

By: Hilderbran, Van Arsdale, Otto, Hope,  
et al.

H.B. No. 2585

Substitute the following for H.B. No. 2585:

By: Puente

C.S.H.B. No. 2585

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the rates of and billing cycle used by a water and sewer  
3 utility.

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

5 SECTION 1. Subchapter E, Chapter 13, Water Code, is amended  
6 by adding Section 13.146 to read as follows:

7 Sec. 13.146. BILLING CYCLE OF WATER AND SEWER UTILITY. A  
8 water and sewer utility may not adopt or use a billing cycle for  
9 retail service that is less than 30 days.

10 SECTION 2. Section 13.187, Water Code, is amended by  
11 amending Subsection (p) and adding Subsection (q) to read as  
12 follows:

13 (p) Except to implement a rate adjustment provision  
14 approved by the regulatory authority by rule or ordinance, as  
15 applicable, or to adjust the rates of a newly acquired utility  
16 system, a utility or two or more utilities under common control and  
17 ownership may not file a statement of intent to increase its rates  
18 more than once in a three-year [~~12-month~~] period, unless the  
19 regulatory authority determines that a financial hardship exists.  
20 If the regulatory authority requires the utility to deliver a  
21 corrected statement of intent, the utility is not considered to be  
22 in violation of the three-year [~~12-month~~] filing requirement.

23 (q) Notwithstanding any other provision of this section,  
24 the commission is considered to have approved a rate change if the

1 commission not made a final determination on the rate change on or  
2 before:

3 (1) the 180th day after the effective date of the rate  
4 change, if the commission does not set the matter for hearing; or

5 (2) the 545th day after the effective date of the rate  
6 change, if the commission does set the matter for hearing,  
7 regardless of whether the hearing has been completed on that date.

8 SECTION 3. Section 13.187(p), Water Code, as amended by  
9 this Act, and Section 13.187(q), Water Code, as added by this Act,  
10 apply only to a statement of intent to increase rates filed on or  
11 after the effective date of this Act. A statement filed before the  
12 effective date of this Act is governed by the law in effect on the  
13 date the statement was filed, and that law is continued in effect  
14 for that purpose.

15 SECTION 4. This Act takes effect September 1, 2005.