

By: Fraser  
(Cook, Kacal)

S.B. No. 933

Substitute the following for S.B. No. 933:

By: Cook

C.S.S.B. No. 933

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of the Public Utility Commission of Texas  
3 to review transmission interconnections that enable imports or  
4 exports from the ERCOT power grid.

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

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

8 (c-1) Notwithstanding any other provision of this title  
9 except Section 11.009, and except as provided by Subsection (c-2),  
10 a person, including an electric utility or municipally owned  
11 utility, may not interconnect a facility to the ERCOT transmission  
12 grid that enables additional power to be imported into or exported  
13 out of the ERCOT power grid unless the person obtains a certificate  
14 from the commission stating that public convenience and necessity  
15 requires or will require the interconnection. The person must  
16 apply for the certificate not later than the 180th day before the  
17 date the person seeks any order from the Federal Energy Regulatory  
18 Commission related to the interconnection. The commission shall  
19 apply Section 37.056 in considering an application under this  
20 subsection. In addition, the commission must determine that the  
21 application is consistent with the public interest before granting  
22 the certificate. The commission may adopt rules necessary to  
23 implement this subsection. This subsection does not apply to a  
24 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.