

By: Williams

S.B. No. 1655

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing the Public Utility Commission of Texas to
3 direct the comptroller to return the unappropriated balance of the
4 system benefit fund to retail electric customers.

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

6 SECTION 1. Subchapter Z, Chapter 39, Utilities Code, is
7 amended by adding Section 39.9039 to read as follows:

8 Sec. 39.9039. DISBURSEMENT OF SYSTEM BENEFIT FUND BALANCE.

9 (a) After consultation with the comptroller, the commission by rule
10 shall establish a system for transmission and distribution
11 utilities, municipally owned utilities, and electric cooperatives
12 to credit retail electric customers' bills in amounts necessary to
13 fully expend the balance of the system benefit fund transferred to a
14 special fund outside of the general revenue fund by Section 30,
15 Article VIII, Texas Constitution, in accordance with this section.

16 (b) The commission shall direct the comptroller to disburse
17 the balance described by Subsection (a) on or after September 1,
18 2015, and before January 1, 2019, in monthly installments to
19 transmission and distribution utilities, municipally owned
20 utilities, and electric cooperatives under the system established
21 under Subsection (a) so that the entities receive disbursements in
22 proportion to the fees paid by retail electric customers in the
23 service areas of the entities since the system benefit fund fee was
24 first imposed under Section 39.903. The commission by rule shall

1 require the disbursements to be passed through to a retail electric
2 provider and require the provider to credit a customer's bill under
3 the system.

4 (c) The commission by rule shall require each entity
5 receiving disbursements under this section to ensure that retail
6 electric customers, through billing for electric services between
7 September 1, 2015, and December 31, 2018, receive credits that, in
8 the aggregate, equal the amount of the disbursements received under
9 this section, less a reasonable amount to reimburse the entity for
10 administering this section as established by the commission in an
11 amount not to exceed two percent of the disbursements.

12 (d) The comptroller and commission jointly shall issue a
13 report on the progress made in developing and implementing the
14 system required to be established by Subsection (a) not later than
15 December 15, 2014, and shall issue reports on the progress made in
16 disbursing the system benefit fund through the system developed
17 under that subsection not later than December 15, 2016, and
18 December 15, 2018. The reports issued under this subsection must be
19 presented in writing to the governor, the lieutenant governor, the
20 speaker of the house of representatives, and the standing
21 committees of the senate and house of representatives having
22 primary jurisdiction over electric utilities.

23 (e) This section expires January 1, 2021.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2013.