

Amend CSSB 546 (Senate committee report) as follows:

(1) On page 1, line 50, strike "rate impact of the programs" and substitute "cost of the programs charged by the electric utility to residential and commercial customers".

(2) On page 1, line 55, strike "rate impact of the programs" and substitute "cost of the programs charged by the electric utility to residential and commercial customers".

(3) On page 2, line 32, insert the following and renumber subsequent sections accordingly:

"SECTION 2. Section 39.905, Utilities Code, is amended by adding new Subsections (k) and (l) to read as follows:

(k) An electric utility that was not subject to Section 39.905 of this chapter on January 1, 2009, shall be subject to the energy efficiency goals established in this section on a phased-in basis, as prescribed by the commission, starting from the effective date of the final rates from the first rate case filed by the electric utility with the commission after January 1, 2010.

(l) Notwithstanding any other law, this Section shall apply to every electric utility as defined by Section 31.002.

SECTION 3. Section 388.005, Health and Safety Code, is amended by amending Subdivision (1), Subsection (a) and adding Subsection (g) to read as follows:

(a) In this section:

(1) "Institution of higher education" includes an institution of higher education as defined by Section 61.003, Education Code, and a private institution of higher education that receives direct funding from the state for general operating purposes.

(g) A private or independent institution of higher education as defined by Section 61.003 of the Education Code that does not receive direct funding from the state for general operating purposes may seek and receive advice and assistance from the State Energy Conservation Office concerning energy conservation measures to reduce electricity consumption by the existing facilities of the institution."