**Section 452.290 Emergency Exception**

a) In anticipation of impending emergencies and in times of actual emergency affecting the public health and safety or electric system integrity and reliability, an Integrated Distribution Company may take any actions necessary to protect the public and the electric system. If under normal non-emergency circumstances, those actions would constitute violations of this Subpart, the IDC shall file written reports as specified in this Section.

b) Within 24 hours after initiating reliance on the authority in subsection (a), an IDC shall:

1) file an initial written report with the Commission, describing, and stating the general reasons for, the action; and

2) notify non-affiliated ARES on the Internet site described in Section 452.80(d) of this Part.

c) Within seven days after initiating reliance on the authority in subsection (a), or within two days after terminating reliance on the authority in subsection (a), whichever is later, the IDC shall file a full written report with the Commission, explaining the nature and extent of the emergency and how and why the emergency arose. This report shall also list and describe each action the electric utility took that, under normal non-emergency circumstances, would constitute a violation of this Subpart. The initial and full written reports shall be available to the public on the Internet site described in Section 452.80(d) of this Part.

d) Nothing in this Section shall preclude the Commission from investigating, upon its own motion, or upon complaint by any person pursuant to Section 452.310 of this Part, whether the actions or omissions of an IDC pursuant to subsection (a) were reasonably related to an impending or actual emergency affecting the public health and safety or electric system integrity or reliability. If, after a hearing, no reasonable relationship is found, the Commission may impose one or more penalties as authorized by Section 452.320 of this Part.