



## Filing Receipt

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April 18<sup>th</sup>, 2022

Via email: [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov)

Filing Clerk, Central Records Division

Public Utility Commission of Texas

1701 N. Congress Ave, 8-100

PO Box 13326

Austin, TX 78711

Dear PUC Filing Clerk:

RE: Emergency Operations Plan for MI Texas REP 1, LLC, Certificate number 10298. Project No. 51841 and 53385.

The Texas PUC approved MI Texas REP 1, LLC's ("MI Texas") REP application in November 2021. As required by 25.53, MI Texas is filing its Emergency Operations Plan ("EOP") which contains the following:

- An executive summary as required by 25.53 C.1.A
- A complete copy of our EOP with all confidential portions redacted as required by 25.53.C.1.A

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# 1. Executive Summary

MI Texas REP 1, LLC ("Company" or "MI Texas") is a option 1 retail electricity supplier. MI Texas does not own transmission lines, distribution lines or power generating equipment. MI Texas's assets are its employees and its' Information Technology ("IT") equipment. The objective of this Emergency Operations Plan ("Plan") is to prepare employees for dealing with emergency situations, to keep employees safe during such situations and to comply with regulatory requirements regarding emergencies. This Plan is designed to minimize injury, loss of human life, and company resources by training employees, and assigning responsibilities. This Plan applies to all emergencies that may reasonably be expected to occur.

## 1.1 List of Emergency Contacts

Primary and backup emergency contacts are listed on the PUC Portal and verified as of February 15, 2022. MI Texas shall conduct an annual review of the PUC list of Company Emergency Contacts for all applicable functions as part of the annual review of MI Texas's EOP.

## 1.2 PUCT Rule Section Cross-Reference

Item	Regulation	Section of EOP
Description of Contents and Policies	C.1.A	Executive Summary
Reference to specific sections corresponding to rule	C.1.A	Executive Summary
Record of distribution	C.1.A, C.4.A	Executive Summary
Affidavit	C.1.A, C.4.A	Executive Summary
Emergency Contacts	C.4.B	Executive Summary
Approval and Implementation Section	C.4.D.1	Section 2
Communication Plan	C.4.D.2	Section 3
Maintain Supplies	C.4.D.3	Section 3
Staffing During Emergency Response	C.4.D.4	Section 3
Identification of Weather Related Hazards	C.4.D.5	Section 3
Handling Complaints During Emergency	C.4.D.2	Section 3
Pandemic Annex	E	Annex C
Hurricane Annex	E	Annex D
Cyber Security Annex	E	Annex E
Physical Security Annex	E	Annex F

The record of distribution required under subparagraph (c)(4)(A) of Texas regulations §25.53 A. Includes (i) titles and names of persons receiving access to and training on the EOP; and (ii) dates of access to or training on the EOP, as appropriate.

Each Employee of MI Texas has access to the EOP. Executive management has signed off on training for employees in their respective areas as follows:

Name	Title	Date of Training
Maura Yates	CEO	4/15/2022
Calin Brammer	COO	4/15/2022
Oswaldo Amador	CRO	4/15/2022

Project No. 51841 and 53385

EMERGENCY OPERATING PLAN 16	§	BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
TAC 25.53 ELECTRIC SERVICE	§	
EMERGENCY OPERATIONS PLANS	§	
	§	

**AFFIDAVIT**

STATE OF TEXAS       §  
                                     §  
COUNTY OF HARRIS   §

Maura Yates, being duly sworn/affirmed deposes and says:

1. That she is the CEO of MI Texas REP 1, LLC and has binding authority over MI Texas REP 1, LLC.
2. That all relevant MI Texas REP 1 operating personnel are familiar with and have received training on the contents of the Company Emergency Operations Plan (EOP), and such personnel are committed to following the EOP except to the extent deviations are appropriate as a result of specific circumstances during the course of an emergency;
3. That the EOP has been reviewed and approved by the appropriate executives;
4. That drills have been conducted to the extent required by subsection (f) of subparagraph 25.53
5. That, to the best of Affiant's knowledge, the EOP is not required to be distributed to local jurisdictions;
6. That MI Texas REP 1, LLC maintains a Business Continuity Plan that addresses returning to normal operations after disruptions caused by an incident; and
7. That MI Texas REP 1, LLC will not designate emergency management personnel to interact with local, state, and federal emergency management officials during emergency events, so the training statement is not applicable.

That the facts set forth above are true and correct to the best of her knowledge, information and belief and that she expects to be able to prove the same at any hearing hereof.

\_\_\_\_\_  
Maura Yates, CEO  
MI Texas REP 1, LLC

SWORN TO AND SUBSCRIBED before on the \_\_\_\_th day of April, 2022.

\_\_\_\_\_  
Notary Public In and For the  
State of Texas

My commission expires: \_\_\_\_\_

## 2. ASSIGNMENT OF RESPONSIBILITY

### 2.1 Applicability

This EOP applies to all of MI Texas employees whilst present in a MI Texas office location. MI Texas's COO is responsible for maintaining and implementing this EOP.

### 2.2 Responsibility/Approval

Any changes to this EOP must be approved by MI Texas's CEO and COO.

The COO shall be responsible for implementing this Plan and will ensure that Company management reviews this plan annually. The COO, it its' designee will also coordinate with local public resources, such as fire department and emergency medical personnel, to the extent required during an emergency.

MI Texas management will follow, and ensure that their employees are trained in, the procedures in this plan.

MI Texas Employees are responsible for following the procedures in this plan.

### 2.3 Revision control summary, approval Documentation

Annex A provides a revision control summary, that lists the dates of each change made to the EOP since its' initial rollout. Annex B contains approval documentation.

## 3. IMPLEMENTATION/COMMUNICATION PLAN

### 3.1 Reporting Fire and Other Emergency Situations

All fires and other emergency situations will be reported to the appropriate authorities by any MI Texas employee that witnesses it as soon as is possible. Such employee will ensure that all other employees that may be in danger are notified as soon as possible using the building alarm system.

Under no circumstances will an employee attempt to fight a fire after it can no longer be put out with a fire extinguisher, nor will any employee attempt to enter a burning building to conduct search and rescue. These actions must be left to emergency services professionals (such as the fire department or emergency medical professionals) who have the necessary training, equipment, and experience to do so. Untrained people might endanger themselves or those they are trying to rescue.

If a fire or other emergency situation occurs after normal business hours, the COO or its' designee will contact all employees that are not in the office to provide future work status, depending on the nature of the situation.

### 3.2 Emergency Contact Information

MI TEXAS will maintain a list of all employees' personal emergency contact information and will keep the list in a shared folder for easy access in an emergency.

### 3.3 Evacuation of Office

In the event that a fire or emergency alarm is sounded, all employees must immediately exit the building(s) at the nearest exits as directed by the building owner or the relevant emergency personnel.

### 3.4 Re-entry

Once the building has been evacuated, no one may re-enter the building for any reason, except for designated and properly trained rescue personnel (such as fire department or emergency medical professionals). Untrained people might endanger themselves or those they are trying to rescue.

All employees must remain outside of the building until the fire department or other emergency response agency provides notification that the building is safe for re-entry.

### 3.5 Sheltering in Place

In the event that chemical, biological, or radiological contaminants are released into the environment in such quantity or proximity to an MI Texas office, or in the event of severe weather, authorities might determine that it is safer to remain indoors rather than evacuate, in which case:

1. MI Texas will immediately close the affected office. If customers, clients, or visitors are in the building, they will be advised to stay in the building for their safety.
2. Unless there is an imminent threat, employees, customers, clients, and visitors will call their emergency contacts to let them know where they are and that they are safe.
3. Employees should follow building owner instructions regarding the locking of exterior doors and windows, air vents, blinds, etc.
4. MI Texas employees will monitor telephone, radio, television and Internet reports for further instructions from authorities to determine when it is safe to leave the building.

### 3.6 Severe Weather

MI TEXAS will use local guidance from weather and governmental authorities to identify severe weather (including tornadoes, hurricanes, extreme cold weather, extreme hot weather, drought, flooding, etc.). MI TEXAS' EOP will be in effect whenever a local governmental authority declares an emergency.

Notwithstanding the foregoing, employees are encouraged to work from home when severe weather is imminent, whether or not an emergency is in effect. Employees should not risk driving to or from the office during severe weather.

If an MI TEXAS employee becomes aware of a severe weather alert (such as tornadoes) it will notify employees in the most efficient way possible.

### 3.7 Procedures for Communicating Externally During an Emergency

MI TEXAS does not own or operate transmission lines, distribution lines or electric generating equipment. Therefore, employees will not communicate with media during emergencies, unless approval has been obtained from CEO or COO.

As is normal practice, MI TEXAS will answer all calls from customers, ISOs and regulators in a professional and timely manner. If customers are experiencing power outages, MI TEXAS will advise the customer to call its local distribution utility. In states where MI TEXAS can report customer power outages to the local distribution utility, it will do so.



### 3.8 Procedures for handling customers and complaints during an emergency.

MI TEXAS shall provide consistent and fair treatment to customers. In the event that MI TEXAS is unable to fulfil its obligations to the customer due to an emergency, including but not limited to enrolling or billing customers in a timely manner, a communication will be sent to all affected customers as soon as possible explaining the emergency and its' impact, what remedies are being sought and the timeframe for when normal service can be expected to be resumed. For the avoidance of doubt, no customers should suffer as a result of MI TEXAS's inability to fulfil its' obligations. For example, customers should not be expected to make payments where they have not received an invoice. Any such communication advising of MI TEXAS's inability to fulfil its' obligations should be approved by the Senior Vice President or above. Unless MI TEXAS is unable to access phone and email service, it will handle complaints as it always does:

- MI TEXAS shall resolve customer inquiries without undue discrimination and in an efficient manner
- MI Texas's customer service department shall be empowered to resolve all customer complaints.
- MI TEXAS shall respond promptly to all complaints. MI TEXAS will provide an acknowledgement or response to a customer inquiry within 2 business days.
- In the event that MI TEXAS customer service department cannot resolve the complaint, it shall be raised to a MI TEXAS senior executive for resolution.

### 3.9 Procedures for handling Staffing during an emergency.

MI TEXAS business operations have been equipped and designed to facilitate working from home during normal times as well as during emergencies. No additional steps are needed to ensure they are enabled to work remotely during emergencies. Multiple staff are trained in operating procedures and are able to perform their tasks remotely in key business functions;

- Wholesale market trading
- Wholesale market participant operations with respect to scheduling
- Retail enrollments and billing
- Customer Service

Where emergencies affect the ability of the MI TEXAS to manage wholesale market activities or operations, or we are affected by an emergency at one or more counterparties who have wholesale market obligations to MI TEXAS, an ad-hoc Risk Management Committee will be called with appropriate urgency to assess impact and resolutions with minutes escalated accordingly.

### 3.10 A plan to maintain pre-identified supplies for emergency response.

All of MI TEXAS' employees are office-workers and MI TEXAS does not own transmission lines, distribution lines or electric generating equipment. Therefore, this item does not apply.

## 4. TRAINING/DRILLS

### 4.1 Employee Training

All employees will receive training on this Emergency Action Plan at its inception (in April 2022). New hires will be trained within 3 months of hire date. Additional training must be provided:

1. when there are any material changes to the plan or facility; and
2. at other times that MI TEXAS management may require

### 4.2 Fire/Evacuation Drills

Fire/evacuation drills will be conducted periodically at each MI TEXAS office if required by the building owner. Additional drills will be conducted if physical properties of the business change, processes change, or it is otherwise deemed necessary.

### 4.3 Other Drills

To meet the requirements of Texas regulations §25.53 subsection (f), MI TEXAS will annually conduct a test of this EOP where all offices are closed, and all employees work remotely. The first such test will be required before March 15, 2023. In accordance with Texas regulations, MI TEXAS will provide at least 30 days-notice of this test to the Texas PUC. Because MI TEXAS does not operate transmission lines, distribution lines or electric generating equipment in a hurricane evacuation zone as defined by TDEM, a test of Annex D (Hurricane Annex) is not required.

### 4.4 Training Records

The COO will document all training pertaining to this plan and will maintain records.

## 5. PLAN REVIEW

This Emergency Action Plan must be reviewed annually, or as needed if changes to the worksite are made. Any employee may make recommendations to improve the effectiveness of this Plan. Management shall regularly review any such recommendations.

## **Annex A: Revision Control Summary**

### **Revision Control History:**

- April 15, 2022 – Inception

## Annex B: Approval Documentation

This EOP, approved on the date below, is the most recently approved EOP and supersedes all previous versions

**Approved:**

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Maura Yates, CEO

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Date

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Calin Brammer, COO

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Date

## **Annex C: Pandemic**

**Purpose:** Infectious diseases, such as COVID-19, have the potential to have drastic societal impacts. During an infectious disease outbreak MI TEXAS' primary goal is to maintain employee/community health and safety. The purpose of this annex is to ensure that there are procedures in place to meet this goal.

**Goal:** Implement strategies to maximize employee and community health and safety

**Actions:**

1. Understand and follow suggested guidelines from local health officials
2. If in accordance with local guidelines, consider closing office and requiring all staff to work remotely
3. Provide access to mental health providers to all those that have been affected

## **Annex D: Hurricane**

**Purpose:** A hurricane can have devastating impacts on life and property. The purpose of this annex is to ensure that there are procedures in place to protect staff/members in case of a severe weather event. MI TEXAS does not own transmission lines, distribution lines or electric generating equipment, therefore the purpose of this annex is geared towards employee safety at an MI TEXAS office and at their homes.

**Goal:** Implement strategies to maximize employee safety during a hurricane event

**Actions:**

1. Ensure all staff threatened by hurricane are aware of shelter-in-place locations and severe weather procedures recommended by local authorities
2. Monitor weather reports and send out notifications to staff
3. Close local office and remind staff of remote working options
4. Following the storm, check on staff to make sure all are OK

### **Annex E: Cybersecurity - Information Security Management System**

**Purpose:** The purpose of this annex is to ensure that there are procedures in place to protect staff/members and organization infrastructure in case of a cyber and information security incident.

**Goal:** To maintain best in class cyber security defenses in order to protect MI Texas REP 1 systems, processes and data - including that of our customers.

**Actions:**

1. Ensure the Information Security Management System and its supporting infrastructure remains adhered to, up to date and supported.
2. Ensure all vendors that provide services to MI Texas REP 1 maintain up to date cyber security defenses to protect MI Texas REP 1 data, including customer data.
3. The Data and Network Security section of MI Texas's IT vendor agreement details the policies and procedures in place to prevent, mitigate and respond to cybersecurity events. These policies are available to all MI Texas employees.

## **Annex F: Physical Security Threat**

**Purpose:** Active physical threats incidents are on the rise globally. Such events can include active shooters, vehicular attacks, knife attacks or other types of physical threats. The purpose of this annex is to ensure that there are procedures in place to protect staff/members in case of an active threat. MI TEXAS does not own transmission lines, distribution lines or electric generating equipment, therefore the purpose of this annex is geared towards employee safety at an MI TEXAS office and at their homes.

**Goal:** Implement strategies to maximize employee safety during a physical security threat

### **Actions:**

1. Encourage staff to Call 9-1-1 if threat is imminent
2. If you notice others are injured, render aid to them ONLY WHEN SAFE TO DO SO
3. Close local office if a threat is imminent and remind staff of remote working options
4. Provide access to mental health providers to all those that have been affected



## Annex B: Approval Documentation

This EOP, approved on the date below, is the most recently approved EOP and supersedes all previous versions

**Approved:**

A handwritten signature in black ink, appearing to read 'Maura Yates'.

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Maura Yates, CEO

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04/15/2022

Date

A handwritten signature in black ink, appearing to read 'Calin Brammer'.

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Calin Brammer, COO

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04/15/2022

Date

**Project No. 51841 and 53385**

**EMERGENCY OPERATING PLAN 16  
TAC 25.53 ELECTRIC SERVICE  
EMERGENCY OPERATIONS PLANS**

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**BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS**

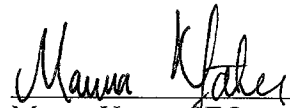
**AFFIDAVIT**

**STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS   §**

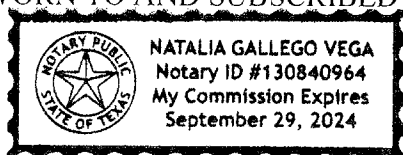
Maura Yates, being duly sworn/affirmed deposes and says:

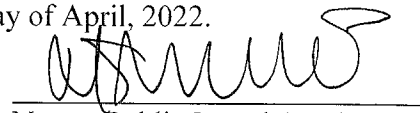
1. That she is the CEO of MI Texas REP 1, LLC and has binding authority over MI Texas REP 1, LLC.
2. That all relevant MI Texas REP 1 operating personnel are familiar with and have received training on the contents of the Company Emergency Operations Plan (EOP), and such personnel are committed to following the EOP except to the extent deviations are appropriate as a result of specific circumstances during the course of an emergency;
3. That the EOP has been reviewed and approved by the appropriate executives;
4. That drills have been conducted to the extend required by subsection (f) of subparagraph 25.53
5. That, to the best of Affiant's knowledge, the EOP is not required to be distributed to local jurisdictions;
6. That MI Texas REP 1, LLC maintains a Business Continuity Plan that addresses returning to normal operations after disruptions caused by an incident; and
7. That MI Texas REP 1, LLC will not designate emergency management personnel to interact with local, state, and federal emergency management officials during emergency events, so the training statement is not applicable.

That the facts set forth above are true and correct to the best of her knowledge, information and belief and that she expects to be able to prove the same at any hearing hereof.

  
\_\_\_\_\_  
Maura Yates, CEO  
MI Texas REP 1, LLC

SWORN TO AND SUBSCRIBED before on the 18 th day of April, 2022.



  
\_\_\_\_\_  
Notary Public In and For the  
State of Texas

My commission expires: September 29, 2024