

1-1 By: Carona S.B. No. 1434
1-2 (In the Senate - Filed March 10, 2011; March 22, 2011, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 18, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 18, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1434 By: Carona

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

1-10 relating to certain low-income weatherization programs.

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

1-12 SECTION 1. Subsection (f), Section 39.905, Utilities Code,
1-13 is amended to read as follows:

1-14 (f) Unless funding is provided under Section 39.903, each
1-15 unbundled transmission and distribution utility shall include in
1-16 its energy efficiency plan a targeted low-income energy efficiency
1-17 program as described by Section 39.903(f)(2), and the savings
1-18 achieved by the program shall count toward the transmission and
1-19 distribution utility's energy efficiency goal. The commission
1-20 shall determine the appropriate level of funding to be allocated to
1-21 both targeted and standard offer low-income energy efficiency
1-22 programs in each unbundled transmission and distribution utility
1-23 service area. The level of funding for low-income energy
1-24 efficiency programs shall be provided from money approved by the
1-25 commission for the transmission and distribution utility's energy
1-26 efficiency programs. The commission shall ensure that annual
1-27 [total] expenditures for the [both] targeted [and standard offer]
1-28 low-income energy efficiency programs of each unbundled
1-29 transmission and distribution utility are not less than 10 percent
1-30 of the transmission and distribution utility's energy efficiency
1-31 budget for the year. A targeted low-income energy efficiency
1-32 program must comply with the same audit requirements that apply to
1-33 federal weatherization subrecipients [will be based on the amount
1-34 spent by the transmission and distribution utility on the
1-35 commission's hard to reach program in calendar year 2003]. In an
1-36 energy efficiency cost recovery factor proceeding related to
1-37 expenditures under this subsection, the commission shall make
1-38 findings of fact regarding whether the utility meets requirements
1-39 imposed under this subsection [This level of funding for low-income
1-40 energy efficiency programs shall be provided from money approved by
1-41 the commission for the transmission and distribution utility's
1-42 energy efficiency programs]. The state agency that administers the
1-43 federal weatherization assistance program shall provide reports as
1-44 required by the commission to provide the most current information
1-45 available on energy and peak demand savings achieved in each
1-46 transmission and distribution utility service area. The agency
1-47 shall participate in energy efficiency cost recovery factor
1-48 proceedings related to expenditures under this subsection to ensure
1-49 that targeted low-income weatherization programs are consistent
1-50 with federal weatherization programs and adequately founded.

1-51 SECTION 2. This Act takes effect immediately if it receives
1-52 a vote of two-thirds of all the members elected to each house, as
1-53 provided by Section 39, Article III, Texas Constitution. If this
1-54 Act does not receive the vote necessary for immediate effect, this
1-55 Act takes effect September 1, 2011.

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