

By: Goldman

H.B. No. 3915

A BILL TO BE ENTITLED

AN ACT

relating to the designation of certain premises as critical load premises for electric service.

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

SECTION 1. Subchapter D, Chapter 38, Utilities Code, is amended by adding Section 38.074 to read as follows:

Sec. 38.074. CRITICAL LOAD PREMISES DESIGNATION. (a) The commission by rule shall establish a process for a transmission and distribution utility to designate and prioritize the designation of certain premises as critical load premises and adopt criteria for determining eligibility for the designation and priority. In establishing the process and adopting the criteria, the commission shall coordinate with other agencies that have primary jurisdiction over entities that own or operate premises that may be designated as critical load premises.

(b) The eligibility criteria adopted under Subsection (a) must allow for premises used by the following entities or for the following activities to be eligible to be designated as critical load premises:

- (1) upstream natural gas production;
- (2) midstream natural gas transportation;
- (3) gas utilities;
- (4) fuel production;
- (5) nitrogen supply;

1 (6) hydrogen supply;

2 (7) water supply;

3 (8) wastewater treatment; and

4 (9) telecommunications.

5 (c) Annually, the commission shall submit to the
6 legislature a report regarding critical load premises
7 designations, including analysis of the implementation and results
8 of the designations.

9 (d) This section does not limit a transmission and
10 distribution utility's discretion to prioritize power delivery and
11 power restoration to the transmission and distribution utility's
12 customers as circumstances require.

13 SECTION 2. Not later than January 1, 2022, the Public
14 Utility Commission of Texas shall submit to the legislature the
15 first report required by Section 38.074, Utilities Code, as added
16 by this Act.

17 SECTION 3. If this Act takes effect immediately, the Public
18 Utility Commission of Texas shall adopt the rules required by
19 Section 38.074, Utilities Code, as added by this Act, not later than
20 September 1, 2021. If this Act takes effect September 1, 2021, the
21 Public Utility Commission of Texas shall adopt rules as required by
22 Section 38.074, Utilities Code, as added by this Act, not later than
23 November 1, 2021.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2021.