

By: Frullo

H.B. No. 2498

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain non-ERCOT utilities to comply with energy efficiency goals.

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

SECTION 1. Section 39.402(a), Utilities Code, is amended to read as follows:

(a) Until the [~~later of January 1, 2007, or the~~] date on which an electric utility subject to this subchapter is authorized by the commission to implement customer choice, the rates of the utility shall be regulated under traditional cost of service regulation and the utility is subject to all applicable regulatory authority prescribed by this subtitle and Subtitle A, including Chapters 14, 32, 33, 36, and 37. Until the date on which an electric utility subject to this subchapter implements customer choice, the provisions of this chapter, other than this subchapter, Sections [~~Section~~] 39.904 and 39.905, and the provisions relating to the duty to obtain a permit from the Texas [~~Natural Resource Conservation~~] Commission on Environmental Quality for an electric generating facility and to reduce emissions from an electric generating facility, shall not apply to that utility. That portion of any commission order entered before September 1, 2001, to comply with this subchapter shall be null and void.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2011.