

1-1 By: Fraser S.B. No. 932
 1-2 (In the Senate - Filed March 4, 2015; March 9, 2015, read
 1-3 first time and referred to Committee on Natural Resources and
 1-4 Economic Development; March 18, 2015, reported favorably by the
 1-5 following vote: Yeas 8, Nays 0; March 18, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17			X	
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the authority of the Public Utility Commission of Texas
 1-22 to retain assistance for federal proceedings affecting certain
 1-23 electric utilities and consumers.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter I, Chapter 39, Utilities Code, is
 1-26 amended by adding Section 39.408 to read as follows:

1-27 Sec. 39.408. HIRING ASSISTANCE FOR FEDERAL PROCEEDINGS.

1-28 (a) The commission may retain any consultant, accountant,
 1-29 auditor, engineer, or attorney the commission considers necessary
 1-30 to represent the commission in a proceeding before the Federal
 1-31 Energy Regulatory Commission, or before a court reviewing
 1-32 proceedings of that federal commission, related to:

1-33 (1) the relationship of an electric utility subject to
 1-34 this subchapter to a power region, regional transmission
 1-35 organization, or independent system operator;

1-36 (2) the approval of an agreement among the electric
 1-37 utility and the electric utility's affiliates concerning the
 1-38 coordination of the operations of the electric utility and the
 1-39 electric utility's affiliates; or

1-40 (3) other matters related to the electric utility
 1-41 subject to this subchapter that may affect the ultimate rates paid
 1-42 by retail customers in this state.

1-43 (b) Assistance for which a consultant, accountant, auditor,
 1-44 engineer, or attorney may be retained under Subsection (a) may
 1-45 include:

1-46 (1) conducting a study;

1-47 (2) conducting an investigation;

1-48 (3) presenting evidence;

1-49 (4) advising the commission; or

1-50 (5) representing the commission.

1-51 (c) The electric utility shall pay timely the reasonable
 1-52 costs of the services of a person retained under Subsection (a), as
 1-53 determined by the commission. The total costs an electric utility
 1-54 is required to pay under this subsection may not exceed \$1.5 million
 1-55 in a 12-month period.

1-56 (d) The commission shall allow the electric utility to
 1-57 recover both the total costs the electric utility paid under
 1-58 Subsection (c) and the carrying charges for those costs through a
 1-59 rider established annually to recover the costs paid and carrying
 1-60 charges incurred during the preceding calendar year. The rider may
 1-61 not be implemented before the rider is reviewed and approved by the

2-1 commission.

2-2 (e) The commission shall consult the attorney general
 2-3 before the commission retains a consultant, accountant, auditor, or
 2-4 engineer under Subsection (a). The retention of an attorney under
 2-5 Subsection (a) is subject to the approval of the attorney general
 2-6 under Section 402.0212, Government Code.

2-7 (f) The commission shall be precluded from engaging any
 2-8 individual who is required to register under Section 305.003,
 2-9 Government Code.

2-10 (g) This section expires September 1, 2023.

2-11 SECTION 2. Section 39.4525, Utilities Code, is amended by
 2-12 amending Subsections (a) and (g) to read as follows:

2-13 (a) The commission may retain any consultant, accountant,
 2-14 auditor, engineer, or attorney the commission considers necessary
 2-15 to represent the commission in a proceeding before the Federal
 2-16 Energy Regulatory Commission, or before a court reviewing
 2-17 proceedings of that federal commission, related to:

2-18 (1) the relationship of an electric utility subject to
 2-19 this subchapter to a power region, regional transmission
 2-20 organization, or independent system operator; ~~or~~

2-21 (2) the approval of an agreement among the electric
 2-22 utility and the electric utility's affiliates concerning the
 2-23 coordination of the operations of the electric utility and the
 2-24 electric utility's affiliates; or

2-25 (3) other matters related to the electric utility
 2-26 subject to this subchapter that may affect the ultimate rates paid
 2-27 by retail customers in this state.

2-28 (g) This section expires September 1, 2023 [~~December 31,~~
 2-29 2017].

2-30 SECTION 3. Subchapter K, Chapter 39, Utilities Code, is
 2-31 amended by adding Section 39.504 to read as follows:

2-32 Sec. 39.504. HIRING ASSISTANCE FOR FEDERAL PROCEEDINGS.

2-33 (a) The commission may retain any consultant, accountant,
 2-34 auditor, engineer, or attorney the commission considers necessary
 2-35 to represent the commission in a proceeding before the Federal
 2-36 Energy Regulatory Commission, or before a court reviewing
 2-37 proceedings of that federal commission, related to:

2-38 (1) the relationship of an electric utility subject to
 2-39 this subchapter to a power region, regional transmission
 2-40 organization, or independent system operator;

2-41 (2) the approval of an agreement among the electric
 2-42 utility and the electric utility's affiliates concerning the
 2-43 coordination of the operations of the electric utility and the
 2-44 electric utility's affiliates; or

2-45 (3) other matters related to the electric utility
 2-46 subject to this subchapter that may affect the ultimate rates paid
 2-47 by retail customers in this state.

2-48 (b) Assistance for which a consultant, accountant, auditor,
 2-49 engineer, or attorney may be retained under Subsection (a) may
 2-50 include:

2-51 (1) conducting a study;

2-52 (2) conducting an investigation;

2-53 (3) presenting evidence;

2-54 (4) advising the commission; or

2-55 (5) representing the commission.

2-56 (c) The electric utility shall pay timely the reasonable
 2-57 costs of the services of a person retained under Subsection (a), as
 2-58 determined by the commission. The total costs an electric utility
 2-59 is required to pay under this subsection may not exceed \$1.5 million
 2-60 in a 12-month period.

2-61 (d) The commission shall allow the electric utility to
 2-62 recover both the total costs the electric utility paid under
 2-63 Subsection (c) and the carrying charges for those costs through a
 2-64 rider established annually to recover the costs paid and carrying
 2-65 charges incurred during the preceding calendar year. The rider may
 2-66 not be implemented before the rider is reviewed and approved by the
 2-67 commission.

2-68 (e) The commission shall consult the attorney general
 2-69 before the commission retains a consultant, accountant, auditor, or

3-1 engineer under Subsection (a). The retention of an attorney under
3-2 Subsection (a) is subject to the approval of the attorney general
3-3 under Section 402.0212, Government Code.

3-4 (f) The commission shall be precluded from engaging any
3-5 individual who is required to register under Section 305.003,
3-6 Government Code.

3-7 (g) This section expires September 1, 2023.

3-8 SECTION 4. This Act takes effect September 1, 2015.

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