

1-1 By: Springer (Senate Sponsor - Perry) H.B. No. 3867
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 7, 2019, read first time and referred to Committee on Business
 1-4 & Commerce; May 17, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-6 May 17, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3867 By: Nichols

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the authority of the Public Utility Commission of Texas
 1-22 to retain assistance for regional proceedings affecting certain
 1-23 electric utilities and consumers.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter A, Chapter 39, Utilities Code, is
 1-26 amended by adding Section 39.004 to read as follows:

1-27 Sec. 39.004. HIRING ASSISTANCE FOR REGIONAL PROCEEDINGS.

1-28 (a) The commission may retain any consultant, accountant, auditor,
 1-29 engineer, or attorney the commission considers necessary to
 1-30 represent the commission in a proceeding before a regional
 1-31 transmission organization, or before a court reviewing proceedings
 1-32 of a regional transmission organization, related to:

1-33 (1) the relationship of an electric utility to a power
 1-34 region, regional transmission organization, or independent system
 1-35 operator;

1-36 (2) the approval of an agreement among an electric
 1-37 utility and the electric utility's affiliates concerning the
 1-38 coordination of the operations of the electric utility and the
 1-39 electric utility's affiliates; or

1-40 (3) other matters related to an electric utility that
 1-41 may affect the ultimate rates paid by retail customers in this
 1-42 state.

1-43 (b) Notwithstanding Sections 39.402(a), 39.452(d), and
 1-44 39.502(b), this section applies to an electric utility to which
 1-45 Subchapter I, J, or K applies.

1-46 (c) Assistance for which a consultant, accountant, auditor,
 1-47 engineer, or attorney may be retained under Subsection (a) may
 1-48 include:

1-49 (1) conducting a study;

1-50 (2) conducting an investigation;

1-51 (3) presenting evidence;

1-52 (4) advising the commission; or

1-53 (5) representing the commission.

1-54 (d) The electric utility that is the subject of the
 1-55 proceeding shall pay timely the reasonable costs of the services of
 1-56 a person retained under Subsection (a), as determined by the
 1-57 commission. The total costs an electric utility is required to pay
 1-58 under this subsection may not exceed \$1.5 million in a 12-month
 1-59 period.

1-60 (e) The commission shall allow an electric utility to

2-1 recover both the total costs the electric utility paid under
2-2 Subsection (d) and the carrying charges for those costs through a
2-3 rider established annually to recover the costs paid and carrying
2-4 charges incurred during the preceding calendar year. The rider may
2-5 not be implemented before the rider is reviewed and approved by the
2-6 commission.

2-7 (f) The commission shall consult the attorney general
2-8 before the commission retains a consultant, accountant, auditor, or
2-9 engineer under Subsection (a). The retention of an attorney under
2-10 Subsection (a) is subject to the approval of the attorney general
2-11 under Section 402.0212, Government Code.

2-12 (g) The commission shall be precluded from engaging any
2-13 individual who is required to register under Section 305.003,
2-14 Government Code.

2-15 (h) This section expires September 1, 2023.

2-16 SECTION 2. This Act takes effect September 1, 2019.

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