

By: Turner

H.B. No. 2709

A BILL TO BE ENTITLED

AN ACT

relating to energy and efficiency conservation programs administered by the Texas Public Utility Commission.

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

SECTION 1. Section 36.204, Utilities Code, is amended to read as follows:

Sec. 36.204. COST RECOVERY AND INCENTIVES. In establishing rates for an electric utility, the commission may:

(1) allow timely recovery of the reasonable costs of conservation, load management, and purchased power, notwithstanding Section 36.201; and

(2) authorize additional incentives for:

(A) conservation, load management, purchased power, and renewable resources; or

(B) programs with measurable and verifiable results that inform commercial or residential consumers about:

(i) energy efficient materials; or

(ii) methods to reduce energy consumption through behavioral changes that lead to efficient use patterns and practices.

SECTION 2. Section 39.905(d), Utilities Code, is amended to read as follows:

(d) The commission shall establish a procedure for reviewing and evaluating market-transformation program options

1 described by this subsection and other options. In evaluating
2 program options, the commission may consider the ability of a
3 program option to reduce costs to customers through reduced demand,
4 energy savings, and relief of congestion. Utilities may choose to
5 implement any program option approved by the commission after its
6 evaluation in order to satisfy the goal in Subsection (a),
7 including:

- 8 (1) energy-smart schools;
- 9 (2) appliance retirement and recycling;
- 10 (3) air conditioning system tune-ups;
- 11 (4) the use of trees or other landscaping for energy
12 efficiency;
- 13 (5) customer energy management and demand response
14 programs;
- 15 (6) high performance residential and commercial
16 buildings that will achieve the levels of energy efficiency
17 sufficient to qualify those buildings for federal tax incentives;
- 18 (7) programs for customers who rent or lease their
19 residence or commercial space;
- 20 (8) programs providing energy monitoring equipment to
21 customers that enable a customer to better understand the amount,
22 price, and time of the customer's energy use;
- 23 (9) energy audit programs for owners and other
24 residents of single-family or multifamily residences and for small
25 commercial customers;
- 26 (10) net-zero energy new home programs;
- 27 (11) solar thermal or solar electric programs; ~~and~~

1 (12) programs for using windows and other glazing
2 systems, glass doors, and skylights in residential and commercial
3 buildings that reduce solar gain by at least 30 percent from the
4 level established for the federal Energy Star windows program; and

5 (13) energy use programs with measurable and
6 verifiable results that inform commercial or residential consumers
7 about:

8 (A) energy efficient materials; or

9 (B) methods to reduce energy consumption through
10 behavioral changes that lead to efficient use patterns and
11 practices.

12 SECTION 3. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2011.