

By: Elkins

H.B. No. 3248

A BILL TO BE ENTITLED

AN ACT

relating to disclosure of certain offers for the sale of  
electricity in wholesale transactions.

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

SECTION 1. Subchapter D, Chapter 39, Utilities Code, is  
amended by adding Section 39.1517 to read as follows:

Sec. 39.1517. DISCLOSURE OF CERTAIN WHOLESALE OFFERS. (a)

This section applies to any entity that sells electricity at  
wholesale, including a power generation company, power marketer,  
municipally owned utility, electric cooperative, and river  
authority.

(b) An entity that offers to sell electricity in a wholesale  
energy market at a price of more than \$499 per megawatt hour shall  
disclose the offer to the independent organization certified under  
Section 39.151 that administers that market. The entity must send  
the disclosure to the organization at the time the entity makes the  
offer.

(c) Not later than the 48th hour after the hour the  
independent organization receives a disclosure under Subsection  
(b), the organization shall post on the organization's publicly  
available Internet website:

(1) the identity of the entity that made the offer;

(2) the price at which the offer was made; and

(3) the market location and period for which the offer

1 was made.

2           SECTION 2. This Act applies only to an offer to sell  
3 electricity that is made on or after the effective date of this Act.  
4 An offer made before the effective date of this Act is governed by  
5 the law in effect on the date the offer was made, and that law is  
6 continued in effect for that purpose.

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