

1-1 By: Ellis (Senate Sponsor - Armbrister) H.B. No. 3034  
1-2 (In the Senate - Received from the House May 5, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on Business  
1-4 and Commerce; May 23, 2003, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
1-6 May 23, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3034 By: Williams

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the rates of certain retail public utilities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. (a) Section 10.08(a), Chapter 966, Acts of the  
1-13 77th Legislature, Regular Session, 2001, is amended to read as  
1-14 follows:

1-15 (a) The changes in law made by this article to Chapter 13,  
1-16 Water Code, apply to a proceeding in which the Texas [~~Natural  
1-17 Resource Conservation~~] Commission on Environmental Quality has not  
1-18 issued a final order before the effective date of this article;  
1-19 provided, however, that this article does not apply to a [~~retail~~]  
1-20 public utility that provided utility service in only 24 counties on  
1-21 January 1, 2003. The provisions of Chapter 13, Water Code, that  
1-22 were in effect before September 1, 2001, apply to those public  
1-23 utilities [for which a final order in any rate proceeding has been  
1-24 issued by the Texas Natural Resource Conservation Commission prior  
1-25 to January 1, 2001, as long as that retail public utility is the  
1-26 same as, controlled by, or an affiliate of the retail public utility  
1-27 for which a final order was issued prior to January 1, 2001. This  
1-28 subsection shall not be construed to permit a public utility to  
1-29 increase rates without obtaining the approval of the Texas Natural  
1-30 Resource Conservation Commission].

1-31 (b) The change in law made by this Act is a clarification of  
1-32 existing law and does not imply that existing law may be construed  
1-33 as being inconsistent with the law as amended by this Act.

1-34 SECTION 2. This Act takes effect immediately if it receives  
1-35 a vote of two-thirds of all the members elected to each house, as  
1-36 provided by Section 39, Article III, Texas Constitution. If this  
1-37 Act does not receive the vote necessary for immediate effect, this  
1-38 Act takes effect September 1, 2003.

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