

By: Menéndez

S.B. No. 114

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision of electricity service in the ERCOT power
3 region.

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

5 SECTION 1. Section 39.101(b), Utilities Code, is amended to
6 read as follows:

7 (b) A customer is entitled:

8 (1) to be informed about rights and opportunities in
9 the transition to a competitive electric industry;

10 (2) to choose the customer's retail electric provider
11 consistent with this chapter, to have that choice honored, and to
12 assume that the customer's chosen provider will not be changed
13 without the customer's informed consent;

14 (3) to have access to providers of energy efficiency
15 services, to on-site distributed generation, and to providers of
16 energy generated by renewable energy resources;

17 (4) to be served by a provider of last resort that
18 offers a commission-approved standard service package;

19 (5) to receive sufficient information to make an
20 informed choice of service provider;

21 (6) to be protected from unfair, misleading, or
22 deceptive practices, including protection from being billed for
23 services that were not authorized or provided; ~~and~~

24 (7) to have an impartial and prompt resolution of

1 disputes with its chosen retail electric provider and transmission
2 and distribution utility;

3 (8) to participation in demand response programs
4 through retail electric providers and demand response providers;
5 and

6 (9) to receive notice from the retail electric
7 provider that serves the customer:

8 (A) when the independent organization certified
9 under Section 39.151 for the ERCOT power region issues an emergency
10 energy alert about low operating reserves to providers of
11 generation in the power region; or

12 (B) of planned outages and the length of time the
13 outages are expected to last.

14 SECTION 2. Subchapter 2, Chapter 39, Utilities Code, is
15 amended by adding Section 39.919 to read as follows:

16 Sec. 39.919. RESIDENTIAL DEMAND RESPONSE PROGRAM. (a) The
17 commission by rule shall require each retail electric provider in
18 the ERCOT power region to create a residential demand response
19 program to reduce the average total residential load by at least:

20 (1) one percent of peak summer and winter demand by
21 December 31, 2024;

22 (2) two percent of peak summer and winter demand by
23 December 31, 2025;

24 (3) three percent of peak summer and winter demand by
25 December 31, 2026; and

26 (4) five percent of peak summer and winter demand by
27 December 31, 2027.

1 (b) The rules must:

2 (1) ensure that demand response participation is
3 reasonably available to residential customers;

4 (2) promote the use of smart metering technology;

5 (3) ensure that demand response programs are capable
6 of responding to an emergency energy alert about low operating
7 reserves issued by the independent organization certified under
8 Section 39.151 for the ERCOT power region;

9 (4) provide opportunities for demand response
10 providers to contract with retail electric providers to provide
11 demand response services; and

12 (5) ensure the program does not impact the critical
13 needs of vulnerable populations.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2023.