

By: Davis

H.B. No. 2529

A BILL TO BE ENTITLED

AN ACT

relating to the membership of the governing body of the independent organization certified for the ERCOT power region.

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

SECTION 1. Section 39.151, Utilities Code, is amended by amending Subsections (g) and (g-1) and adding Subsection (g-2) to read as follows:

(g) To maintain certification as an independent organization under this section, an organization's governing body must be composed of persons specified by this section and selected in accordance with formal bylaws or protocols of the organization. The bylaws or protocols must be approved by the commission and must reflect the input of the commission. The bylaws must specify the process by which appropriate stakeholders elect members and, for unaffiliated members, prescribe professional qualifications for selection as a member. The bylaws must require the use of a professional search firm to identify candidates for membership of unaffiliated members. The process must allow for commission input in identifying candidates. The governing body must be composed of:

(1) ~~the chairman of the commission as an ex officio nonvoting member,~~

~~(2)~~ the counsellor as an ex officio voting member representing residential and small commercial consumer interests;

(2) ~~(3)~~ the chief executive officer of the

1 independent organization as an ex officio voting member;

2 (3) [~~(4)~~] six market participants elected by their
3 respective market segments to serve one-year terms, with:

4 (A) one representing independent generators;

5 (B) one representing investor-owned utilities;

6 (C) one representing power marketers;

7 (D) one representing retail electric providers;

8 (E) one representing municipally owned
9 utilities; and

10 (F) one representing electric cooperatives;

11 (4) [~~(5)~~] one member representing industrial consumer
12 interests and elected by the industrial consumer market segment to
13 serve a one-year term;

14 (5) [~~(6)~~] one member representing large commercial
15 consumer interests selected in accordance with the bylaws to serve
16 a one-year term; and

17 (6) (7) five members unaffiliated with any market
18 segment and selected by the other members of the governing body to
19 serve three-year terms.

20 (g-1) The presiding officer of the governing body must be
21 one of the members described by Subsection (g)(6) [~~(g)(7)~~].

22 (g-2) To maintain certification as an independent
23 organization under this section, an organization's governing body
24 may not include a commissioner as a member.

25 SECTION 2. This Act takes effect September 1, 2021.