inform the TDUs and REPs of a planned alert activation under the Act prior to sending an alert notification to DPS, so that the TDUs and REPs can be prepared to provide consistent and accurate information to their customers and in response to public inquiries from the media and government officials upon DPS's issuance of the alert. The steps that must be taken before issuing an alert notice to DPS, as well as the trigger for issuing the alert notice to DPS, should be clearly laid out

³ Act § 411.301(b).

as part of the Commission's activation criteria and should involve the TDUs, who will be responsible for carrying out any load shedding mandates that are issued after the alert is activated.

CenterPoint Energy recommends that the criteria established by the Commission to activate a power outage alert be consistent with ERCOT's existing Energy Emergency Alert (EEA) process.⁴ Any alert notice to DPS should, at a minimum, be preceded by the issuance of an EEA level 3 activation by ERCOT. However, the decision to send an alert notice to DPS should be the Commission's, not ERCOT's, in accordance with the activation criteria that the Commission adopts in this project. This will avoid confusion and establish a clear line of communication for an alert activation: ERCOT to the Commission and the Commission to DPS.

It is important that the Commission provide the TDUs an advance warning of, and the circumstances giving rise to, a power outage alert notification to DPS, so that the TDUs have time to coordinate with the Commission and ERCOT on external messaging. The TDUs anticipate that they will begin receiving numerous media and customer inquiries as soon as DPS issues a power outage alert to media outlets, and it is important that the TDUs' messaging is consistent with the messaging of the Commission and ERCOT. At a minimum, the reasons for issuing a power outage alert notice should be shared with the TDUs and the REPS at least concurrently with the notification to DPS. The expected duration and mitigation measures should also be shared, as well as the number of potentially affected customers. The TDUs and REPs are the primary customer-facing entities in ERCOT, and government officials, customers and the media are very likely to turn to them first for information after a power outage alert is issued. Without proper pre-coordination with the TDUs and REPs, there is an increased risk of confusion and contradictory responses to public inquiries concerning the purpose of the alert, its expected duration, and other aspects of the alert.

⁴ See ERCOT Nodal Protocol § 6.5.9.4.


Content of an Alert

As mentioned above, Act § 411.301 charges the Commission with adopting the criteria for the content of any power outage alert issued by DPS to media outlets under Act § 411.305(b). In addition to Act § 411.306's requirement that the "power outage alert must include a statement that electricity customers may experience a power outage," the alert issued by DPS should mirror the alert notice that the Commission or ERCOT sends to DPS under Act § 411.305(a). The alert notice should include the reasons for issuing the alert, its expected duration, mitigation measures being undertaken, and the number of potentially affected customers. The alert notice should be understandable to the public and should avoid the use of acronyms and should be distributed to all market participants (including TDUs and REPs) prior to or at least concurrently with its delivery to DPS.

CONCLUSION

It is imperative for each of the TDUs and REPs to have accurate, reliable and consistent information to respond to the expected government, media and customer inquiries that they will receive once DPS issues a power outage alert. The best time to provide the TDUs and REPs with this important information must be prior to the issuance of an alert notice to DPS, because the Act requires DPS to immediately issue the alert upon its confirmation of such a notice, unless the alert notice itself contains all relevant information concerning the alert and is delivered to the TDUs and REPs at least simultaneously with its delivery to DPS.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mickey Moon", is written over a horizontal line.

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