

AN ACT

relating to the authority of the Public Utility Commission of Texas to review transmission interconnections that enable imports or exports from the ERCOT power grid.

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

SECTION 1. Section 37.051, Utilities Code, is amended by adding Subsections (c-1), (c-2), and (c-3) to read as follows:

(c-1) Notwithstanding any other provision of this title except Section 11.009, and except as provided by Subsection (c-2), a person, including an electric utility or municipally owned utility, may not interconnect a facility to the ERCOT transmission grid that enables additional power to be imported into or exported out of the ERCOT power grid unless the person obtains a certificate from the commission stating that public convenience and necessity requires or will require the interconnection. The person must apply for the certificate not later than the 180th day before the date the person seeks any order from the Federal Energy Regulatory Commission related to the interconnection. The commission shall apply Section 37.056 in considering an application under this subsection. In addition, the commission must determine that the application is consistent with the public interest before granting the certificate. The commission may adopt rules necessary to implement this subsection. This subsection does not apply to a facility that is in service on December 31, 2014.

1 (c-2) The commission, not later than the 185th day after the
2 date the application is filed, shall approve an application filed
3 under Subsection (c-1) for a facility that is to be constructed
4 under an interconnection agreement appended to an offer of
5 settlement approved in a final order of the Federal Energy
6 Regulatory Commission that was issued in Docket No. TX11-01-001 on
7 or before December 31, 2014, directing physical connection between
8 the ERCOT and SERC regions under Sections 210, 211, and 212 of the
9 Federal Power Act (16 U.S.C. Sections 824i, 824j, and 824k). In
10 approving the application, the commission may prescribe reasonable
11 conditions to protect the public interest that are consistent with
12 the final order of the Federal Energy Regulatory Commission.

13 (c-3) Nothing in Subsection (c-1) or (c-2) is intended to
14 restrict the authority of the commission or the independent
15 organization certified under Section 39.151 for the ERCOT power
16 region to adopt rules or protocols of general applicability.

17 SECTION 2. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 933 passed the Senate on April 14, 2015, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 29, 2015, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 933 passed the House, with amendment, on May 26, 2015, by the following vote: Yeas 146, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor