

By: Hegar

S.B. No. 1041

A BILL TO BE ENTITLED

AN ACT

relating to the repeal of the goal for natural gas use.

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

SECTION 1. Sections 39.9044 and 39.9048, Utilities Code, are repealed.

SECTION 2. Section 40.004, Utilities Code, is amended to read as follows:

Sec. 40.004. JURISDICTION OF COMMISSION. Except as specifically otherwise provided in this chapter, the commission has jurisdiction over municipally owned utilities only for the following purposes:

(1) to regulate wholesale transmission rates and service, including terms of access, to the extent provided by Subchapter A, Chapter 35;

(2) to regulate certification of retail service areas to the extent provided by Chapter 37;

(3) to regulate rates on appeal under Subchapters D and E, Chapter 33, subject to Section 40.051(c);

(4) to establish a code of conduct as provided by Section 39.157(e) applicable to anticompetitive activities and to affiliate activities limited to structurally unbundled affiliates of municipally owned utilities, subject to Section 40.054;

(5) to establish terms and conditions for open access to transmission and distribution facilities for municipally owned

1 utilities providing customer choice, as provided by Section 39.203;

2 (6) to require collection of the nonbypassable fee  
3 established under Section 39.903(b) and to administer the renewable  
4 energy credits program under Section 39.904(b) [~~and the natural gas  
5 energy credits program under Section 39.9044(b)~~]; and

6 (7) to require reports of municipally owned utility  
7 operations only to the extent necessary to:

8 (A) enable the commission to determine the  
9 aggregate load and energy requirements of the state and the  
10 resources available to serve that load; or

11 (B) enable the commission to determine  
12 information relating to market power as provided by Section 39.155.

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