

By: Seliger
(Frullo)

S.B. No. 1150

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring certain non-ERCOT utilities to comply with
3 energy efficiency goals.

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

5 SECTION 1. Subsection (a), Section 39.402, Utilities Code,
6 is amended to read as follows:

7 (a) Until the [~~later of January 1, 2007, or the~~] date on
8 which an electric utility subject to this subchapter is authorized
9 by the commission to implement customer choice, the rates of the
10 utility shall be regulated under traditional cost of service
11 regulation and the utility is subject to all applicable regulatory
12 authority prescribed by this subtitle and Subtitle A, including
13 Chapters 14, 32, 33, 36, and 37. Until the date on which an electric
14 utility subject to this subchapter implements customer choice, the
15 provisions of this chapter, other than this subchapter, Sections
16 [~~Section~~] 39.904 and 39.905, and the provisions relating to the
17 duty to obtain a permit from the Texas [~~Natural Resource~~
18 ~~Conservation~~] Commission on Environmental Quality for an electric
19 generating facility and to reduce emissions from an electric
20 generating facility, shall not apply to that utility. That portion
21 of any commission order entered before September 1, 2001, to comply
22 with this subchapter shall be null and void.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2011.