

Amend CSHB 3245 (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 39.352, Utilities Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Subject to Subsection (d), a retail electric provider shall at all times maintain compliance with the requirements for certification prescribed by Subsection (b) and with all other applicable requirements prescribed by this title or by a commission order or rule, including customer protection requirements, disclosure requirements, and marketing guidelines. At least annually and at any other time the commission may require, a retail electric provider shall submit a report to the commission concerning the financial viability of the retail electric provider. At any time, the commission, on its own motion or on complaint, may:

(1) investigate the financial, managerial, and technical performance of a retail electric provider; and

(2) inspect the books and records of a retail electric provider.

SECTION _____. Section 39.352(e), Utilities Code, is repealed.