

AN ACT

relating to notice of utility rate increases.

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

SECTION 1. Section 104.103, Utilities Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) Instead of publishing newspaper notice, a gas utility may provide notice ~~[to the public in an area outside the affected municipality or in a municipality with a population of less than 2,500]~~ by:

(1) mailing the notice by United States mail, postage prepaid, to the billing address of each directly affected customer; ~~[or]~~

(2) including the notice, in conspicuous form, in the bill of each directly affected customer; or

(3) sending the notice by e-mail to each directly affected customer if that address is available to the utility.

(c) A gas utility may provide a customer with notice of the utility's intent to increase rates by e-mail as described by Subsection (b)(3) only if the customer has consented in writing to the use of the customer's e-mail address for that purpose.

SECTION 2. The change in law made by this Act applies only to a notice of a proposed utility rate increase provided on or after the effective date of this Act. Notice provided before the

1 effective date of this Act is governed by the law as it existed  
2 immediately before the effective date of this Act, and that law is  
3 continued in effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 885 passed the Senate on  
March 27, 2013, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 885 passed the House on  
May 2, 2013, by the following vote: Yeas 147, Nays 0, two present  
not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor