

By: Turner

H.B. No. 2340

A BILL TO BE ENTITLED

AN ACT

1
2 relating to metering services provided to certain electricity
3 customers.

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

5 SECTION 1. Section 39.107, Utilities Code, is amended by
6 amending Subsections (a) and (b) and adding Subsection (h) to read
7 as follows:

8 (a) On introduction of customer choice in a service area,
9 metering services for the area shall continue to be provided by the
10 transmission and distribution utility affiliate of the electric
11 utility that was serving the area before the introduction of
12 customer choice. Metering services provided to large commercial
13 and industrial customers shall begin to be provided on a
14 competitive basis beginning on January 1, 2004. The commission
15 shall determine a schedule for making those services available. In
16 this subsection, the term "large commercial and industrial
17 customer" includes any nonresidential customer with a peak demand
18 greater than 200 kilowatts, as well as the aggregated loads of
19 nonresidential customers having an aggregated peak demand greater
20 than 200 kilowatts, provided that all affected customers are:

21 (1) commonly owned; or

22 (2) franchisees of the same franchisor.

23 (b) Metering services provided to small commercial and
24 residential customers shall continue to be provided by the

1 transmission and distribution utility affiliate of the electric
2 utility that was serving the area before the introduction of
3 customer choice [~~until the later of September 1, 2005, or the date~~
4 ~~on which at least 40 percent of those residential customers are~~
5 ~~taking service from unaffiliated retail electric providers~~].
6 Metering and billing services provided to residential customers
7 shall be governed by the customer safeguards adopted by the
8 commission under Section 39.101. In this subsection, the term
9 "small commercial customer" means any nonresidential customer not
10 defined in subsection (a).

11 (h) Competitive metering implementation expenses of the
12 independent system operator and the transmission and distribution
13 utility shall be paid through rates and shall be allocated to the
14 customer classes receiving competitive metering services.

15 SECTION 2. This Act takes effect September 1, 2003.