

By: Lewis

H.B. No. 1570

A BILL TO BE ENTITLED

AN ACT

relating to the determination of the amount of energy available for sale from a clean energy project to a wholesale power purchaser.

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

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

Sec. 39.159. DETERMINATION OF ENERGY AVAILABLE IN WHOLESALE POWER PURCHASE FROM CLEAN ENERGY PROJECT. (a) In this section, "clean energy project" has the meaning assigned by Section 120.001, Natural Resources Code.

(b) The commission by rule shall require that the Electric Reliability Council of Texas, or another independent organization certified under Section 39.151, in determining the total amount of energy that is available for sale from a clean energy project to a wholesale power purchaser, ensure that the energy:

(1) is measured by the Carbon Management Advisory Board as having been produced by the clean energy project's facility; and

(2) is not netted against any market power purchases that have been procured or delivered to the interconnection point for the operations of other commercial loads within the facility.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2013.