

Amend CSSB 483 by adding the following SECTION to the bill, appropriately numbered, and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Section 36.062, Utilities Code, is amended to read as follows:

Sec. 36.062. CONSIDERATION OF CERTAIN EXPENSES. The regulatory authority may not consider for ratemaking purposes:

(1) an expenditure for legislative advocacy, made directly or indirectly, including legislative advocacy expenses included in trade association dues;

(2) a payment made to cover costs of an accident, equipment failure, or negligence at a utility facility owned by a person or governmental entity not selling power in this state, other than a payment made under an insurance or risk-sharing arrangement executed before the date of loss;

(3) an expenditure for costs of processing a refund or credit under Section 36.110; ~~[or]~~

(4) an expenditure in satisfaction of an administrative penalty imposed for market power abuse or other violations under Section 39.157; or

(5) any other expenditure, including an executive salary, advertising expense, legal expense, or civil penalty or fine, the regulatory authority finds to be unreasonable, unnecessary, or not in the public interest.

(b) Section 36.062, Utilities Code, as amended by this Act, applies to an administrative penalty imposed for market power abuse or other violations under Section 39.157, Utilities Code, regardless of the date the penalty was imposed.