

By: Anchia

H.B. No. 280

A BILL TO BE ENTITLED

AN ACT

relating to electric utility energy efficiency goals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.905, Utilities Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) It is the goal of the legislature that:

(1) electric utilities will administer energy efficiency incentive programs in a market-neutral, nondiscriminatory manner but will not offer underlying competitive services;

(2) all customers, in all customer classes, will have a choice of and access to energy efficiency alternatives and other choices from the market that allow each customer to reduce energy consumption, peak demand, or energy costs;

(3) each electric utility will provide, through market-based standard offer programs or limited, targeted, market-transformation programs, incentives sufficient for retail electric providers and competitive energy service providers to acquire additional cost-effective energy efficiency for residential and commercial customers equivalent to at least:

(A) 30 [~~10~~] percent of the electric utility's annual growth in demand of residential and commercial customers by December 31, 2011 [~~2007~~];

1 (B) 40 [~~15~~] percent of the electric utility's
2 annual growth in demand of residential and commercial customers by
3 December 31, 2013 [~~2008, provided that the electric utility's~~
4 ~~program expenditures for 2008 funding may not be greater than 75~~
5 ~~percent above the utility's program budget for 2007 for residential~~
6 ~~and commercial customers, as included in the April 1, 2006,~~
7 ~~filing]; and~~

8 (C) 50 [~~20~~] percent of the electric utility's
9 annual growth in demand of residential and commercial customers by
10 December 31, 2015 [~~2009, provided that the electric utility's~~
11 ~~program expenditures for 2009 funding may not be greater than 150~~
12 ~~percent above the utility's program budget for 2007 for residential~~
13 ~~and commercial customers, as included in the April 1, 2006,~~
14 ~~filing];~~

15 (4) each electric utility in the ERCOT region shall
16 use its best efforts to encourage and facilitate the involvement of
17 the region's retail electric providers in the delivery of
18 efficiency programs and demand response programs under this
19 section;

20 (5) retail electric providers in the ERCOT region, and
21 electric utilities outside of the ERCOT region, shall provide
22 customers with energy efficiency educational materials; and

23 (6) notwithstanding Subsection (a)(3), electric
24 utilities shall continue to make available, at 2007 funding and
25 participation levels, any load management standard offer programs
26 developed for industrial customers and implemented prior to May 1,
27 2007.

1 (a-1) It is the goal of the legislature that, beginning with
2 the year ending December 31, 2016, each electric utility will
3 provide incentives sufficient for retail electric providers and
4 competitive energy service providers to acquire additional
5 cost-effective energy efficiency for all customers, in all
6 categories, to the extent that the total annual energy consumption
7 in this state is reduced by two percent each year.

8 SECTION 2. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2009.