

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) an [the] owner of distributed renewable generation;

(B) a retail electric customer on whose side of the meter distributed renewable generation is installed and operated, regardless of whether the customer takes ownership of the distributed renewable generation; or

(C) a person who by contract is assigned ownership rights to energy produced from distributed renewable generation located at the premises of the customer on the customer's side of the meter.

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

(k) Neither a retail electric customer that uses distributed renewable generation nor the owner of the distributed renewable generation that the retail electric customer uses is an electric utility, power generation company, or retail electric provider for the purposes of this title and neither is required to

1 register with or be certified by the commission if at the time
2 distributed renewable generation is installed, the estimated
3 annual amount of electricity to be produced by the distributed
4 renewable generation is less than or equal to the retail electric
5 customer's estimated annual electricity consumption.

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 981 passed the Senate on April 7, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 27, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 981 passed the House, with amendments, on May 25, 2011, by the following vote: Yeas 146, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor