

Amend CSHB 1600 (senate committee printing) by adding the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumbering subsequent SECTIONS of the article appropriately:

SECTION 1.____. Subchapter D, Chapter 39, Utilities Code, is amended by adding Section 39.159 to read as follows:

Sec. 39.159. COST-BENEFIT ANALYSIS OF SIGNIFICANT MARKET CHANGE. (a) In this section, "significant market change" means a change to the fundamental market design of the electric market that is reasonably expected to add more than \$1 billion to annual energy costs to customers in this state.

(b) The commission shall require an independent organization certified under Section 39.151 to conduct a cost-benefit analysis of a proposed significant market change before authorizing the significant market change. The cost-benefit analysis, to the extent possible, must:

(1) quantify the degree to which the proposed significant market change will result in an increase in:

(A) wholesale electricity prices;
(B) residential electricity prices; and
(C) electricity prices for commercial and industrial customers;

(2) analyze potential adverse effects of the proposed significant market change on retail electric providers; and

(3) compare the potential benefits of the proposed significant market change to the potential economic costs of the proposed change.

(c) The independent organization shall make the cost-benefit analysis available to the public, the appropriate state agencies, and the appropriate legislative committees not less than 90 days before the date the commission authorizes the significant market change.

(d) The fact that the commission required or did not require an independent organization to conduct a cost-benefit analysis under this section may not be used as a legal basis for challenging the validity of:

(1) a commission rule; or
(2) a commission order entered in a contested case

proceeding.