

PUBLIC UTILITY COMMISSION OF TEXAS

OPEN MEETING AGENDA SUNDAY, FEBRUARY 21, 2021, 3:30 P.M. Commissioners' Hearing Room 7th Floor, William B. Travis Building

The public may participate in this open meeting remotely by audio conference through a toll-free number: (844) 867-6169 using the access code 6142084#.

Project No. 51812 – Issues Related to the State of Disaster for the February 2021 Winter Weather Event

In accordance with section 551.045 of the Texas Government Code, the Public Utility Commission of Texas is giving notice that it will convene a meeting to address an emergency and urgent public necessity. The Polar Vortex unleashed a polar airmass that settled on much of the Nation and brought historically low temperatures to Texas. This frigid airmass, in combination with other weather systems, produced historically low temperatures, ice storms, and record snow falls. Governor Greg Abbott on February 12, 2021 certified that this severe winter weather poses an imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged freezing temperature, heavy snow, and freezing rain statewide. To address this threat, the Governor Abbott declared a state of disaster in all 254 counties of Texas and suspended upon his approval regulatory matters that would hinder or delay necessary action to cope with this disaster.

These severe weather events and other events affected many aspects of electric service, including the wholesale price of electricity and the price of natural gas, a major fuel for electric generation. These events resulted in curtailments of the electric-generation fleets committed to the electricity market in the region of the Electric Reliability Council of Texas (ERCOT). The lack of sufficient generation resources caused ERCOT to issue an Emergency Energy Alert 3, resulting in the shedding of customer load. The absence of these generation units resulted in millions of citizens of Texas losing electricity at a time when this energy is most needed to protect life and property. The Commission and others have taken actions to mitigate these effects and generation units have become available and returned to service, and ERCOT has ended the emergency alerts. These significant disruptions to the electric market have the potential to cause pricing and financial security issues that could affect the ability of some retail electric providers to continue as viable providers of retail electric service, which could result in a mass transition of retail electric customers to providers of last resort (POLR).

The convening of this meeting is necessary to allow the Commission to address the imminent threat to public health and safety due to the lack of availability of reasonably priced electricity for Texas citizens and the increasing concern for the viability of electric market participants. The Commission must determine whether it should exercise its authority under the Public Utility Regulatory Act and chapter 13 of the Texas Water code and its rules to grant an exception to certain provisions of its rules, including disconnects and late fees. Further, the Commission must determine whether, and if so to what extent, the Commission should direct ERCOT to take certain actions and to grant exceptions to the ERCOT protocols. Without such decisions, the

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provision of electricity priced at a reasonable level for the citizens of Texas could be imperiled resulting in loss of life or damage to property that otherwise could be prevented.

Due to the emergency conditions resulting from this weather disaster declared by the Governor, the Commission cannot wait to act on these reasonably unforeseeable matters, including the loss of electric power, until the Commission's next regularly scheduled open meeting on February 25, 2021. Accordingly, the Commission must meet promptly by telephone conference call to discuss and possibly take action, including the issuance of orders, to ensure that reasonably price retail electric service continues to be available to meet the needs of people located in the ERCOT region.

As required by a previous disaster declaration and suspension of open meeting laws by Governor Abbott, The Commission will meet by telephone conference call. The number by which members of the public may make public comments at this meeting will be posted.