

By: West

H.B. No. 471

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of a gas utility to implement a rate
3 change by posting a bond.

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

5 SECTION 1. Sections 104.109(a), (c), and (d), Utilities
6 Code, are amended to read as follows:

7 (a) A gas utility may put a changed rate into effect
8 throughout the territory affected by the proposed change, including
9 an area over which the railroad commission is exercising appellate
10 jurisdiction, by filing a bond with the railroad commission
11 [~~regulatory authority~~] if:

12 (1) the 150-day suspension period prescribed by
13 Section 104.107(a)(2) is extended under Section 104.107(b); and

14 (2) the commission [~~regulatory authority~~] fails to
15 make a final determination before the 151st day after [~~within 90~~
16 ~~days from~~] the date the proposed increase would otherwise be
17 effective.

18 (c) The bond must be:

19 (1) payable to the railroad commission [~~regulatory~~
20 ~~authority~~] in an amount, in a form, and with a surety approved by
21 the commission [~~regulatory authority~~]; and

22 (2) conditioned on refund.

23 (d) The gas utility shall refund or credit against future
24 bills:

1 (1) money collected under the bonded rates in excess
2 of the rate finally ordered; and

3 (2) interest on that money, at the current interest
4 rate as determined by the railroad commission [~~regulatory~~
5 ~~authority~~].

6 SECTION 2. This Act applies to a statement of intent to
7 change rates filed with a regulatory authority under Section
8 104.102, Utilities Code, on or after September 1, 2005. A statement
9 of intent filed before that date is governed by the law in effect on
10 the date the statement is filed, and that law is continued in effect
11 for that purpose.

12 SECTION 3. This Act takes effect September 1, 2005.