

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 15, 2007**

**TO:** Honorable Rick Hardcastle, Chair, House Committee on Energy Resources

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB3337** by Burnam (Relating to the development and use of a comprehensive energy plan and to a corresponding temporary moratorium on authorizations for certain coal-fired electric generating facilities.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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This bill would amend the Utilities Code by requiring the Public Utility Commission (PUC) to develop a comprehensive electric energy plan by December 31, 2007 and require PUC to consider certain factors in developing this energy plan. PUC would be required to update the plan every three years to cover the next ten year period.

This bill would amend the Health and Safety Code by requiring the Texas Commission on Environmental Quality (TCEQ) to submit an application for a permit to operate a coal-fired electric generating facility to the PUC, before a permit to operate such a facility. PUC has thirty days upon receiving the application to notify TCEQ of its determination. This bill would prohibit TCEQ from granting a permit to operate a coal-fired electric generating facility if PUC determines that the issuance of the permit is not necessary to meet the state's demand for electric generation capacity.

Based on the analysis of PUC and TCEQ, it is assumed that duties and responsibilities associated with implementing the provisions of this bill could be accomplished by utilizing existing resources.

The bill would take effect immediately upon receiving a vote of two-thirds of all members elected to each house or otherwise on September 1, 2007.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 473 Public Utility Commission of Texas, 582 Commission on Environmental Quality  
**LBB Staff:** JOB, WK, TGI