

By: Carona

S.B. No. 981

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of distributed renewable generation of electricity.

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

SECTION 1. Subdivision (2), Subsection (a), Section 39.916, Utilities Code, is amended to read as follows:

(2) "Distributed renewable generation owner" means:

(A) the owner of distributed renewable generation; or

(B) a retail electric customer who contracts with another person to finance, install, or maintain distributed renewable generation on the customer's side of the meter, regardless of whether the customer takes ownership of the installed distributed renewable generation.

SECTION 2. Section 39.916, Utilities Code, is amended by adding Subsection (d-1) to read as follows:

(d-1) If, at the time distributed renewable generation is installed on a retail electric customer's side of the meter, the estimated annual amount of electric energy to be produced by the distributed renewable generation is less than or equal to the customer's estimated annual electric energy consumption, the commission may not consider the distributed renewable generation owner to be a power generation company or require the distributed renewable generation owner to register as a power generation

1 company.

2 SECTION 3. Subchapter Z, Chapter 39, Utilities Code, is  
3 amended by adding Section 39.917 to read as follows:

4 Sec. 39.917. THIRD-PARTY PROVIDERS OF DISTRIBUTED  
5 RENEWABLE GENERATION. The commission may not consider a person who  
6 contracts with a retail electric customer to finance, install, or  
7 maintain distributed renewable generation on the customer's side of  
8 the meter under a contract, as described by Section 39.916(a)(2),  
9 to be an electric utility, a power generation company, or a retail  
10 electric provider.

11 SECTION 4. This Act takes effect September 1, 2011.