

By: Anchia

H.B. No. 1629

A BILL TO BE ENTITLED

AN ACT

relating to energy efficiency goals and public information regarding energy efficiency programs.

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

SECTION 1. Section 39.905, Utilities Code, is amended by amending Subsection (a) and adding Subsection (b-5) to read as follows:

(a) It is the goal of the legislature that:

(1) electric utilities will administer energy efficiency incentive programs in a market-neutral, nondiscriminatory manner but will not offer underlying competitive services;

(2) all customers, in all customer classes, will have a choice of and access to energy efficiency alternatives and other choices from the market that allow each customer to reduce energy consumption, peak demand, or energy costs;

(3) each electric utility will provide, through market-based standard offer programs or limited, targeted, market-transformation programs, incentives sufficient for retail electric providers and competitive energy service providers to acquire additional cost-effective energy efficiency for residential and commercial customers equivalent to at least one-half of one [+

[~~(A)~~ 10] percent of the electric utility's peak

1 ~~[annual growth in]~~ demand of residential and commercial customers
2 by December 31, 2013 ~~[2007,~~

3 ~~[(B) 15 percent of the electric utility's annual~~
4 ~~growth in demand of residential and commercial customers by~~
5 ~~December 31, 2008, provided that the electric utility's program~~
6 ~~expenditures for 2008 funding may not be greater than 75 percent~~
7 ~~above the utility's program budget for 2007 for residential and~~
8 ~~commercial customers, as included in the April 1, 2006, filing; and~~

9 ~~[(C) 20 percent of the electric utility's annual~~
10 ~~growth in demand of residential and commercial customers by~~
11 ~~December 31, 2009, provided that the electric utility's program~~
12 ~~expenditures for 2009 funding may not be greater than 150 percent~~
13 ~~above the utility's program budget for 2007 for residential and~~
14 ~~commercial customers, as included in the April 1, 2006, filing];~~

15 (4) each electric utility in the ERCOT region shall
16 use its best efforts to encourage and facilitate the involvement of
17 the region's retail electric providers in the delivery of
18 efficiency programs and demand response programs under this
19 section, including programs for demand-side renewable energy
20 systems that:

21 (A) use distributed renewable generation, as
22 defined by Section 39.916; or

23 (B) reduce the need for energy consumption by
24 using a renewable energy technology, a geothermal heat pump, a
25 solar water heater, or another natural mechanism of the
26 environment;

27 (5) retail electric providers in the ERCOT region, and

1 electric utilities outside of the ERCOT region, shall provide
2 customers with energy efficiency educational materials; and

3 (6) notwithstanding Subsection (a)(3), electric
4 utilities shall continue to make available, at 2007 funding and
5 participation levels, any load management standard offer programs
6 developed for industrial customers and implemented prior to May 1,
7 2007.

8 (b-5) The commission shall conduct an annual survey of
9 customers that participate in an energy efficiency program in which
10 an incentive is offered. The survey must obtain information on
11 whether a customer would have installed the energy efficiency
12 measure or had the energy efficiency service performed if no
13 incentive was offered and whether the customer would have known
14 about the energy efficiency program absent efforts made by the
15 commission or an electric utility to publicize the program. The
16 commission shall submit the results of the survey to the
17 legislature in the commission's annual report prescribed by Section
18 12.203.

19 SECTION 2. Subchapter Z, Chapter 39, Utilities Code, is
20 amended by adding Section 39.9054 to read as follows:

21 Sec. 39.9054. ENERGY EFFICIENCY PLANS AND REPORTS; PUBLIC
22 INFORMATION. (a) An electric utility shall electronically submit
23 an energy efficiency plan and report in a searchable form
24 prescribed by the commission on or before April 1 of each year. The
25 commission by rule shall adopt a form that will permit the public to
26 easily compare information submitted by different electric
27 utilities. The plan and report must:

1 (1) provide information on the utility's performance
2 in achieving energy efficiency goals for the previous five years;

3 (2) describe how the utility intends to achieve future
4 goals; and

5 (3) provide any other information the commission
6 considers relevant.

7 (b) On the Internet website found at
8 <http://www.puc.state.tx.us>, the commission shall publish
9 information on energy efficiency programs, including:

10 (1) an explanation of the goal for energy efficiency
11 in this state;

12 (2) a description of the types of energy efficiency
13 programs available to certain classes of eligible customers;

14 (3) a link to the plans and reports filed as prescribed
15 by Subsection (a); and

16 (4) a list of persons who install or provide energy
17 efficiency measures or services by area.

18 (c) This section does not require the commission to warrant
19 that the list required to be displayed under Subsection (b)
20 constitutes a complete or accurate list of all persons who install
21 energy efficiency measures or services in the marketplace.

22 SECTION 3. This Act takes effect September 1, 2011.