By:  Reynolds H.B. No. 58

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~~]

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

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

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

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

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

(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~~]

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

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

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

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

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

(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~~]

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

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

SECTION 4.  Section 39.101(b), Utilities Code, is amended to read as follows:

(b)  A customer is entitled:

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

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

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

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

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

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

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

(8)  to participate in demand response programs through:

(A)  retail electric providers; and

(B)  demand response providers.

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