

1-1 By: Menéndez, Eckhardt, Zaffirini S.B. No. 114
 1-2 (In the Senate - Filed November 14, 2022; February 15, 2023,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 28, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 11, Nays 0; April 28, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 114 By: Menéndez

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the provision of electricity service in the ERCOT power
 1-24 region.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 39.101(b), Utilities Code, is amended to
 1-27 read as follows:

1-28 (b) A customer is entitled:

1-29 (1) to be informed about rights and opportunities in
 1-30 the transition to a competitive electric industry;

1-31 (2) to choose the customer's retail electric provider
 1-32 consistent with this chapter, to have that choice honored, and to
 1-33 assume that the customer's chosen provider will not be changed
 1-34 without the customer's informed consent;

1-35 (3) to have access to providers of energy efficiency
 1-36 services, to on-site distributed generation, and to providers of
 1-37 energy generated by renewable energy resources;

1-38 (4) to be served by a provider of last resort that
 1-39 offers a commission-approved standard service package;

1-40 (5) to receive sufficient information to make an
 1-41 informed choice of service provider;

1-42 (6) to be protected from unfair, misleading, or
 1-43 deceptive practices, including protection from being billed for
 1-44 services that were not authorized or provided; ~~and~~

1-45 (7) to have an impartial and prompt resolution of
 1-46 disputes with its chosen retail electric provider and transmission
 1-47 and distribution utility;

1-48 (8) to participation in demand response programs
 1-49 through retail electric providers that offer demand response
 1-50 programs; and

1-51 (9) to receive notice from the retail electric
 1-52 provider that serves the customer when the independent organization
 1-53 certified under Section 39.151 for the ERCOT power region issues an
 1-54 emergency energy alert.

1-55 SECTION 2. Subchapter 2, Chapter 39, Utilities Code, is
 1-56 amended by adding Section 39.919 to read as follows:

1-57 Sec. 39.919. AVERAGE TOTAL RESIDENTIAL LOAD REDUCTION
 1-58 GOALS. (a) The commission by rule shall establish goals in the
 1-59 ERCOT power region to reduce the average total residential load.

1-60 (b) The rules adopted under Subsection (a) must provide for

2-1 the adoption of a program that:
2-2 (1) provides demand response participation to
2-3 residential customers where reasonably available;
2-4 (2) promotes the use of smart metering technology;
2-5 (3) is capable of responding to an emergency energy
2-6 alert about low operating reserves issued by the independent
2-7 organization certified under Section 39.151 for the ERCOT power
2-8 region;
2-9 (4) provides opportunities for demand response
2-10 providers to contract with retail electric providers to provide
2-11 demand response services;
2-12 (5) ensures the program does not impact the critical
2-13 needs of vulnerable populations;
2-14 (6) facilitates the widespread deployment of smart
2-15 responsive appliances and devices in a manner that enables the
2-16 customer's appliance or device to be enrolled as part of a demand
2-17 response product or plan offered by a retail electric provider;
2-18 (7) establishes the method by which the components of
2-19 the ratio described by Subsection (c) are calculated for purposes
2-20 of determining whether the goals described by Subsection (a) have
2-21 been achieved;
2-22 (8) provides for achievement of demand reductions
2-23 within both summer and winter seasons; and
2-24 (9) allows a retail electric provider that offers a
2-25 demand response program under this section to obtain funding for
2-26 the demand response program through an energy efficiency incentive
2-27 program established under Section 39.905.
2-28 (c) The goals described by Subsection (a) must be calculated
2-29 as a ratio by dividing the amount of load reduced at peak demand by
2-30 the total amount of demand, at the same time, of all residential
2-31 customers who have responsive appliances or devices at their
2-32 premises that reduce the electric consumption of the customers.
2-33 SECTION 3. The Public Utility Commission of Texas shall
2-34 adopt rules as necessary for the adoption of a program to begin
2-35 facilitating the widespread deployment of appliances and devices
2-36 capable of being part of a demand response product or plan offered
2-37 by a retail electric provider, as provided by Section 39.919(b)(6),
2-38 Utilities Code, as added by this Act, before December 31, 2024.
2-39 SECTION 4. This Act takes effect immediately if it receives
2-40 a vote of two-thirds of all the members elected to each house, as
2-41 provided by Section 39, Article III, Texas Constitution. If this
2-42 Act does not receive the vote necessary for immediate effect, this
2-43 Act takes effect September 1, 2023.

2-44 * * * * *