

Amend CSSB 1846 (Senate committee printing) by striking SECTION 2 of the bill, amending Section 13.043(h), Water Code (page 1, lines 32-38), and substituting the following:

SECTION 2. Section 13.043, Water Code, is amended by amending Subsection (h) and adding Subsection (h-1) to read as follows:

(h) The commission or executive director may [~~on a motion by the executive director or by the appellant under Subsection (a), (b), or (f) of this section,~~] establish interim rates to be in effect for not more than 250 days [~~until a final decision is made~~]. The interim rates may not be lower than the rates on the utility's approved tariff immediately before the filing of the notice of intention to change rates. The commission or executive director may base the interim rates on information in the rate change application.

(h-1) If the commission sets a final rate that is lower than the interim rate established under Subsection (h), the utility shall refund or credit the difference between the interim rate and the final rate plus interest as determined by the commission, unless otherwise agreed to by the parties to the proceeding. If the commission sets a final rate that is higher than the interim rate, the utility may collect the difference between the interim rate and the final rate unless otherwise agreed to by the parties to the proceeding.