

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1219
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Business & Commerce
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of the Power to Choose website is to promote customer choice in the competitive markets by enabling customers to shop for competitive rates. The Public Utility Commission (PUC) has statutory obligations to inform the public regarding the deregulation of the retail electric market. The Power to Choose website, managed by PUC for this purpose, is not user-friendly and does not reflect the complex nature of the competitive market of retail choices for electricity. C.S.S.B. 1219 seeks to publish and maintain the Power to Choose website so that it is more accessible, easier to use, and contains more useful information beyond price offers.

C.S.S.B. 1219 amends current law relating to the Internet website operated by the Public Utility Commission of Texas to provide information regarding a customer's power to choose retail electric providers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Provides that the legislature finds that:

- (1) a competitive electric services market requires timely, accurate, and adequate information about the products and services offered to consumers in the market; and
- (2) the Public Utility Commission of Texas (PUC) operates an Internet website regarding the power to choose retail electric providers on which offers by those providers are published.

SECTION 2. Amends Subchapter C, Chapter 39, Utilities Code, by adding Section 39.110, as follows:

Sec. 39.110. TEXAS ELECTRIC CHOICE WEBSITE. (a) Requires PUC to publish and maintain a website that allows customers to view competitive offers from retail electric providers. Requires that the website enable a user to search by zip code offers available to a residential customer in the user's service area. Authorizes, but does not require, a retail electric provider to post offers available to residential customers on this website.

(b) Requires that the Internet website, at a minimum, include:

- (1) features that make the website fully accessible to people with disabilities;
- (2) a clear identification with each price offer posted on the website, of the category of the product as defined by PUC rules;

(3) a searchable and sortable database of each retail electric provider offer on the website that allows the information to be read into a commercially available electronic database; and

(4) information about each of the following programs available in the user's service area through a state agency, utility, or retail electric provider:

(A) energy efficiency programs, including weatherization and rebate programs;

(B) distributed renewable generation policies and programs, including rebate programs, net metering, and policies affecting consumers' rights; and

(C) low-income utility assistance programs, including bill payment assistance, weatherization, and rebate programs.

(c) Requires PUC to establish a project to implement this section. Requires PUC to create a working committee to provide input on the implementation of this section that is composed of members of PUC staff, experts in user-centered web design, experts in consumer-choice web design, retail electric providers, consumer advocates, and representatives of various categories of potential users of the redesigned power to choose website, including people with disabilities and low-income customers.

(d) Requires PUC to establish protocols relating to the frequency with which information posted on the website is updated.

(e) Requires PUC to consult and cooperate with other state agencies in the design, both for content and usability, of the website, including agencies providing low-income consumer assistance and energy efficiency assistance and the interagency coordinating group established under Section 535.053 (Interagency Coordinating Group), Government Code.

SECTION 3. Amends Section 39.116, Utilities Code, to provide that this section (Notice Regarding Customer Choice Information) expires September 1, 2013, rather than September 1, 2011.

SECTION 4. Requires PUC to publish and begin operation of a redesigned website as provided by Section 39.110, Utilities Code, as added by this Act, not later than September 1, 2012.

SECTION 5. Authorizes PUC, to accept funds from any source, including gifts, grants, or donations, for implementation of this Act. Prohibits PUC, however, from incorporating a preference of information displayed directly or indirectly in favor of any funding source, and provides that no entity will be required to contribute funds to have information posted on the site. Provides that the implementation of this Act is contingent on a finding by PUC that complete funding exists or is likely to exist to carry out the provisions of this Act.

SECTION 6. Effective date: September 1, 2011.