

By: Duncan

S.B. No. 2143

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of the Railroad Commission of Texas to
3 determine whether certain transporters of natural or synthetic gas
4 are gas utilities.

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

6 SECTION 1. Section 121.005, Utilities Code, is amended by
7 adding Subsections (d), (e), and (f) to read as follows:

8 (d) The railroad commission may:

9 (1) review a certification made by a person under
10 Subsection (a) to determine whether the person is eligible for an
11 exemption under that subsection; and

12 (2) require the person making a certification to
13 submit any additional information the railroad commission
14 considers necessary to make the determination.

15 (e) The railroad commission, after notice and opportunity
16 for a hearing, shall revoke an exemption granted to a person under
17 Subsection (a) if the commission determines that the person is not
18 eligible for the exemption.

19 (f) Nothing in this section constitutes authority to revoke
20 a person's operating permit based solely on a revocation under
21 Subsection (e). The commission shall develop rules for informing
22 the person of the additional statutory and regulatory requirements
23 caused by the loss of the exemption. On revocation of an exemption,
24 the commission shall specify the required procedures and deadlines

1 for the person to comply with the additional requirements.

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