

By: Kolkhorst

H.B. No. 1463

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of the Public Utility Commission of Texas
3 to order certain electric providers to provide power to other
4 electric providers during a natural disaster or declared emergency.

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

6 SECTION 1. Subchapter D, Chapter 38, Utilities Code, is
7 amended by adding Section 38.073 to read as follows:

8 Sec. 38.073. AUTHORITY OF COMMISSION DURING AN EMERGENCY.

9 (a) The commission may require an electric utility, municipally
10 owned utility, electric cooperative, or retail electric provider to
11 sell electricity to another electric utility, municipally owned
12 utility, electric cooperative, or retail electric provider that
13 loses power due to a natural disaster or other declared emergency.

14 The commission may order an electric utility, municipally owned
15 utility, or electric cooperative to provide interconnection
16 service to another electric utility, municipally owned utility, or
17 electric cooperative to facilitate a sale of electricity under this
18 section.

19 (b) If an entity receives electricity under Subsection (a),
20 the receiving entity shall reimburse the supplying entity for the
21 electricity according to the rates or prices charged by the
22 supplying entity during the supplying entity's most recent full
23 billing cycle. The entity receiving the electricity is responsible
24 for any transmission and distribution service charges specifically

1 incurred in relation to providing the electricity.

2 (c) An entity that pays for electricity received under
3 Subsection (b) may fully recover from the entity's customers the
4 cost of the electricity and any associated transmission and
5 distribution costs.

6 SECTION 2. This Act takes effect September 1, 2009.