By:  Phelan H.B. No. 2212

A BILL TO BE ENTITLED

AN ACT

relating to the registration and regulation of customer choice consultants by the Public Utility Commission of Texas.

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

SECTION 1.  Subchapter H, Chapter 39, Utilities Code, is amended by adding Section 39.3555 to read as follows:

Sec. 39.3555  REGISTRATION OF RESIDENTIAL CUSTOMER CHOICE CONSULTANTS.

(a)  In this section, "residential electric customer consulting" means acting for profit on behalf of a residential retail customer to enroll the customer and manage on behalf of the customer the customer service plan with a retail electric provider. The term does not include:

(1)  Assisting a customer to select a retail electric provider without enrolling the customer and managing the customer service plan on behalf of the customer.

(2)  Performing the services of an aggregator under Section 39.353.

(b)  A person may not provide electric customer consulting services unless the person is registered with the commission as a residential customer choice consultant.

(c)  A residential customer choice consultant may not:

(1)  Sell or take title to electricity; or

(2)  Be affiliated with a retail electric provider.

(d)  A retail electric provider may not refuse to provide retail electric service to a retail customer because the customer uses a residential consumer choice consultant.

(e)  The commission shall approve or deny an application for registration as a residential customer choice consultant not later than the 60th day after the date the commission receives the application.

(f)  The commission shall adopt rules as necessary to implement this section and to ensure the reliability and integrity of residential customer choice consultants, including:

(1)  Consumer protection requirements;

(2)  Disclosure requirement; and

(3)  Marketing guidelines

SECTION 2.  The Public Utility Commission shall adopt rules required by Section 39.3555, Utilities Code, as added by this Act, not later than January 1, 2020.

SECTION 3.  This Act takes effect September 1, 2019.