

By: Wilson

H.B. No. 1926

A BILL TO BE ENTITLED

AN ACT

relating to the extension of water or sewer service by certain retail public utilities at the request of a developer.

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

SECTION 1. The heading to Section 13.2502, Water Code, is amended to read as follows:

Sec. 13.2502. CERTAIN SERVICE EXTENSIONS BY WATER SUPPLY AND SEWER SERVICE CORPORATION OR SPECIAL UTILITY DISTRICT NOT REQUIRED.

SECTION 2. Subchapter G, Chapter 13, Water Code, is amended by adding Section 13.2503 to read as follows:

Sec. 13.2503. DETERMINATION BEFORE SERVICE EXTENSION BY WATER SUPPLY AND SEWER SERVICE CORPORATION OR SPECIAL UTILITY DISTRICT. (a) In this section, "developer" means a person who subdivides land or requests more than two water or sewer service connections on a single contiguous tract of land.

(b) A water supply or sewer service corporation or a special utility district organized under Chapter 65 that receives a request from a developer for an extension of retail water or sewer utility service for subdivided land or for more than two service connections within the certificated area of the corporation or district shall provide to the developer, not later than the 90th day after the date the request is received, a written statement of:

(1) whether the corporation or district is capable of

1 providing the service requested in the time frame requested;

2 (2) the infrastructure the developer is required by
3 the service extension policy to supply in order to accommodate the
4 service;

5 (3) whether the corporation or district will use the
6 infrastructure described by Subdivision (2) solely to provide
7 service in the requested area; and

8 (4) the engineering details supporting the
9 infrastructure described by Subdivision (2).

10 (c) A developer who makes a request described by Subsection
11 (b) may petition the utility commission requesting a determination
12 under this section if the corporation or district:

13 (1) refused to extend service to the requested area
14 based on a conclusion that the developer has failed to comply with
15 the service extension policy of the corporation or district as set
16 forth in the tariff of the corporation or the policies of the
17 district; or

18 (2) did not provide the developer with the information
19 required by Subsection (b) before the 90th day after the date the
20 request was submitted.

21 (d) The developer must demonstrate in a petition authorized
22 under Subsection (c) that the developer's request for service was
23 in writing and identified the:

24 (1) area where service was requested;

25 (2) time frame in which service was requested to
26 begin; and

27 (3) level and manner of service needed for current and

1 projected service demands in the area.

2 (e) A water supply or sewer service corporation or a special
3 utility district organized under Chapter 65 that receives a request
4 described by Subsection (b) may petition the utility commission
5 requesting a determination under this section if the corporation or
6 district concludes that the developer refuses to comply with the
7 service extension policy of the corporation or district as set
8 forth in the tariff of the corporation or the policies of the
9 district.

10 (f) The corporation or district must demonstrate in a
11 petition authorized under Subsection (e) that the corporation or
12 district has complied with Subsection (b).

13 (g) If the utility commission receives a petition for a
14 determination under this section, the utility commission shall:

15 (1) require the developer and the corporation or
16 district to submit to the utility commission information necessary
17 for the utility commission to evaluate whether the service
18 extension policy of the corporation or district is reasonable as
19 applied to the developer; and

20 (2) provide an opportunity for an informal hearing on
21 the petition.

22 (h) Not later than the 90th day after the date the petition
23 is submitted to the utility commission, the utility commission
24 shall issue an order determining the requirements the developer
25 must comply with in order to receive the requested service.

26 (i) Chapter 2001, Government Code, does not apply to a
27 petition filed under this section. The decision of the utility

1 commission on the petition is final after any reconsideration
2 authorized by the utility commission's rules and may not be
3 appealed.

4 SECTION 3. This Act takes effect September 1, 2021.