

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

TO: Honorable David Dewhurst , Lieutenant Governor, Senate
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3309 by Gattis (Relating to certificates of convenience and necessity for the construction of transmission facilities.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would require the Public Utility Commission (PUC) to consolidate the proceedings on an application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line with the proceeding on another application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line if it is apparent that the transmission lines that are the subject of the separate proceedings share a common point of interconnection. The bill would exempt a proceeding on an application for a certificate of convenience and necessity for a transmission line to serve a competitive renewable energy zone from this requirement.

The bill would authorize the PUC to grant a certificate to a person operating a facility used as part of the transmission system serving the ERCOT power region solely for the transmission of electricity. The bill would establish the eligibility requirements for the certification. The bill would also exempt a person granted a certificate under Section 37.051(d) from serving every customer in a certified area and from providing continuous and adequate service in that area.

The bill would require the PUC to conduct a rulemaking to conform existing rules to the bill's provisions. The PUC anticipates any additional work resulting from the passage of the bill could be reasonably absorbed within current resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 473 Public Utility Commission of Texas

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