

## NOTICE OF EMERGENCY MEETING

### RAILROAD COMMISSION OF TEXAS

Pursuant to Texas Government Code §551.045, the Railroad Commission of Texas will take up for discussion and/or decision the following emergency matter at 6:30 p.m. on Friday, February 12, 2021.

**Virtual Meeting:** On March 16, 2020, in accordance with section 418.016 of the Texas Government Code, Governor Abbott suspended various provisions of the Open Meetings Act that require government officials and members of the public to be physically present at a specified meeting location. Therefore, pursuant to the Governor's action and Texas Government Code, Chapter 551, the following matters will be taken up for discussion and/or decision by the Railroad Commission of Texas via virtual conference.

**Public Access to Meeting.** Due to the Governor's suspension, the public will not be able to attend the open meeting in person. Instead, the public may view the meeting live on the Railroad Commission's website at <https://rrc.texas.gov/general-counsel/open-meetings/> by clicking on the "Webcast" link or by going directly to [http://www.adminmonitor.com/tx/rrc/open\\_meeting/](http://www.adminmonitor.com/tx/rrc/open_meeting/). If you would like to view the meeting but are not able to access the Commission's website, please call the following number for instructions on how to listen to the meeting by telephone: 512-463-7865. To ensure you receive instructions in time, please call as soon as possible prior to the beginning of the meeting.

**Register to Address the Commission on the Emergency Item.** If you would like to register to address the Commission on the agenda item numbered below, please call 512-463-7865 or email [RRCconference@rrc.texas.gov](mailto:RRCconference@rrc.texas.gov). Whether registering by phone or email, please include the following:

- (1) the agenda item number;
- (2) your name and affiliation;
- (3) your address;
- (4) your phone number;
- (5) whom you represent (self or company/client); and
- (6) whether you are available for questions from the Commissioners on a specific item on the agenda or are requesting to address the Commission during the Public Input item.

You must register no later than 6 p.m. on February 12th.

**Auxiliary Aids or Services for Persons with a Disability.** If you would like access to the videoconference meeting and you require auxiliary aids or services, please notify the Commission as soon as possible prior to the beginning of the meeting. Requests may be made by telephone at 512-463-6981 or TDD No. 512-463-7284; or by e-mail to [ADA@rrc.texas.gov](mailto:ADA@rrc.texas.gov).

### EMERGENCY ITEM – OVERSIGHT AND SAFETY DIVISION

Pursuant to §551.045, the Commission will consider emergency item #1 below. Immediate action is required by the Commission because of a reasonably unforeseeable situation, namely the winter weather storm impacting the State of Texas since Thursday, February 11, 2021. The winter weather storm has the potential to cause the loss of natural gas supply and/or intermittent power failure, either of which present an imminent threat to public health and safety.

1. Discussion and/or possible issuance of an emergency order temporarily modifying current natural gas utility curtailment priorities to ensure the protection of human needs customers.

Proposed order with underlined changes to existing curtailment priorities is included below.

**RAILROAD COMMISSION OF TEXAS**  
**EMERGENCY ORDER**

**WHEREAS**, after Notice of Emergency Meeting to consider this Emergency Order was duly posted on February 12, 2021 with the Secretary of State within the time period provided by law pursuant to Tex. Gov't Code Chapter 551, *et seq.*, the Railroad Commission of Texas ("Commission") determined that an Emergency Order is necessary to protect human needs customers in the State of Texas because of current conditions which threaten and health, safety and welfare of those customers, and determined that the existing regulations and Orders of the Commission do not sufficiently address the specific conditions of this emergency; and

**WHEREAS**, on February 12, 2021, the Governor of the State of Texas issued a State of Disaster in all 254 counties due to severe weather posing an imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow, and freezing rain statewide; and

**WHEREAS**, pursuant to the authority granted to the Commission in the Texas Utilities Code, the Commission has the authority to issue this Emergency Order affecting the operation of the gas utility systems in this state to prevent such threats to the public; and

**WHEREAS**, the transportation, delivery and/or sale of natural gas in the State of Texas for any other purpose other than serving human needs customers should be curtailed to the extent possible and necessary for the duration of this Emergency Order.

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE RAILROAD COMMISSION OF TEXAS** that Rule 2 of [Docket 489](#) is temporarily amended as follows:

RULE 2.

Until such time as the Commission has specifically approved a utilities curtailment program, the following priorities in descending order shall be observed to the extent feasible:

A. Deliveries of gas by natural gas utilities to for residences, hospitals, schools, churches and other human needs customers, and deliveries to Local Distribution Companies which serve human needs customers.

B. Deliveries of gas to electric generation facilities which serve human needs customers.

~~B.C.~~ Deliveries of gas to small industrials and regular commercial loads (defined as those customers using less than 3,000 MCF per day) and delivery of gas for use as pilot lights or in accessory or auxiliary equipment essential to avoid serious damage to industrial plants.

€. D. Large users of gas for fuel or as a raw material where an alternate cannot be used and operation and plant production would be curtailed or shut down completely when gas is curtailed.

Đ. E. Large users of gas for boiler fuel or other fuel users where alternate fuels can be used. This category is not to be determined by whether or not a user has actually installed alternate fuel facilities, but whether or not an alternate fuel "could" be used.

Ǝ. F. Interruptible sales made subject to interruption or curtailment at Seller's sole discretion under contracts or tariffs which provide in effect for the sale of such gas as Seller may be agreeable to selling and Buyer may be agreeable to buying from time to time.

**IT IS FURTHER ORDERED** that gas utilities which have a specific curtailment plan/program that has been approved by the Commission shall ensure that their top two priorities in the plan/program are A and B as listed above for the duration of this Emergency Order.

**IT IS FURTHER ORDERED** that this Emergency Order is in effect until 11:59 p.m. Central Standard Time Friday, February 19, 2021, unless otherwise renewed by the Commission in a subsequent Emergency Order.

**SIGNED** this 12th day of February 2021.

**RAILROAD COMMISSION OF TEXAS**

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**CHAIRMAN CHRISTI CRADDICK**

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**COMMISSIONER WAYNE CHRISTIAN**

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**COMMISSIONER JIM WRIGHT**

**ATTEST:**

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**SECRETARY**

