

By: Martinez Fischer

H.B. No. 4542

A BILL TO BE ENTITLED

AN ACT

relating to municipally owned utilities in ERCOT accessing transmission service and power at wholesale outside of ERCOT.

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

SECTION 1. Subchapter D, Chapter 39, Utilities Code, is amended by adding Section 39.159 to read as follows:

Sec. 39.159. ACCESS TO WHOLESALE POWER AND TRANSMISSION SERVICE OUTSIDE ERCOT. Notwithstanding any other law, a municipally owned utility that transmits or distributes power purchased at wholesale in ERCOT may make requests, obtain approvals, enter into contracts, and construct facilities as necessary to:

(1) access transmission service from outside of ERCOT;

and

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

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 39.159, 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 39.159, Utilities Code, as added by this Act, takes effect September 1, 2023.

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