

1-1 By: Carona S.B. No. 981
1-2 (In the Senate - Filed February 28, 2011; March 17, 2011,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 March 24, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 24, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 981 By: Carona

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the regulation of distributed renewable generation of
1-11 electricity.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subdivision (2), Subsection (a), Section 39.916,
1-14 Utilities Code, is amended to read as follows:

1-15 (2) "Distributed renewable generation owner" means:

1-16 (A) the owner of distributed renewable
1-17 generation; or

1-18 (B) a retail electric customer who contracts with
1-19 another person to finance, install, or maintain distributed
1-20 renewable generation on the customer's side of the meter,
1-21 regardless of whether the customer takes ownership of the installed
1-22 distributed renewable generation.

1-23 SECTION 2. Section 39.916, Utilities Code, is amended by
1-24 adding Subsection (d-1) to read as follows:

1-25 (d-1) If, at the time distributed renewable generation is
1-26 installed on a retail electric customer's side of the meter, the
1-27 estimated annual amount of electric energy to be produced by the
1-28 distributed renewable generation is less than or equal to the
1-29 customer's estimated annual electric energy consumption, the
1-30 commission may not consider the distributed renewable generation
1-31 owner to be a power generation company or require the distributed
1-32 renewable generation owner to register as a power generation
1-33 company.

1-34 SECTION 3. Subchapter Z, Chapter 39, Utilities Code, is
1-35 amended by adding Section 39.917 to read as follows:

1-36 Sec. 39.917. THIRD-PARTY PROVIDERS OF DISTRIBUTED
1-37 RENEWABLE GENERATION. The commission may not consider a person who
1-38 contracts with a retail electric customer to finance, install, or
1-39 maintain distributed renewable generation on the customer's side of
1-40 the meter under a contract, as described by Section 39.916(a)(2),
1-41 to be an electric utility, a power generation company, or a retail
1-42 electric provider.

1-43 SECTION 4. This Act takes effect September 1, 2011.

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