

# UTILI-FACTS

## Project 52299 Senate Bill 3, 87<sup>th</sup> Legislature, Regular Session Compliance Guidance - Texas Water Code (TWC) § 13.1396

By **November 1, 2021**, “affected utilities” must file specific information with the Public Utility Commission of Texas (PUCT) in Project 52299. This information must also be filed with each transmission and distribution service provider, each retail electric provider, and the office of emergency management of each county where the utility has water or sewer facilities that qualify for critical load status.

### Q: Am I an “affected utility”?

A: TWC § 13.1394 defines an “affected utility” as a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that:

- Furnishes water service to more than one customer; and
- Is not an affected utility under Section 13.1395.

TWC § 13.1395 defines an “affected utility” as a retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service to more than one customer:

- In a county with a population of 3.3 million or more; or
- In a county with a population of 550,000 or more adjacent to a county with a population of 3.3 million or more.

### Q: Who is required to file this information with the PUCT?

A: All entities that meet one or both of the definitions for an “affected utility” are required to file this information with the PUCT.

### Q: What information must be filed to meet this requirement?

A: You must file a letter identifying the name of your water or sewer utility. Please also include the names of any affiliates and assumed names, if any. In addition, include a list of all the public water systems and sewer systems owned by your utility for which you are filing the information.

- Identify the location and provide a written, general description of all water and sewer facilities that qualify for critical load status (may include maps if this would help you identify the location of your facilities); and

- Emergency contact information for the affected utility, including:
  - The name of the person who will serve as a point of contact and the person’s telephone number;
  - The person who will serve as an alternative point of contact and the person’s telephone number; and
  - The affected utility’s mailing address.

### Q: Where must this information be filed?

A: This information must be filed with each of the following:

- 1) the PUCT,
- 2) each electric utility that provides transmission and distribution services to you. Your transmission and distribution utility is known as your TDU. A TDU is the company that distributes electricity from power generation to homes and businesses in Texas. To find out who your TDU is, please review the map at: <https://www.puc.texas.gov/industry/maps/maps/tdumap.pdf>,
- 3) each retail electric provider that sells electric power to you,
- 4) the office of emergency management of each county in which the utility has water and wastewater facilities that qualify for critical load status, and
- 5) the division of emergency management of the governor at: Texas Division of Emergency Management, Texas Department of Public Safety, P.O. Box 4087, Austin, TX 78773-0220.

Please file this information in Central Records, Project 52299. You may request that the information be filed confidentially if you feel that publicly filing facility location and possibly maps will make your water or wastewater utilities more vulnerable. For instructions on the PUCT’s filing requirements and on how to file with the PUCT, please click on the link below. Instructions on how to file confidentially are also located at this link.

<https://www.puc.texas.gov/industry/filings/FilingProceed.aspx>

For instructions on how to file with your electric providers and the office of emergency management of each county in which you have water or wastewater facilities, please contact them directly.

### Q: Is there a deadline?

A: Yes, the deadline to comply with this new requirement is November 1, 2021.