

AN ACT

relating to purchased power costs incurred by electric utilities.

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

SECTION 1. Section 36.205, Utilities Code, is amended by adding Subsection (e) to read as follows:

(e) Notwithstanding Subsection (a), an electric utility may apply to the commission for review and approval of an agreement between the electric utility and another person for the purchase of power by the electric utility if approval by the commission is a pre-condition to the effectiveness of the electric utility's right or obligation to purchase power under the agreement. This subsection applies only to an agreement with a term of three years or more. The commission by rule shall implement this subsection consistent with the standards and procedures in the commission's rules governing contested cases on certificates of convenience and necessity for generating facilities adopted under Sections 37.056 and 37.058. This subsection expires September 1, 2033.

SECTION 2. This Act takes effect September 1, 2023.

S.B. No. 1094

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1094 passed the Senate on April 24, 2023, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1094 passed the House on May 23, 2023, by the following vote: Yeas 145, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor