

1-1 By: Seliger S.B. No. 1150  
1-2 (In the Senate - Filed March 4, 2011; March 16, 2011, read  
1-3 first time and referred to Committee on Business and Commerce;  
1-4 March 29, 2011, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; March 29, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to requiring certain non-ERCOT utilities to comply with  
1-9 energy efficiency goals.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 39.402, Utilities Code,  
1-12 is amended to read as follows:

1-13 (a) Until the [~~later of January 1, 2007, or the~~] date on  
1-14 which an electric utility subject to this subchapter is authorized  
1-15 by the commission to implement customer choice, the rates of the  
1-16 utility shall be regulated under traditional cost of service  
1-17 regulation and the utility is subject to all applicable regulatory  
1-18 authority prescribed by this subtitle and Subtitle A, including  
1-19 Chapters 14, 32, 33, 36, and 37. Until the date on which an electric  
1-20 utility subject to this subchapter implements customer choice, the  
1-21 provisions of this chapter, other than this subchapter, Sections  
1-22 [~~Section~~] 39.904 and 39.905, and the provisions relating to the  
1-23 duty to obtain a permit from the Texas [~~Natural Resource~~  
1-24 ~~Conservation~~] Commission on Environmental Quality for an electric  
1-25 generating facility and to reduce emissions from an electric  
1-26 generating facility, shall not apply to that utility. That portion  
1-27 of any commission order entered before September 1, 2001, to comply  
1-28 with this subchapter shall be null and void.

1-29 SECTION 2. This Act takes effect immediately if it receives  
1-30 a vote of two-thirds of all the members elected to each house, as  
1-31 provided by Section 39, Article III, Texas Constitution. If this  
1-32 Act does not receive the vote necessary for immediate effect, this  
1-33 Act takes effect September 1, 2011.

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