

Amend CSSB 3 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 35, Utilities Code, is amended by adding Section 35.0022 to read as follows:

Sec. 35.0022. ALTERNATIVE POWER SUPPLY FOR NON-DISPATCHABLE POWER GENERATION FACILITIES. The commission shall require the owner of a non-dispatchable power generation facility, the construction of which began after September 1, 2021, to certify that:

(1) the owner can supply or has a contract that guarantees the supply of not less than the average of the facility's capacity factor during the 20 highest summer and winter net load hours over a 48-hour period; and

(2) the owner's additional or contracted power supply comes from a dispatchable power generation facility or an electric energy storage facility.