

BILL ANALYSIS

H.B. 1369
By: Baxter
Regulated Industries
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, Section 39.358 of the Utilities Code allows a municipality to require a retail electric provider to register with the municipality as a condition of providing retail electric service to residents of the municipality and to charge a reasonable fee for such registration. There are approximately 1100 municipalities in Texas, each of which has the ability to pass its own registration ordinance, resulting in minimal consistency among these municipal ordinances. Complying with a myriad of different ordinances creates a barrier to entry for many retail electric providers because of the difficulty associated with ascertaining requirements specific to each municipality and then submitting non-standardized registrations. This bill authorizes the Public Utility Commission of Texas to establish a standardized set of registration requirements and fees.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Public Utility Commission in SECTION 1 (Section 17.051, Utilities Code) of this bill.

ANALYSIS

Amends Section 17.051 of the Utilities Code to add a new subsection (c) specifying that the Public Utility Commission of Texas shall adopt rules governing the local registration of retail electric providers under Sec. 39.358 of the Utilities Code.

EFFECTIVE DATE

September 1, 2003.