

By: Flores

H.B. No. 1369

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to consumer choice for and disconnection from service of  
3 certain commercial electric service customers.

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

5 SECTION 1. Subchapter C, Chapter 39, Utilities Code, is  
6 amended by adding Section 39.1012 and 39.1016 to read as follows:

7 Sec. 39.1012. (a) A retail electric provider may continue  
8 to serve a retail commercial customer until:

9 (1) the customer chooses service from a different  
10 retail electric provider, an electric cooperative that offers  
11 customer choice, or a municipally owned utility that offers  
12 customer choice; and

13 (2) the customer has paid all charges due for electric  
14 service provided.

15 (b) The commission shall ensure that retail electric  
16 providers comply with this section and by rule shall establish  
17 schedules, procedures, and a system of commission approvals as the  
18 commission considers necessary to achieve the objectives of this  
19 section.

20 Sec. 39.1016. DISCONNECTION OF RETAIL COMMERCIAL CUSTOMER;  
21 RECONNECTION. (a) A retail electric provider may disconnect a  
22 commercial customer if the retail commercial customer does not  
23 remit payment for an invoice for charges for electricity or  
24 transmission and distribution related services before the 41st day

1 after the date the customer receives a correct invoice for the  
2 charges.

3 (b) A retail electric provider may not disconnect a retail  
4 commercial customer under this section during an extreme weather  
5 emergency, as defined by Section 39.101(h), or on a weekend day. A  
6 retail electric provider shall defer collection of the full payment  
7 of bills that are due during an extreme weather emergency until  
8 after the emergency is over and shall work with the customer to  
9 establish a pay schedule for deferred bills.

10 (c) Only the retail electric provider that disconnected a  
11 retail commercial customer as authorized by this section may  
12 reconnect the customer.

13 (d) The commission shall ensure that retail electric  
14 providers comply with this section and by rule shall establish  
15 schedules, procedures, and a system of commission approvals as the  
16 commission considers necessary to achieve the objectives of this  
17 section.

18 SECTION 2. (a) The Public Utility Commission of Texas shall  
19 adopt rules as necessary to implement this Act as soon as  
20 practicable.

21 (b) Sections 39.1012 and 39.1016, Utilities Code, as added  
22 by this Act, take effect January 1, 2006.

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