

By: King

S.B. No. 1076

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the deadline for approving a certificate of public
3 convenience and necessity for certain transmission projects.

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

5 SECTION 1. Section 37.057, Utilities Code, is amended to
6 read as follows:

7 Sec. 37.057. DEADLINE FOR APPLICATION FOR NEW TRANSMISSION
8 FACILITY. The commission must approve or deny an application for a
9 certificate for a new transmission facility not later than the
10 180th day after [~~the first anniversary of~~] the date the application
11 is filed. If the commission does not approve or deny the
12 application on or before that date, a party may seek a writ of
13 mandamus in a district court of Travis County to compel the
14 commission to decide on the application.

15 SECTION 2. The changes in law made by this Act apply only to
16 a proceeding affecting a certificate of public convenience and
17 necessity that commences on or after the effective date of this Act.
18 A proceeding affecting a certificate of public convenience and
19 necessity that commenced before the effective date of this Act is
20 governed by the law in effect on the date the proceeding is
21 commenced, and that law is continued in effect for that purpose.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

S.B. No. 1076

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2023.