



Procedure for Requesting TCEQ Enforcement Discretion Relating to a Power Emergency in Texas for ERCOT, MISO, or SPP Regions *(Updated Jan. 23, 2026)*

This procedure applies to requests for Texas Commission on Environmental Quality (TCEQ) enforcement discretion related to a Power Emergency in Texas when an Independent System Operator, which includes the Electric Reliability Council of Texas, Inc. (ERCOT), Midcontinent Independent System Operator, Inc. (MISO), Southwest Power Pool, Inc. (SPP), or Western Electricity Coordinating Council (WECC), determines that additional electric generation is necessary to mitigate an emergency condition or a significant risk of an emergency condition (an “Actual or Potential Emergency”). When an Actual or Potential Emergency exists in Texas, the Independent System Operator may notify TCEQ of that condition by contacting TCEQ’s “Designated Contact” or by submitting the notification form at the following link: [Enforcement Discretion Relating to a Power Emergency in Texas](#).

Following TCEQ acknowledgement, the Independent System Operator will notify its market participants and customers with on-site backup generation facilities of the period during which the Actual or Potential Emergency is expected. This notice will include information regarding restrictions and reporting requirements associated with the request for TCEQ enforcement discretion. The Independent System Operator shall send a copy of this notification to the TCEQ Designated Contact.

Regulated entities must maintain records of operations that occurred during the Actual or Potential Emergency. These records include those required under TCEQ authorizations and rules, as well as federal requirements. Regulated entities can submit requests for enforcement discretion by emailing ocerequest@tceq.texas.gov.

TCEQ Designated Contacts

Agency Homeland Security Coordinator (Primary)

Michelle Havelka, 512-426-6715 (mobile), 512-239-3134 (office), michelle.havelka@tceq.texas.gov

Assistant Agency Homeland Security Coordinator (Secondary)

Melinda Torres, 512-466-2580 (mobile), 512-239-3132 (office), melinda.torres@tceq.texas.gov

Homeland Security Liaison (Tertiary)

Adriana Thomas, 512-496-7084 (mobile), 512-239-0117 (office), adriana.thomas@tceq.texas.gov