

By: Turner of Harris

H.B. No. 1904

A BILL TO BE ENTITLED

AN ACT

relating to benefits and protections for certain residential electric customers.

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

SECTION 1. Section 39.101, Utilities Code, is amended by adding Subsections (i)-(n) to read as follows:

(i) A retail electric provider, power generation company, aggregator, or other entity that provides retail electric service shall waive any initial deposit requirement for a residential customer who:

(1) is at least 65 years of age and is not currently delinquent in payment of any electric service account; or

(2) has a payment history for electric service in this state that includes not more than one late payment in the preceding 12 months.

(j) During the period beginning July 1 and ending September 30 of each year, a retail electric provider, power generation company, aggregator, or other entity that provides retail electric service may not authorize the disconnection of or disconnect service to a residential customer who requests and complies with the terms of a deferred payment plan and who:

(1) is a low-income electric customer, as defined by Section 39.903(1); or

(2) is a residential electric customer for whom an

1 interruption or suspension of electric service will create a  
2 dangerous or life-threatening condition.

3 (k) A retail electric provider, power generation company,  
4 aggregator, or other entity that provides retail electric service  
5 shall include notice of the protections available under subsection  
6 (j) with the first invoice issued to a residential customer after  
7 June 30 of each year. Such notice may be printed on the bill or may  
8 be included as an insert provided with the bill.

9 (l) A retail electric provider, power generation company,  
10 aggregator, or other entity that provides retail electric service  
11 shall offer to a residential customer described by Subsection  
12 (j)(1) who requests a deferred payment plan a payment plan that  
13 allows the customer to avoid disconnection of service during the  
14 period described by Subsection (j) if:

15 (1) the customer pays at least 33 percent of the  
16 outstanding balance;

17 (2) the customer agrees to pay remaining balances in  
18 equal installments over the next five billing cycles, unless the  
19 customers agrees to a lesser number of installments; and

20 (3) the customer does not owe an outstanding balance  
21 from a prior deferred payment plan granted to allow the customer to  
22 avoid disconnection of service during a period described by  
23 Subsection (j).

24 (m) A retail electric provider, power generation company,  
25 aggregator, or other entity that provides retail electric service  
26 shall offer upon request by a residential customer described by  
27 Subsection (j)(1) and is at least 65 years of age or by Subsection

1 (j)(2) a deferred payment plan that allows the customer to avoid  
2 disconnection of service during the period described by Subsection  
3 (j) without any payment of the current month's service charges  
4 until after September 30 if the customer agrees to pay:

5 (1) 25 percent of the deferred charges when the first  
6 bill issued after September 30 is due; and

7 (2) the remaining balances in equal installments over  
8 the next five billing cycles after the bill issued after September  
9 30, unless the customer agrees to a lesser number of installments.

10 (n) This section does not apply to metered electric service  
11 sold to residential customers on a prepaid basis.

12 SECTION 2. The Public Utility Commission of Texas shall  
13 adopt rules to implement Sections 39.101(j)-(n), as added by this  
14 Act, as quickly as practicable so that low-income electric  
15 customers and elderly or vulnerable electric customers are provided  
16 protections prescribed by those sections before September 30, 2009.

17 SECTION 3. This Act takes effect September 1, 2009.