

By: Carona

S.B. No. 1219

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the website operated by the Public Utility Commission
3 of Texas to provide information regarding the power to choose and a
4 study on standardized electric service products and contracts.

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

6 SECTION 1. The legislature finds that:

7 (1) a competitive electric services market requires
8 timely, accurate, and adequate information about the products and
9 services offered to consumers in the market;

10 (2) the Public Utility Commission of Texas operates a
11 website regarding the power to choose retail electric providers on
12 which offers by those providers are published;

13 (3) the website is not easily usable and does not
14 provide the transparency necessary for consumers to make informed
15 choices in purchasing electric service products;

16 (4) the website does not use a user-centered design
17 approach;

18 (5) the website is not accessible to people with
19 disabilities; and

20 (6) a more structured approach to the design of that
21 website is required to truly affect a consumer's power to choose.

22 SECTION 2. Subchapter C, Chapter 39, Utilities Code, is
23 amended by adding Section 39.110 to read as follows:

24 Sec. 39.110. POWER TO CHOOSE WEBSITE. (a) The commission

1 shall publish and operate a power to choose website redesigned
2 using a user-centered design approach. The user-centered design
3 approach must enable a residential, governmental, commercial, or
4 industrial user to search by physical address all offers available
5 in the user's service area.

6 (b) At a minimum, the redesigned website must include:

7 (1) a web page on which all fees, deposits, required
8 balances, and rates for each product offered by a retail electric
9 provider are posted and visible without the need to click on a link
10 and be redirected to another web page for the information;

11 (2) a web page on which terms of service for each
12 product offered by a retail electric provider are posted;

13 (3) features that make the website fully accessible to
14 people with disabilities;

15 (4) a research trail feature that will allow the user
16 to track the user's research;

17 (5) a clear identification with each price offer
18 posted on the website of whether the underlying product is a prepay
19 product or a variable, index, or fixed rate product;

20 (6) a searchable and sortable database of each retail
21 electric provider offer on the website that allows the information
22 to be read into a commercially available electronic database;

23 (7) features to accommodate language, cultural, and
24 educational differences among users; and

25 (8) comprehensive information, prominently displayed,
26 appropriately linked, and searchable by the user's physical
27 address, about each of the following programs available in the

1 user's service area through a state agency, utility, or retail
2 electric provider:

3 (A) energy efficiency programs, including
4 weatherization and rebate programs;

5 (B) distributed renewable generation policies
6 and programs, including rebate programs, net metering, and policies
7 affecting consumers' rights; and

8 (C) low-income utility assistance programs,
9 including bill payment assistance, weatherization, and rebate
10 programs.

11 (c) The commission shall establish a project to implement
12 this section. The commission may create a working committee to
13 provide input on the implementation of this section that is
14 composed of members of commission staff, consumer advocates, and
15 representatives of various categories of potential users of the
16 redesigned power to choose website, including people with
17 disabilities and low-income customers. The Department of
18 Information Resources shall participate in the project and shall
19 provide technical assistance to the commission and, if a working
20 committee is created, to the working committee.

21 (d) The commission by rule shall establish protocols
22 relating to the frequency with which information posted on the
23 website is updated.

24 (e) The commission shall consult and cooperate with other
25 state agencies in the design, both for content and usability, of the
26 website, including agencies providing low-income consumer
27 assistance and energy efficiency assistance and the interagency

1 coordinating group established under Section 535.053, Government
2 Code.

3 SECTION 3. Section 39.116, Utilities Code, is amended to
4 read as follows:

5 Sec. 39.116. NOTICE REGARDING CUSTOMER CHOICE INFORMATION.
6 A retail electric provider shall include on each residential
7 customer's bill a statement, in at least 12-point type on the front
8 of the first page, that reads: "For more information about
9 residential electric service please visit www.powertochoose.com."
10 This section expires September 1, 2015 [~~2011~~].

11 SECTION 4. The Public Utility Commission of Texas shall
12 publish and begin operation of a redesigned power to choose website
13 using a user-centered design approach as provided by Section
14 39.110, Utilities Code, as added by this Act, not later than
15 September 1, 2012.

16 SECTION 5. The Public Utility Commission of Texas, with
17 input from the working committee, if a committee is created under
18 Section 39.110(c), Utilities Code, as added by this Act, shall
19 conduct a study on the feasibility of establishing standardized
20 electric service products and standardized terms to be included in
21 electric service contracts to facilitate consumer comparisons of
22 those products and terms. Not later than September 1, 2012, the
23 commission shall report its findings to the legislature and publish
24 those findings on the power to choose website.

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