

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 22, 2009

TO: Honorable Kip Averitt, Chair, Senate Committee on Natural Resources

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

IN RE: HB3838 by Hilderbran (Relating to powers and duties of the Office of Public Utility Counsel to represent residential and small commercial consumers in certain water or sewer utility service matters before the Texas Commission on Environmental Quality.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would transfer to the Office of Public Utility Counsel (OPUC) the powers, duties, functions, programs, and activities of the Office of Public Interest Counsel of the Texas Commission on Environmental Quality (TCEQ) relating to water and sewer services regulated under Chapter 13, Water Code. The bill would require OPUC to represent the interests of residential and small commercial consumers in proceedings under Chapter 13. The bill would authorize OPUC to appear or intervene on behalf of the residential or small commercial consumers, to appear in specified judicial proceedings, and to recommend legislation to the legislature that positively affects residential and small commercial consumers.

The bill would transfer \$80,847 in fiscal year 2010 and \$80,847 in fiscal year 2011 appropriated to TCEQ by the 81st Legislature, Regular Session, relating to the provisions of the bill, to OPUC. Based on the analysis of TCEQ, it is assumed that the appropriations made to TCEQ for the 2010-11 biennium would be transferred to OPUC from the Water Resource Management Account No. 153.

This analysis assumes that as a result of the transfer of funds from TCEQ to OPUC, there would be no significant fiscal impact to the state.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 475 Office of Public Utility Counsel, 582 Commission on Environmental Quality

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