

By: Ritter

H.B. No. 2818

A BILL TO BE ENTITLED

AN ACT

relating to the delay of retail electric competition in the areas of the state covered by the Southeastern Electric Reliability Council.

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

SECTION 1. Chapter 39, Utilities Code, is amended by adding Section 39.4005 to read as follows:

Sec. 39.4005. DELAY OF RETAIL COMPETITION. (a) The commission shall not implement or consider the implementation of retail electric competition in electric control areas within the Southeastern Reliability Corporation that are not currently engaged in retail electric competition unless instructed to do so by specific legislative actions.

(b) An Electric utility operating in the Southeastern Reliability Corporation which is subject to traditional cost of service rate regulation and currently have a transition to competition plan on file at the commission shall, within 180 days of the effective date of this Section:

(1) withdraw such plan from the commission;
(2) cease all activities related to such plan; and
(3) file with the commission for recovery of any costs incurred as a result of the preparation, filing and pursuit of such plan.

(c) This section shall prevail over any conflicting provision or provisions in this subchapter.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.