

By: Turner

H.B. No. 2338

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the revocation of a retail electric provider's  
3 certificate by the Public Utility Commission of Texas for failure  
4 to bill a customer.

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

6 SECTION 1. Section 39.356(a), Utilities Code, is amended to  
7 read as follows:

8 (a) The commission may suspend, revoke, or amend a retail  
9 electric provider's certificate for significant violations of this  
10 title or the rules adopted under this title or of any reliability  
11 standard adopted by an independent organization certified by the  
12 commission to ensure the reliability of a power region's electrical  
13 network, including the failure to observe any scheduling,  
14 operating, planning, reliability, or settlement protocols  
15 established by the independent organization. The commission may  
16 also suspend or revoke a retail electric provider's certificate if  
17 the provider:

18 (1) fails to issue a bill for electric usage to a  
19 customer before the 91st day after the initiation of service to the  
20 customer unless the provider can adequately demonstrate to the  
21 commission that the provider used industry best practices to  
22 resolve the billing or service issue; or

23 (2) no longer has the financial or technical  
24 capability to provide continuous and reliable electric service.

1           SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2003.