

Amend Amendment No. 137 to **CSSB 1** by adding the following:

ARTICLE \_\_\_\_\_. CERTAIN POWERS AND DUTIES OF THE LEGISLATIVE BUDGET  
BOARD AND THE PUBLIC UTILITY COMMISSION OF TEXAS

SECTION \_\_\_\_\_.01 Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.9041 to read as follows:

Sec. 39.9041. UNDERGROUND PLACEMENT OF CERTAIN COMPETITIVE RENEWABLE ENERGY ZONE TRANSMISSION LINES. (a) This section applies to a county that has a population of 25,000 or less and contains a portion of the Llano River or Guadalupe River.

(b) The commission and the Legislative Budget Board jointly shall determine critical segments of a transmission line intended to serve a competitive renewable energy zone that pose the most risk of damage for municipalities and municipal residents. A critical segment of a transmission line must be placed underground unless the Legislative Budget Board determines underground placement is cost prohibitive based on cost projections submitted to the board by the entity designated by the commission to construct the critical segment.

SECTION \_\_\_\_\_. 02. Section 39.9041, Utilities Code, as added by this article, applies only to a certificate of convenience and necessity approved on or after January 1, 2011. A certificate of convenience and necessity approved before January 1, 2011, is governed by the law in effect at the time the certificate was approved, and the former law is continued in effect for that purpose.

SECTION \_\_\_\_\_.03. Section 39.9041, Utilities Code, as added by this article, takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, Section 39.9041, as added by this article, takes effect September 1, 2011.