

Amend HB 4492 on third reading as follows:

(1) In SECTION 1 of the bill, in added Section 31.101(a), Utilities Code, between "as provided by Subchapter M, Chapter 39" and the period, insert ", to securitize costs not securitized under Subchapter D, Chapter 41".

(2) In SECTION 4 of the bill, at the end of added Section 39.601(a), Utilities Code, add "This subchapter and Subchapter D, Chapter 41, do not change, alter, or reduce the obligation of a market participant to timely and fully pay the debts or obligations of the market participant to the independent organization.".

(3) In SECTION 4 of the bill, at the end of added Section 39.601, Utilities Code, insert the following appropriately lettered subsection:

() The commission shall require that all market participants, including market participants not otherwise subject to this subchapter, pay or make provision for the full and prompt payment to the independent organization certified under Section 39.151 for the ERCOT power region of all amounts owed to the independent organization to qualify, or to continue to qualify, as a market participant in the ERCOT power region. The commission and the independent organization shall pursue collection in full of amounts owed to the independent organization by any market participant to reduce the qualifying costs that would otherwise be borne by other market participants or their customers.

(4) In SECTION 4 of the bill, in added Section 39.602, Utilities Code, insert the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly):

() "Load-serving entity" means a municipally owned utility, an electric cooperative, or a retail electric provider.

(5) In SECTION 4 of the bill, strike added Section 39.613, Utilities Code, and substitute the following:

Sec. 39.613. CUSTOMER CHARGES. All load-serving entities that receive offsets to specific uplift charges from the independent organization under this subchapter must adjust customer invoices to reflect the offsets for any charges that were or would otherwise be passed through to customers under the terms of service with the load-serving entity, including by providing a

refund for any offset charges that were previously paid. An electric cooperative, including an electric cooperative that elects to receive offsets, shall not otherwise become subject to rate regulation by the commission and receipt of offsets does not affect the applicability of Chapter 41 to an electric cooperative.

(6) Strike SECTION 5 of the bill and substitute the following appropriately numbered SECTION:

SECTION _____. This Act takes effect on the date on which **SB 1580, HB 3544**, or other similar legislation of the 87th Legislature, Regular Session, 2021, relating to the use of securitization by electric cooperatives to address weather-related extraordinary costs and expenses becomes law.