

BILL ANALYSIS

H.B. 3309
By: Gattis
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, under the Utilities Code, an electric utility may not directly or indirectly provide service to the public under a franchise or permit unless the utility first obtains from the Public Utility Commission of Texas a certificate stating that public convenience and necessity requires or will require the installation, operation, or extension of the utility's service. The proceedings for issuing a certificate are set forth by statute. In practice, such proceedings can take several months and require substantial paperwork from the various interested parties. Combining the proceedings relating to expanded transmission lines that share a point of interconnection will greatly improve administrative efficiency in proceedings pertaining to certificates of convenience and necessity. If similar documents do not need to be filed in multiple proceedings involving proposed lines sharing a common point of interconnection, the costs for the parties subject to the proceeding can be reduced.

H.B. 3309 provides for the consolidation of certificate proceedings if it is apparent from the applications for a certificate of convenience and necessity, or from a motion to intervene, that the transmission lines subject to separate proceedings share a common point of interconnection.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3309 amends the Utilities Code to require the Public Utility Commission of Texas to consolidate the proceeding on an application to obtain or amend a certificate of convenience and necessity (CCN) for the construction of a transmission line with the proceeding on another application to obtain or amend a CCN for the construction of a transmission line, if it is apparent from the applications or a motion to intervene in either proceeding that the transmission lines that are the subject of the separate proceedings share a common point of interconnection.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.