

## CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

### Subchapter C. INFRASTRUCTURE AND RELIABILITY.

#### §25.55. Weather Emergency Preparedness.

- (a) **Application.** This section applies to the Electric Reliability Council of Texas, Inc. (ERCOT) and to generation entities and transmission service providers (TSPs) in the ERCOT power region.
- (1) A generation resource with an ERCOT-approved notice of suspension of operations for the summer season or winter season is not required to comply with this section until the return to service date identified in its notice of change of generation resource designation required under the ERCOT protocols.
  - (2) A new or repowered resource scheduled to begin commercial operations during the summer season or winter season or a transmission facility scheduled for initial energization during the summer season or winter season must meet the requirements of this section prior to either the commissioning date established in the ERCOT interconnection process for generation resources or initial energization for transmission facilities, as applicable.
- (b) **Definitions.** In this section, the following definitions apply unless the context indicates otherwise.
- (1) **Energy storage resource** -- An energy storage system registered with ERCOT as an energy storage resource for the purpose of providing energy or ancillary services to the ERCOT grid and associated facilities controlled by the generation entity that are behind the system's point of interconnection, necessary for the operation of the system, and not part of a manufacturing process that is separate from the generation of electricity.
  - (2) **Generation entity** -- An ERCOT-registered resource entity acting on behalf of an ERCOT-registered generation resource or energy storage resource.
  - (3) **Generation resource** -- A generator registered with ERCOT as a generation resource and capable of providing energy or ancillary services to the ERCOT grid, as well as associated facilities controlled by the generation entity that are behind the generator's point of interconnection, necessary for the operation of the generator, and not part of a manufacturing process that is separate from the generation of electricity.
  - (4) **Inspection** -- Activities that ERCOT employees, commission staff, and designated contractors engage in to determine whether a generation entity is in compliance with all or parts of subsection (c) of this section or whether a TSP is in compliance with all or parts of subsection (f) of this section. An inspection may include site visits, assessments of procedures, interviews, and review of information provided by a generation entity or TSP in response to a request by ERCOT, including review of evaluations conducted by the generation entity or TSP or its contractor.
  - (5) **Major weather-related forced interruption of service of a resource** --
    - (A) The failure of a resource to start, following one or more attempts, for 12 or more continuous hours as a result of a weather emergency; or
    - (B) The loss of 50% or more of the capacity reflected in a resource's seasonal net maximum sustainable rating for 12 or more continuous hours as a result of a weather emergency.
  - (6) **Major weather-related forced interruption of service of a transmission facility** -- A non-momentary transmission service outage caused by damage to, or the inoperability of, a transmission facility as a result of a weather emergency.
  - (7) **Repeated weather-related forced interruption of service** -- Three or more of any combination of the following occurrences as a result of separate weather emergencies within any three-year period:
    - (A) The failure of a resource to start;
    - (B) The loss of 50% or more of the capacity reflected in a resource's seasonal net maximum sustainable rating for 30 minutes or more; or
    - (C) The loss or derate of 50% or more of a transmission facility's rating.
  - (8) **Resource** -- A generation resource or energy storage resource.

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- (9) **Summer season** -- June 1 to September 30 each year.
  - (10) **Transmission facility** -- A transmission-voltage element inside the fence surrounding a TSP's high-voltage switching station or substation owned or operated by the TSP.
  - (11) **Weather critical component** -- Any component of a resource or transmission facility that is susceptible to fail as a result of a weather emergency, the occurrence of which failure is likely to significantly hinder the ability of the resource or transmission facility to function as intended or, for a resource, is likely to lead to a trip, derate of more than five percent of the capacity represented in the resource's seasonal net maximum sustainable rating or of the transmission facility's rating, or failure to start.
  - (12) **Weather emergency** -- A situation resulting from a summer or winter weather event that produces significant risk for a TSP that firm load must be shed or a situation for which ERCOT issues an Emergency Notice to market participants involving an operating condition in which the safety or reliability of the ERCOT system is compromised or threatened by summer or winter weather.
  - (13) **Weather emergency preparation measures** -- Measures that a generation entity or TSP takes to support the function of a resource or transmission facility during a weather emergency.
  - (14) **Winter season** -- December 1 to February 28 of the following year.
- (c) **Weather emergency preparedness reliability standards for a generation entity.**
- (1) **Winter season preparations.** By December 1 each year, a generation entity must complete the following winter weather emergency preparation measures for each resource under its control. A generation entity must maintain these measures throughout the winter season and complete any ongoing or monthly requirements at the appropriate time. If necessary to come into compliance, a generation entity must update its winter weather emergency preparation measures no later than one year after ERCOT files a historical weather study report under subsection (i) of this section.
    - (A) Implement weather emergency preparation measures that could reasonably be expected to ensure the sustained operation of all cold weather critical components during winter weather conditions. Where appropriate, such measures may be implemented using either personnel or automated systems. Such measures include, as appropriate for the resource:
      - (i) Installation and maintenance of adequate wind breaks for resources susceptible to outages or derates caused by wind;
      - (ii) Installation and maintenance of insulation and enclosures for all cold weather critical components;
      - (iii) Inspection of existing thermal insulation and associated forms of water-proofing for damage or degradation, and repair of damaged or degraded insulation and associated forms of water-proofing;
      - (iv) Arrange and provide for the availability and appropriate safekeeping of sufficient chemicals, auxiliary fuels, and other materials necessary for sustained operations during a winter weather emergency;
      - (v) Plan for and maintain the operability of instrument air moisture prevention systems;
      - (vi) Maintenance of freeze protection equipment for all cold weather critical components, including fuel delivery systems controlled by the generation entity, and testing or verifying the functionality of freeze protection equipment prior to and on a monthly basis during the winter season; and
      - (vii) Monitoring of all cold weather critical components, including circuitry that provides freeze protection or prevents instrument air moisture;
    - (B) Beginning in 2023, implement weather emergency preparation measures by December 1 each year, in addition to the weather emergency preparation measures

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- required by subparagraph (A) of this paragraph, that could reasonably be expected to ensure sustained operation of the resource at the 95th percentile minimum average 72-hour wind chill temperature reported in ERCOT's historical weather study, required under subsection (i) of this section, for the weather zone in which the resource is located.
- (C) Review the adequacy of staffing plans to be used during a winter weather emergency and revise the staffing plans, as appropriate.
  - (D) Train relevant operational personnel on winter weather preparations and operations.
  - (E) Beginning in 2023, create a list of all cold weather critical components, review the list at least annually prior to the beginning of the winter season, and update the list as necessary.
- (2) **Summer season preparations.** By June 1 each year, a generation entity must complete the following summer weather emergency preparation measures for each resource under its control. A generation entity must maintain these measures throughout the summer season and complete any ongoing or monthly requirements at the appropriate time. If necessary to come into compliance, a generation entity must update its summer weather emergency preparation measures no later than one year after ERCOT files a historical weather study report under subsection (i) of this section.
- (A) Implement weather emergency preparation measures that could reasonably be expected to ensure the sustained operation of all hot weather critical components during summer weather conditions. Where appropriate, such measures may be implemented using either personnel or automated systems. Such measures include, as appropriate for the resource:
    - (i) Identification of regulatory and legal limitations of cooling capacity, water withdrawal, maximum discharge temperatures, and rights for additional water supply;
    - (ii) Arrange and plan for the provision and storage of adequate water supplies for cooling towers, reservoirs, heat exchangers, and adequate cooling capacity of the water supplies used in the cooling towers, reservoirs, and heat exchangers;
    - (iii) Arrange and plan for the provision and storage of availability and appropriate safekeeping of adequate equipment to remove heat and moisture from all hot weather critical components;
    - (iv) Arrange and provide for the availability of sufficient chemicals, coolants, auxiliary fuels, and other materials necessary for sustained operations during a summer weather emergency;
    - (v) Maintenance of all hot weather critical components, including air flow or cooling systems, and verifying the functionality of all components prior to and on a monthly basis during the summer season; and
    - (vi) Monitoring of all hot weather critical components.
  - (B) Beginning in 2023, implement weather emergency preparation measures by June 1 each year, in addition to the weather emergency preparation measures required by subparagraph (A) of this paragraph, that could reasonably be expected to ensure sustained operation of the resource during the greater of the maximum ambient temperature at which the resource has experienced sustained operations or the 95th percentile maximum average 72-hour temperature reported in ERCOT's historical weather study, required under subsection (i) of this section, for the weather zone in which the resource is located.
  - (C) Review the adequacy of staffing plans to be used during a summer weather emergency and revise the staffing plans, as appropriate.
  - (D) Train relevant operational personnel on summer weather preparations and operations.

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- (E) Beginning in 2023, create a list of all hot weather critical components, review the list at least annually prior to the beginning of the summer season, and update the list as necessary.
- (3) **Declaration of preparedness.** A generation entity must submit to ERCOT, on a form prescribed by ERCOT, the following declarations of weather preparedness:
  - (A) No earlier than November 1 and no later than December 1 of each year, a generation entity must submit a declaration of winter weather preparedness for the upcoming winter season that:
    - (i) Identifies every resource under the entity's control for which the declaration is being submitted;
    - (ii) Summarizes all activities engaged in by the generation entity to complete the requirements of paragraph (1) of this subsection;
    - (iii) Provides the minimum ambient temperature at which each resource has experienced sustained operations, as measured at the resource site or the weather station nearest to the resource site;
    - (iv) Includes any additional information required by the ERCOT protocols in effect as of October 1 of the year in which the declaration is submitted; and
    - (v) Includes a notarized attestation sworn to by the generation entity's highest-ranking representative, official, or officer with binding authority over the generation entity attesting to the completion of all applicable activities described in paragraph (1) of this subsection, and to the accuracy and veracity of the information described in subparagraph (A) of this paragraph.
  - (B) No earlier than May 1 and no later than June 1 of each year, a generation entity must submit a declaration of summer weather preparedness for the upcoming summer season that at a minimum:
    - (i) Identifies every resource under the generation entity's control for which the declaration is being submitted;
    - (ii) Summarizes all activities engaged in by the generation entity to complete the requirements of paragraph (2) of this subsection;
    - (iii) Provides the maximum ambient temperature at which each resource has experienced sustained operations, as measured at the resource site or the weather station nearest to the resource site;
    - (iv) Includes any additional information required by the ERCOT protocols in effect as of April 1 of the year in which the declaration is submitted; and
    - (v) Includes a notarized attestation sworn to by the generation entity's highest-ranking representative, official, or officer with binding authority over the generation entity attesting to the completion of all applicable activities described in paragraph (2) of this subsection, and to the accuracy and veracity of the information described in this subparagraph.
  - (C) A generation entity must submit the appropriate declaration of preparedness to ERCOT prior to returning a mothballed, outaged, or decommissioned resource to service during the winter or summer season. For any new or repowered resource, a generation entity must submit the appropriate declaration of preparedness prior to the resource commissioning date established in the ERCOT interconnection process for resources.
- (4) No later than December 20 of each year, ERCOT must file with the commission a compliance report that addresses whether each generation entity has submitted the declaration of winter weather preparedness required by paragraph (3)(A) of this subsection for each resource under the generation entity's control.
- (5) No later than June 20 of each year, ERCOT must file with the commission a compliance report that addresses whether each generation entity has submitted the declaration of summer weather

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- preparedness required by paragraph (3)(B) of this subsection for each resource under the generation entity's control.
- (6) ERCOT will treat declarations of preparedness and associated information submitted by a generation entity as Protected Information as defined by the ERCOT protocols.
- (d) **ERCOT inspection of resources.**
- (1) ERCOT must conduct inspections of resources and may prioritize inspections based on factors such as whether a resource is critical for electric grid reliability; the length of time since the resource was last inspected; has experienced a forced outage, forced derate, or failure to start related to weather emergency conditions; or has other vulnerabilities related to weather emergency conditions. ERCOT must determine, in consultation with commission staff, the number, extent, and content of inspections, provided that every resource interconnected to the ERCOT power region must be inspected at least once every three years. ERCOT must develop, in consultation with commission staff, a winter weather inspection checklist and a summer weather inspection checklist for use during resource inspections. Inspections may be conducted by ERCOT's employees or contractors.
- (A) ERCOT must provide each generation entity at least 72 hours' written notice of an inspection unless otherwise agreed by the generation entity and ERCOT. The written notice must identify each ERCOT employee, commission staff member, or designated contractor participating in the inspection. Within 24 hours of receiving notice of inspection, a generation entity must provide ERCOT, commission staff, and designated contractors all generation entity requirements for facility access. Upon provision of the required written notice, a generation entity must grant access to its facility to ERCOT and to commission staff, including an employee of a contractor designated by ERCOT or the commission to conduct, oversee, or observe the inspection.
- (B) During the inspection, a generation entity must provide ERCOT, commission staff, or designated contractors access to any part of the facility upon request. ERCOT, commission staff, and designated contractors must comply with all applicable safety and security regulations, including those maintained by the generation entity, during the inspection. A generation entity must provide access to inspection, maintenance, and other records associated with weather emergency preparation measures and must make the generation entity's staff available to answer questions. A generation entity may escort ERCOT, commission staff, and designated contractors at all times during an inspection. During the inspection, ERCOT, commission staff, or designated contractors may take photographs or video recordings of any part of the facility except control rooms and may conduct interviews of facility personnel designated by the generation entity. Documents, photographs, and video recordings collected or generated by ERCOT, commission staff, or designated contractors during or related to the inspection will be treated as confidential information under applicable state or federal laws and regulations.
- (2) ERCOT inspection report.
- (A) ERCOT must provide a written report on its inspection of a resource to the generation entity. The written inspection report must address whether the generation entity has complied with the requirements in subsection (c)(1) or (2) of this section.
- (B) If the generation entity has not complied with a requirement in subsection (c)(1) or (2) of this section, ERCOT must provide the generation entity a reasonable period to cure the identified deficiencies.
- (i) The cure period determined by ERCOT must consider what weather emergency preparation measures the generation entity may be reasonably

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- expected to have taken before ERCOT's inspection, the reliability risk of the resource's noncompliance, and the complexity of the measures needed to cure the deficiency.
- (ii) The generation entity may request ERCOT provide a longer period to cure the identified deficiencies. The request must be accompanied by documentation that supports the request.
  - (iii) ERCOT, in consultation with commission staff, will determine the revised cure period after considering a request for a longer period to cure the identified deficiencies.
- (C) ERCOT must report to commission staff any generation entity that does not remedy the deficiencies identified under subparagraph (A) of this paragraph within the cure period determined by ERCOT under subparagraph (B) of this paragraph.
  - (D) A generation entity reported by ERCOT to commission staff under subparagraph (C) of this paragraph will be subject to enforcement investigation under §22.246 of this title (relating to Administrative Penalties). A violation of this section is a Class A violation under §25.8(b)(3)(A) of this title (relating to Classification System for Violations of Statutes, Rules, and Orders Applicable to Electric Service Providers) and may be subject to a penalty not to exceed \$1,000,000 per violation per day.
- (e) **Weather-related failures by a generation entity to provide service.** ERCOT must notify a generation entity and commission staff of the generation entity's repeated or major weather-related forced interruption of service. Upon notification from ERCOT, the generation entity must contract with a qualified professional engineer to assess its weather emergency preparation measures, plans, procedures, and operations. The qualified professional engineer must not be an employee of the generation entity or its affiliate. The qualified professional engineer must not have participated in previous assessments for the resource for at least five years, unless the generation entity provides documentation that no other qualified professional engineers are reasonably available for engagement. The qualified professional engineer must conduct a root cause analysis of the failure and develop a corrective action plan to address any weather-related causes of the failure. The generation entity must submit the qualified professional engineer's assessment to the commission and ERCOT within 15 calendar days of receiving the assessment. A generation entity to which this subsection applies may be subject to additional inspections by ERCOT. ERCOT must refer to commission staff for investigation any generation entity that does not comply with a provision of this subsection.
- (f) **Weather emergency preparedness reliability standards for a TSP.**
- (1) **Winter season preparations.** By December 1 each year, a TSP must complete the following winter weather preparation measures for its transmission facilities. A TSP must maintain these measures throughout the winter season and complete any ongoing requirements at the appropriate time. If necessary to come into compliance, a TSP must update its winter weather preparation measures no later than one year after ERCOT files a historical weather study report under subsection (i) of this section.
    - (A) Implement weather emergency preparation measures that could reasonably be expected to ensure the sustained operation of all cold weather critical components during winter weather conditions. Where appropriate, such measures may be implemented using either personnel or automated systems. Such measures include, as appropriate for the facility:
      - (i) Confirmation of the operability of all systems and subsystems containing all cold weather critical components;
      - (ii) Confirmation that the sulfur hexafluoride gas in breakers and metering and other electrical equipment is at the correct pressure and temperature to operate safely during winter weather emergencies, and perform annual



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- operations or the 95th percentile maximum average 72-hour temperature reported in ERCOT's historical weather study, required under subsection (i) of this section, for the weather zone in which the facility is located.
- (C) Review the adequacy of staffing plans to be used during a summer weather emergency and revise the staffing plans, as appropriate.
  - (D) Train relevant operational personnel on summer weather preparations and operations.
  - (E) Beginning in 2023, create a list of all hot weather critical components, review the list at least annually prior to the beginning of the summer season, and update the list as necessary.
- (3) **Declaration of preparedness.** A TSP must submit to ERCOT, on a form prescribed by ERCOT, the following declarations of weather preparedness:
- (A) No earlier than November 1 and no later than December 1 of each year, a TSP must submit a declaration of winter weather preparedness for the upcoming winter season that:
    - (i) Identifies each transmission substation or switchyard maintained by the TSP for which the declaration is being submitted;
    - (ii) Summarizes all activities engaged in by the TSP to complete the requirements of paragraph (1) of this subsection for the upcoming winter season,
    - (iii) Provides the minimum ambient temperature at which each transmission facility has experienced sustained operations, as measured at the substation or switchyard or the weather station nearest to the substation or switchyard;
    - (iv) Includes any additional information required by the ERCOT protocols in effect as of October 1 of the year in which the declaration is submitted; and
    - (v) Includes a notarized attestation sworn to by the TSP's highest-ranking representative, official, or officer with binding authority over the TSP, attesting to the completion of all activities described in paragraph (1) of this subsection, except activities required to be completed after December 1, and to the accuracy and veracity of the information described in subparagraph (A) of this paragraph.
  - (B) No earlier than May 1 and no later than June 1 of each year, a TSP must submit a declaration of summer weather preparedness for the upcoming summer season that at a minimum:
    - (i) Identifies each transmission substation or switchyard maintained by the TSP for which the declaration is being submitted;
    - (ii) Summarizes all activities engaged in by the TSP to complete the requirements of paragraph (2) of this subsection;
    - (iii) Provides maximum ambient temperature at which each transmission facility has experienced sustained operations, as measured at the substation or switchyard or the weather station nearest to the substation or switchyard;
    - (iv) Includes any additional information required by the ERCOT protocols in effect as of April 1 of the year in which the declaration is submitted; and
    - (v) Includes a notarized attestation sworn to by the TSP's highest-ranking representative, official, or officer with binding authority over the TSP attesting to the completion of all activities described in paragraph (2) of this subsection, except activities required to be completed after June 1, and to the accuracy and veracity of the information described in subparagraph (B) of this paragraph.
- (4) No later than December 20 of each year, ERCOT must file with the commission a compliance report that addresses whether each TSP has submitted the declaration of winter weather

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- preparedness required by paragraph (3)(A) of this subsection for each transmission substation or switchyard maintained by the TSP.
- (5) No later than June 20 of each year, ERCOT must file with the commission a compliance report that addresses whether each TSP has submitted the declaration of summer weather preparedness required by paragraph (3)(B) of this subsection for each transmission substation or switchyard maintained by the TSP.
- (6) ERCOT will treat declarations of preparedness and associated information submitted by a TSP as Protected Information as defined by the ERCOT protocols.
- (g) **ERCOT inspections of transmission facilities.**
- (1) ERCOT must conduct inspections of transmission facilities and may prioritize inspections based on factors such as the length of time since the transmission facility was last inspected; whether a transmission facility is critical for electric grid reliability; has experienced a forced outage or other failure related to weather emergency conditions; or has other vulnerabilities related to weather emergency conditions. ERCOT must determine, in consultation with commission staff, the number, extent, and content of inspections, as well as develop a risk-based methodology for selecting at least ten percent of substations or switchyards providing transmission service to be inspected at least once every three years. ERCOT must develop, in consultation with commission staff, a winter weather inspection checklist and a summer weather inspection checklist for use during facility inspections. Inspections may be conducted by ERCOT's employees or contractors.
- (A) ERCOT must provide each TSP at least 72 hours' written notice of an inspection unless otherwise agreed by the TSP and ERCOT. The written notice must identify each ERCOT employee, commission staff member, or designated contractor participating in the inspection. Within 24 hours of receiving notice of inspection, a TSP must provide ERCOT, commission staff, and designated contractors all TSP requirements for facility access. Upon provision of the required written notice, a TSP must grant access to its facility to ERCOT and commission staff, including an employee of a contractor designated by ERCOT or the commission to conduct, oversee, or observe the inspection.
- (B) During the inspection, a TSP must provide ERCOT, commission staff, and designated contractors access to any part of the facility upon request. ERCOT, commission staff, and designated contractors must comply with all applicable safety and security regulations, including those maintained by the TSP, during the inspection. A TSP must provide access to inspection, maintenance, and other records associated with weather preparation measures, and must make the TSP's staff available to answer questions. A TSP may escort ERCOT, commission staff, and designated contractors at all times during an inspection. During the inspection, ERCOT, commission staff, and designated contractors may take photographs and video recordings of any part of the facility except control rooms and may conduct interviews of facility personnel designated by the TSP. Documents, photographs, and video recordings collected or generated by ERCOT, commission staff, or designated contractors during or related to the inspection will be treated as confidential information under applicable state or federal laws and regulations.
- (2) ERCOT inspection report.
- (A) ERCOT must provide a written report on its inspection of a transmission system or facility to the TSP. The written inspection report must address whether the TSP has complied with the requirements in subsection(f)(1) or (2) of this section.
- (B) If the TSP has not complied with a requirement in subsection (f)(1) or (2) of this section, ERCOT must provide the TSP a reasonable period to cure the identified deficiencies.

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- (i) The cure period determined by ERCOT must consider what weather emergency preparation measures the TSP may be reasonably expected to have taken before ERCOT's inspection, the reliability risk of the TSP's noncompliance, and the complexity of the measures needed to cure the deficiency.
    - (ii) The TSP may request ERCOT provide a longer period to cure the identified deficiencies. The request must be accompanied by documentation that supports the request.
    - (iii) ERCOT, in consultation with commission staff, will determine the revised cure period after considering a request for a longer period to cure the identified deficiencies.
  - (C) ERCOT must report to commission staff any TSP that does not remedy the deficiencies identified under subparagraph (A) of this paragraph within the cure period determined by ERCOT under subparagraph (B) of this paragraph.
  - (D) A TSP reported by ERCOT to commission staff under subparagraph (C) of this paragraph will be subject to enforcement investigation under §22.246 of this title. A violation of this section is a Class A violation under §25.8(b)(3)(A) of this title and may be subject to a penalty not to exceed \$1,000,000 per violation per day.
- (h) **Weather-related failures by a TSP to provide service.** ERCOT must notify a TSP and commission staff of the TSP's repeated or major-weather related forced interruption of service. Upon notification from ERCOT, the TSP must contract with a qualified professional engineer to assess its weather emergency preparation measures, plans, procedures, and operations. The qualified professional engineer must not be an employee of the TSP or its affiliate. The qualified professional engineer must not have participated in previous assessments for this facility for at least five years, unless the TSP provides documentation that no other qualified professional engineers are reasonably available for engagement. The qualified professional engineer must conduct a root cause analysis of the failure and develop a corrective action plan to address any weather-related causes of the failure. The TSP must submit the qualified professional engineer's assessment to the commission and ERCOT within 15 calendar days of receiving the assessment. A TSP to which this subsection applies may be subject to additional inspections by ERCOT. ERCOT must refer to commission staff for investigation any TSP that violates this subsection.
- (i) **ERCOT historical weather study.** ERCOT must study historical weather data across each weather zone classified in the ERCOT protocols. ERCOT must file with the commission a report summarizing the results of the study at least once every five years, beginning no later than November 1, 2026.
  - (1) At a minimum, ERCOT must calculate the 90th, 95th, and 99th percentiles of:
    - (A) the daily minimum temperature in each weather zone;
    - (B) the daily maximum temperature in each weather zone;
    - (C) the maximum sustained wind speed in each weather zone;
    - (D) the minimum average 72-hour temperature in each weather zone;
    - (E) the maximum average 72-hour temperature in each weather zone; and
    - (F) the minimum average wind chill in each weather zone.
  - (2) ERCOT may add additional parameters to the historical weather study.
  - (3) ERCOT must take into consideration weather predictions produced by the office of the state climatologist when preparing the historical weather study.