

By: Phelan

H.B. No. 2212

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the registration and regulation of customer choice
3 consultants by the Public Utility Commission of Texas.

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

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

7 Sec. 39.3555 REGISTRATION OF RESIDENTIAL CUSTOMER CHOICE
8 CONSULTANTS.

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

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

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

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

22 (c) A residential customer choice consultant may not:

23 (1) Sell or take title to electricity; or

24 (2) Be affiliated with a retail electric provider.

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

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

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

- 11 (1) Consumer protection requirements;
12 (2) Disclosure requirement; and
13 (3) Marketing guidelines

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

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