

By: Rosenthal

H.B. No. 277

A BILL TO BE ENTITLED

AN ACT

relating to accessing transmission service and power at wholesale outside of the ERCOT power region.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 39, Utilities Code, is amended by adding Section 39.166 to read as follows:

Sec. 39.166. ACCESS TO WHOLESALE POWER AND TRANSMISSION SERVICE OUTSIDE THE ERCOT POWER REGION. Notwithstanding any other law, a transmission and distribution utility, municipally owned utility, or electric cooperative that transmits or distributes power purchased at wholesale in the ERCOT power region may construct, own, and operate facilities as necessary to:

(1) access transmission service from outside of the ERCOT power region; and

(2) purchase power at wholesale from outside of the ERCOT power region.

SECTION 2. Not later than November 1, 2022, the Public Utility Commission of Texas shall examine the laws and rules governing electric utilities in this state to determine how Section 39.166, Utilities Code, as added by this Act, may affect the application of those laws and rules and shall adopt recommendations for legislative and administrative action as necessary to implement that section as effectively as practicable.

SECTION 3. (a) Section 39.166, Utilities Code, as added by

1 this Act, takes effect September 1, 2023.

2 (b) Section 2 of this Act takes effect December 1, 2021.