

By: Reynolds

H.B. No. 247

A BILL TO BE ENTITLED

AN ACT

relating to demand response programs.

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

SECTION 1. Section 17.003(d-1), Utilities Code, as added by S.B. No. 3, Acts of the 87th Legislature, Regular Session, 2021, is amended to read as follows:

(d-1) An electric utility providing electric delivery service for a retail electric provider, as defined by Section 31.002, shall provide to the retail electric provider, and the retail electric provider shall periodically provide to the retail electric provider's retail customers together with bills sent to the customers, information about:

(1) the electric utility's procedures for implementing involuntary load shedding initiated by the independent organization certified under Section 39.151 for the ERCOT power region;

(2) the types of customers who may be considered critical care residential customers, critical load industrial customers, or critical load according to commission rules adopted under Section 38.076;

(3) the procedure for a customer to apply to be considered a critical care residential customer, a critical load industrial customer, or critical load according to commission rules adopted under Section 38.076; ~~and~~

1 (4) reducing electricity use at times when involuntary  
2 load shedding events may be implemented; and

3 (5) the procedure for a residential or commercial  
4 customer to participate in a voluntary demand response program  
5 through the electric utility or a demand response provider to  
6 reduce electricity use during times of peak demand, including  
7 during an involuntary load shedding event.

8 SECTION 2. Section 17.005(f), Utilities Code, as added by  
9 S.B. No. 3, Acts of the 87th Legislature, Regular Session, 2021, is  
10 amended to read as follows:

11 (f) A municipally owned utility shall periodically provide  
12 with bills sent to retail customers of the utility information  
13 about:

14 (1) the utility's procedure for implementing  
15 involuntary load shedding;

16 (2) the types of customers who may be considered  
17 critical care residential customers, critical load industrial  
18 customers, or critical load according to commission rules adopted  
19 under Section 38.076;

20 (3) the procedure for a customer to apply to be  
21 considered a critical care residential customer, a critical load  
22 industrial customer, or critical load according to commission rules  
23 adopted under Section 38.076; ~~and~~

24 (4) reducing electricity use at times when involuntary  
25 load shedding events may be implemented; and

26 (5) the procedure for a residential or commercial  
27 customer to participate in a voluntary demand response program

1 through the utility or a demand response provider to reduce  
2 electricity use during times of peak demand, including during an  
3 involuntary load shedding event.

4 SECTION 3. Section 17.006(f), Utilities Code, as added by  
5 S.B. No. 3, Acts of the 87th Legislature, Regular Session, 2021, is  
6 amended to read as follows:

7 (f) An electric cooperative shall periodically provide with  
8 bills sent to retail customers of the cooperative information  
9 about:

10 (1) the cooperative's procedure for implementing  
11 involuntary load shedding;

12 (2) the types of customers who may be considered  
13 critical care residential customers, critical load industrial  
14 customers, or critical load according to commission rules adopted  
15 under Section 38.076;

16 (3) the procedure for a customer to apply to be  
17 considered a critical care residential customer, a critical load  
18 industrial customer, or critical load according to commission rules  
19 adopted under Section 38.076; ~~and~~

20 (4) reducing electricity use at times when involuntary  
21 load shedding events may be implemented; and

22 (5) the procedure for a residential or commercial  
23 customer to participate in a voluntary demand response program  
24 through the cooperative or a demand response provider to reduce  
25 electricity use during times of peak demand, including during an  
26 involuntary load shedding event.

27 SECTION 4. Section 39.101(b), Utilities Code, is amended to

1 read as follows:

2 (b) A customer is entitled:

3 (1) to be informed about rights and opportunities in  
4 the transition to a competitive electric industry;

5 (2) to choose the customer's retail electric provider  
6 consistent with this chapter, to have that choice honored, and to  
7 assume that the customer's chosen provider will not be changed  
8 without the customer's informed consent;

9 (3) to have access to providers of energy efficiency  
10 services, to on-site distributed generation, and to providers of  
11 energy generated by renewable energy resources;

12 (4) to be served by a provider of last resort that  
13 offers a commission-approved standard service package;

14 (5) to receive sufficient information to make an  
15 informed choice of service provider;

16 (6) to be protected from unfair, misleading, or  
17 deceptive practices, including protection from being billed for  
18 services that were not authorized or provided; ~~and~~

19 (7) to have an impartial and prompt resolution of  
20 disputes with its chosen retail electric provider and transmission  
21 and distribution utility; and

22 (8) to participate in demand response programs  
23 through:

24 (A) retail electric providers; and

25 (B) demand response providers.

26 SECTION 5. This Act takes effect on the 91st day after the  
27 last day of the legislative session.