

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~~

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.