



The Secretary of Energy

Washington, DC 20585

Order No. 202-20-1

Pursuant to the authority vested in me by section 202(c) of the Federal Power Act (FPA), 16 U.S.C. § 824a(c), and section 301(b) of the Department of Energy Organization Act, 42 U.S.C. § 7151(b), and for the reasons set forth below, I hereby determine that an emergency exists in Texas due to Hurricane Laura (13L) making landfall the morning of August 27th as a strong Category 4 Hurricane. Large portions of the areas affected by Hurricane Laura are and will be without reliable electricity for a period of time, posing a threat to human life and health. It is my judgment that in these circumstances, the order I am issuing today will meet the emergency and serve the public interest because it will alleviate electricity shortages and protect the life and health of the people in the affected areas.

On August 23 and 24, 2020, the President issued Emergency Declarations for Louisiana (EM-3538) and Texas (EM-3540), ordering Federal assistance to supplement State and local response efforts due to the emergency conditions resulting from Hurricane Laura. On August 25, 2020, the President amended the emergency declarations for Louisiana and Texas, expanding the declarations to cover emergency protective response actions that State, local, and tribal officials take in the areas affected by Hurricane Laura.

On August 26, 2020, CenterPoint Energy Houston Electric, LLC (CEHE) filed an application requesting that the Secretary of Energy determine that an emergency exists in Texas within the meaning of FPA section 202(c), and issue an order authorizing a temporary connection as necessary for CEHE to assist in the restoration of power to Entergy Texas, Inc. (Entergy) and electric cooperatives and municipal customers within the State of Texas, and for CEHE to receive similar assistance due to the devastating effects of Hurricane Laura making landfall near the Texas-Louisiana border as a dangerous Category 4 hurricane on the Saffir-Simpson Hurricane Wind Scale. The proposed connection would occur via an existing, permanent tie-line authorized by the Federal Power Commission for emergency use only pursuant to section 202(d) of the FPA.¹ The tie-line is maintained in “open” condition on both ends and is only closed in emergency situations that necessitate its use consistent with the FPA and applicable orders. Without this emergency service, restoration of electric service to customers in the area could be delayed.

FPA section 202(c)(2) requires the Secretary of Energy to ensure that any 202(c) order that may result in a conflict with a requirement of any environmental law be limited to the “hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable,” be consistent with any applicable environmental law and minimize any adverse environmental impacts. As any temporary connection would affect an existing tie-line, it should not result in generation that would exceed emissions limitations. Therefore, this order is not anticipated to result in a conflict with a requirement of any Federal, State, or local environmental law or regulation.

Based on my determination set forth above, I hereby order:

¹ See *Houston Lighting & Power Co.*, 19 FPC 819 (1958).

Effective immediately, CEHE is authorized and directed to temporarily connect, at transmission and distribution levels such as 12.5 kilovolts (kV), 13.2-kV, 25-kV, 34.5-kV, 69-kV, 138-kV, and 230-kV to the system of Entergy so that CEHE and Entergy may provide emergency assistance to each other if necessary to restore electric service. CEHE will utilize an existing, permanent 138-kV tie-line located between Dayton, Texas and Crosby, Texas, to accomplish the interconnection.

Pursuant to section 202(d) of the Federal Power Act, during the continuance of this order, any person or municipality engaged in the transmission and sale of electric energy and not otherwise subject to the jurisdiction of the Federal Energy Regulatory Commission (FERC) may make such temporary connections with any public utility subject to the jurisdiction of FERC, and shall not become subject to FERC jurisdiction as a result of that temporary connection.

CEHE is directed to report all dates that temporary connection of distribution and transmission lines occurred, the location of the temporary connection of distribution or transmission lines, and the quantity of energy delivered (in watt-hours) by October 26, 2020.

This order shall be effective upon its issuance and shall expire at 23:59 Central Daylight Time on October 12, 2020.

Issued in Washington, D.C. at 5:00 PM Eastern Daylight Time on this 27th day of August 2020.

A handwritten signature in black ink, appearing to read "Dan Brouillette", written over a horizontal line.

Dan Brouillette
Secretary of Energy