

1-1 By: Hilderbran (Senate Sponsor - Eltife) H.B. No. 2052
1-2 (In the Senate - Received from the House April 20, 2009;
1-3 May 1, 2009, read first time and referred to Committee on Business
1-4 and Commerce; May 20, 2009, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to electric service reliability measures.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 38.005(b), Utilities Code, is amended to
1-11 read as follows:

1-12 (b) The commission may [~~shall~~] take appropriate enforcement
1-13 action under this section, including [~~but not limited to~~] action
1-14 against a utility, if any of the utility's feeders [~~feeder~~] with 10
1-15 or more customers [~~appears on the utility's list of worst 10 percent~~
1-16 ~~performing feeders for any two consecutive years or~~] has had a SAIDI
1-17 or SAIFI average that is more than 300 percent greater than the
1-18 system average of all feeders during any two-year period, beginning
1-19 in the year 2000. In determining the appropriate enforcement
1-20 action, the commission shall consider:

1-21 (1) the feeder's operating and maintenance history;
1-22 (2) the cause of each interruption in the feeder's
1-23 service;
1-24 (3) any action taken by a utility to address the
1-25 feeder's performance;
1-26 (4) the estimated cost and benefit of remediating a
1-27 feeder's performance; and
1-28 (5) any other relevant factor as determined by the
1-29 commission.

1-30 SECTION 2. This Act takes effect immediately if it receives
1-31 a vote of two-thirds of all the members elected to each house, as
1-32 provided by Section 39, Article III, Texas Constitution. If this
1-33 Act does not receive the vote necessary for immediate effect, this
1-34 Act takes effect September 1, 2009.

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