



CITY OF HOUSTON

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Mayor

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To the Members of the Texas House and Senate,

Members of the Texas House and Senate are hearing from our constituents about the failure of the electrical infrastructure to provide reliable service last week as freezing temperatures took power plants offline. Confusion, anger, and deadly consequences followed, and as Texans have seen, this was both predicted and preventable.

So, before rehashing the specific policies that invited witnesses to this hearing can speak to, Texans have one specific question that needs to be answered first. It is not complicated but must be answered if any progress is to be made to ensure this manmade disaster never happens again.

The question is simply, “Who is in charge?”

The analysis of the Texas electrical grid shows a clear separation between ERCOT and the Federal Energy Regulatory Commission. Texas stands by itself in managing a stand-alone grid that was designed to avoid federal regulation.

Despite recommendations in a report created in the wake of the last weather-related, prolonged outage, the Texas electrical infrastructure is still woefully unprotected from atypically cold weather. Thanks to the deliberate isolation of the Texas electrical grid, the weatherization standards at the federal level don't apply to Texas, nor is Texas able to draw significant power from the rest of the contiguous United States.

So if not the federal government, who is in charge?

When the electric infrastructure goes out, the ramifications are felt almost instantly by local governments. People look to announcements and press conferences to give updates from the people they have elected to provide answers. Water infrastructure, fire response, and emergency medical services are all impacted.

People calling their local officials inquiring about when their power will be back on, instead get information on how to survive the calamity with warming centers, safety guidelines for generators and cars, and water distribution locations.

So if not local government, who is in charge?

Lately, the answer is an alphabet soup of state agencies and names of appointed officials that few have heard of, and no one has voted to elect.

The Electric Reliability Council of Texas manages the state grid. But blaming ERCOT for power plants going offline is said to be like blaming the crossing guard for a freeway shutdown.

The Public Utility Commission is made up of three members that are charged with overseeing ERCOT. But the PUC's own mission statement states that they are charged with regulating the electric infrastructure by "respective legislation."

As someone who spent 27 years in the Texas Legislature, 23 of which was on the committee of jurisdiction for the electrical infrastructure, I can tell you that state agencies do not make state law: the state legislature does.

And given the fact they are currently in session, it is the legislature's responsibility to create policy that prevents a similar, and utterly predictable catastrophe from ever happening again.

My criticism of the state's electric policies are well known and well documented. From the complete mismanagement by the PUC of the System Benefit Fund, to raising the cap for wholesale electric prices to \$9,000 in the latest blackout, the Texas Legislature is responsible for making these policies.

Ten years ago, the legislature met in very similar circumstances.

My own House Bill 1986 would have required the PUC to work with ERCOT to acquire additional capacity to avoid blackouts. The bill never got a hearing. Now we are ten years later, still waiting for legislative action.

While I believe this should be a requirement of the PUC and ERCOT, the Legislature could also consider opening the grid to receive energy if adequate reserves are not required to avoid blackouts. But the Legislature must take further action to protect Texans.

The legislature should start by covering the cost of exorbitant electric bills incurred by consumers during this crisis. The Rainy-Day Fund, based off money Texans have already paid, should be used to make sure the financial consequence of these policies aren't again paid by Texans.

The legislature should require smart resiliency of electric power plants starting with weatherization against cold temperatures. It shouldn't take another federal report to move the legislature to adopt this commonsense step that the federal grid already requires.

The legislature – and the governor – should quit blaming renewables for generation problems and embrace new technology. As the mayor of Space City, U.S.A., I can tell you

the International Space Station currently operates 173 miles above our planet using solar power at -454 degrees Fahrenheit. Renewables, and the emerging battery technology, can make electric generation more resilient while creating thousands of new jobs.

Electric deregulation was supposed to empower the “magic of the market” create low prices for consumers. With every policy, there is a consequence. Carbon monoxide deaths. Medical facilities, panicked. Businesses at a standstill. Lines for food and water stretching miles. The lack of required resilience – and the predictable blackouts that resulted – hit low-income Texans hard.

Texas, and the Texas Legislature, needs to pull back the curtain on this system and put in place laws that protect this from ever happening again. Texans have already paid too heavy a price.

Texans need this legislature to succeed where past sessions have failed and make sure this never happens again.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sylvester Turner', written over a faint circular stamp.

Sylvester Turner
Mayor