

PUBLIC TESTIMONY OF CAROL BIEDRZYCKI ON  
SUNSET ADVISORY COMMISSION  
STAFF REPORT  
PUBLIC UTILITY COMMISSION OF TEXAS  
ELECTRIC RELIABILITY COUNCIL OF TEXAS  
OFFICE OF PUBLIC UTILITY COUNCIL  
DECEMBER 7, 2022

My name is Carol Biedrzycki. I am the retired Executive Director of Texas (ROSE) Ratepayers Organization to Save Energy. In this capacity I spent many hours at the Public Utility Commission (PUC), the Electric Reliability Council of Texas (ERCOT) and the Office of Public Utility Counsel (OPUC) to promote policies and programs to benefit residential and low-income consumers. After Winter Storm Uri I joined the Texas Disaster Preparedness Durable Medical Equipment Power Task Force (DME Power Task Force). The DME Power Task Force is made up of organizations and individuals serving Texans with disabilities. The DME Power Task Force was formed to identify solutions for meeting emergency power needs for individual users of DME living in their communities.

The mission of the PUC is to protect customers, foster competition, and promote high quality infrastructure. The Staff Report focuses on the industry's problems and is all but silent on the handling of any customer problems, including the need for a safety net for customers medically dependent on electricity during long term outages. The Staff Report at page 49 states: "[D]uring the period surrounding Winter Storm Uri, almost 11 million Texas homes and businesses lost power or water, and more than 200 people died." Despite the scope and severity of property and human damage caused by the failure of the electric industry to sustain power supplies, the staff report fails to evaluate how to better protect known utility customers who are medically dependent on electricity during an extended power failure.

In 2021, after the passage of SB 3 and SB 968, the DME Power Task Force took steps to seek rule changes to better protect customers known to be medically dependent on electricity through PUC Project No. 51841 Relating to Electric Service Emergency Operations Plans (EOP). Texas Legal Services Center (TLSC) along with Disability Rights Texas, Texas Parent to Parent, and Texas Council for Developmental Disabilities actively participated in the rulemaking. We made the case for cross collaboration among utilities and appropriate agencies to achieve inclusive emergency planning practices to sustain community lifelines and mitigate potential dangers for DME customer

during power outages. We requested a hearing. The hearing was held on a miserably cold January 11, 2022. Nonetheless, several DME survivors of the storm braved the elements and continued COVID concerns of in-person meetings to weigh in on the need for better emergency operations and a safety net to protect their lives.

At the end of the process the PUC recognized that protecting customers medically dependent on electricity was an important issue. The PUC heard us but claimed it couldn't do anything about it because customers medically dependent on electricity were deemed outside of the scope of that rulemaking. The PUC suggested it may take up this issue in another rulemaking at a later date, but has failed to do so since February. Senate Bill 3 included language to beef up emergency operations plans in the wake of Winter Storm Uri. The PUC obviously concluded that further protecting customers medically dependent on electricity is not part of the Legislature's directives. I am here today to ask you to recommend that the Legislature specify that providing a safety net for customers medically dependent on electricity is within the scope of utility emergency operations plans.

Attached are the Emergency Planning Recommendations filed in PUC Project No 51812 by the DME Power Task Force on July 5, 2021. To review the rulemaking, you can access documents in PUC Project No. 51841 Review of 16 TAC § 25.53 Relating to Electric Service Emergency Operations Plans. The request for public hearing filed January 3, 2022 is Item 13 on the PUC Interchange. The January 4<sup>th</sup> comments filed on the PUC's proposed rule is Item 32. The PUC's Order is Item 41.

I appreciate this opportunity to bring this important issue to your attention and look forward to your recommendation to the Legislature to enable the PUC to better protect customers medically dependent on electricity. I am confident that the members of the DME Power Task Force will work with you to correct this deficiency in electric service emergency operations plans in Texas.

Respectfully submitted:

Carol Biedrzycki