

By: Aycock

H.B. No. 1475

A BILL TO BE ENTITLED

AN ACT

relating to telecommunications service discounts for educational institutions, libraries, hospitals, and telemedicine centers.

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

SECTION 1. Section 58.258(a), Utilities Code, is amended to read as follows:

(a) Notwithstanding the pricing flexibility authorized by this subtitle, an electing company's rates for private network services may not be increased before January 1, 2024 [~~2016~~]. However, an electing company may increase a rate in accordance with the provisions of a customer specific contract.

SECTION 2. Section 58.268, Utilities Code, is amended to read as follows:

Sec. 58.268. CONTINUATION OF OBLIGATION. Notwithstanding any other provision of this title, an electing company shall continue to comply with this subchapter until January 1, 2024 [~~2016~~], regardless of:

- (1) the date the company elected under this chapter;
- or
- (2) any action taken in relation to that company under Chapter 65.

SECTION 3. Section 59.077(a), Utilities Code, is amended to read as follows:

(a) Notwithstanding the pricing flexibility authorized by

1 this subtitle, an electing company's rates for private network
2 services may not be increased before January 1, 2024 [~~2016~~].

3 SECTION 4. Section 59.083, Utilities Code, is amended to
4 read as follows:

5 Sec. 59.083. CONTINUATION OF OBLIGATION. Notwithstanding
6 any other provision of this title, an electing company shall
7 continue to comply with this subchapter until January 1, 2024
8 [~~2016~~], regardless of:

9 (1) the date the company elected under this chapter;
10 or

11 (2) any action taken in relation to that company under
12 Chapter 65.

13 SECTION 5. Section 65.102, Utilities Code, is amended by
14 adding Subsection (e) to read as follows:

15 (e) This section does not affect an infrastructure
16 commitment under Chapter 58 or 59.

17 SECTION 6. (a) The amendment made by this Act to Section
18 65.102, Utilities Code, is a clarification of existing law and does
19 not imply that existing Section 65.102, Utilities Code, may be
20 construed as inconsistent with Section 65.102, Utilities Code, as
21 amended by this Act.

22 (b) The legislature finds and declares that:

23 (1) it was not the intent of the legislature in
24 enacting any law, including Chapter 98 (S.B. 980), Acts of the 82nd
25 Legislature, Regular Session, 2011, or Chapter 210 (S.B. 259), Acts
26 of the 83rd Legislature, Regular Session, 2013, to supersede or
27 impliedly repeal Section 58.268 or 59.083, Utilities Code, or

1 otherwise to negate the continuing infrastructure obligation of a
2 deregulated company;

3 (2) a deregulated company that charged a rate or
4 provided a service on or after September 1, 2011, that did not
5 comply with the company's continuing infrastructure obligation
6 failed to comply with the requirements of Title 2, Utilities Code,
7 and shall refund or credit to each affected customer all money that
8 has been paid by the customer in excess of the amount allowed under
9 Subchapter G, Chapter 58, or Subchapter D, Chapter 59, Utilities
10 Code, as appropriate; and

11 (3) the Public Utility Commission of Texas has the
12 jurisdiction and authority to and shall:

13 (A) take appropriate action under Chapter 15,
14 Utilities Code, and other applicable law to require compliance with
15 Title 2, Utilities Code, and this Act; and

16 (B) impose appropriate penalties for the failure
17 to comply with Title 2, Utilities Code, and this Act.

18 SECTION 7. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2015.