

## **BILL ANALYSIS**

H.B. 1866  
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State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, consumers who generate their own electric power for personal use can sell the excess power to an electric company. However, some providers do not allow consumers to sell power back to the grid without assessing a penalty.

H.B. 1866 allows all buyers of retail electric services to interconnect distributed renewable generation.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Public Utility Commission in SECTION 2 of this bill.

### **ANALYSIS**

H.B. 1866 amends customer protection provisions of the Utilities Code to specify that all buyers of retail electric services are entitled to the opportunity to interconnect distributed renewable generation according to conditions established by rule by the Public Utility Commission of Texas (PUC). The bill defines "distributed renewable generation," by reference to other portions of the code, to mean electric generation with a capacity of not more than 2,000 kilowatts provided by a renewable energy technology that is installed on a retail electric customer's side of the meter.

H.B. 1866 requires an electric cooperative to adopt, implement, and enforce rules that have the effect of accomplishing the objectives relating to the entitlement. The bill gives the PUC jurisdiction over electric cooperatives to establish conditions under which customers may interconnect distributed renewable generation and removes such jurisdiction from the exclusive jurisdiction of the board of directors of an electric cooperative. The bill specifies that, for purposes of the PUC's enforcement of the entitlement of a buyer of retail electric services to the opportunity to interconnect distributed renewable generation, an electric cooperative is a "service provider" under certain laws relating to protection against unauthorized charges.

### **EFFECTIVE DATE**

September 1, 2009.