

1-1 By: Hinojosa, Eltife S.B. No. 1309
1-2 (In the Senate - Filed March 8, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 May 9, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; May 9, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1309 By: Lucio

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

1-10 relating to rate adjustments by gas utilities.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter G, Chapter 104, Utilities Code, is
1-13 amended by adding Section 104.302 to read as follows:

1-14 Sec. 104.302. RATE ADJUSTMENTS. (a) In establishing a gas
1-15 utility's rates, the railroad commission or municipal regulatory
1-16 authority may, but is not required to, approve a tariff or rate
1-17 schedule in which the rate for gas utility service is adjusted based
1-18 on changes in the gas utility's revenues, expenses, or investments.

1-19 (b) Rates and charges resulting from tariffs or rate
1-20 schedules established within a municipality by mutual agreement of
1-21 the utility and the municipal regulatory authority shall be
1-22 presumed reasonable by the railroad commission.

1-23 (c) This section does not:

1-24 (1) affect the original or appellate jurisdiction of
1-25 the railroad commission or a municipal regulatory authority;

1-26 (2) change a tariff or rate schedule of a gas utility
1-27 that is in effect on or before September 1, 2011; or

1-28 (3) limit the authority of the railroad commission or
1-29 a municipal regulatory authority to review the gas utility's rate
1-30 adjustment filings.

1-31 SECTION 2. This Act takes effect September 1, 2011.

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