

1-1 By: Fraser S.B. No. 1945
 1-2 (In the Senate - Filed March 13, 2015; March 25, 2015, read
 1-3 first time and referred to Committee on Natural Resources and
 1-4 Economic Development; April 16, 2015, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 7,
 1-6 Nays 3; April 16, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Fraser	X			
1-9 Estes	X			
1-10 Birdwell	X			
1-11 Hall	X			
1-12 Hancock	X			
1-13 Hinojosa		X		
1-14 Lucio			X	
1-15 Nichols	X			
1-16 Seliger	X			
1-17 Uresti		X		
1-18 Zaffirini		X		

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1945 By: Fraser

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to electricity service provided by municipally owned
 1-24 utilities.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Chapter 33, Utilities Code, is amended by adding
 1-27 Subchapter F to read as follows:

1-28 SUBCHAPTER F. REVIEW OF RATES OF CERTAIN MUNICIPAL UTILITIES

1-29 Sec. 33.151. APPLICABILITY. This subchapter applies only
 1-30 to a municipally owned utility:

1-31 (1) that serves at least 400,000 customers; and

1-32 (2) whose service area is located in the ERCOT power
 1-33 region in a municipality with a population of less than 1.3 million.

1-34 Sec. 33.152. REVIEW OF RATES; CUSTOMER CHOICE.

1-35 (a) Notwithstanding any other law, a retail customer or group of
 1-36 customers with a total usage of more than 25 million kilowatt hours
 1-37 per year may file a petition for commission review of current or
 1-38 proposed rates of a municipally owned utility that apply to the
 1-39 petitioning customers.

1-40 (b) Not later than the 90th day after the date a petition is
 1-41 filed with the commission, the municipally owned utility that is
 1-42 the subject of the petition shall file a rate application with the
 1-43 commission that complies in all material respects with the rules
 1-44 and forms prescribed by the commission. The commission for good
 1-45 cause may extend the deadline for filing the rate application.

1-46 (c) The commission shall conduct a full review of the rates
 1-47 that apply to the petitioning customers to determine whether the
 1-48 rates are:

1-49 (1) just and reasonable under Chapter 36; and

1-50 (2) consistent with rates available to similarly
 1-51 situated customers in areas of the state that have access to
 1-52 customer choice.

1-53 (d) If the commission finds that the rates are not just and
 1-54 reasonable or are not consistent with the rates available to
 1-55 similarly situated customers in areas of the state that have access
 1-56 to customer choice, the commission shall:

1-57 (1) set rates for the petitioning customer or
 1-58 customers that are just, reasonable, and consistent with the rates
 1-59 available to similarly situated customers in areas of the state
 1-60 that have access to customer choice; or

2-1 (2) set cost-based transmission and distribution
2-2 rates for the municipally owned utility and allow a petitioning
2-3 customer or customers to purchase electricity through a retail
2-4 electric provider.

2-5 SECTION 2. This Act takes effect immediately if it receives
2-6 a vote of two-thirds of all the members elected to each house, as
2-7 provided by Section 39, Article III, Texas Constitution. If this
2-8 Act does not receive the vote necessary for immediate effect, this
2-9 Act takes effect September 1, 2015.

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