

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1719
By: Hall
Water, Agriculture & Rural Affairs
4/19/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2019 it came to the author's attention that a water service corporation (WSC) was demanding from a constituent outrageous fees for establishing service that had no honest justification. In the following weeks and months of communicating with the WSC, the Public Utility Commission of Texas (PUC), the Office of the Attorney General, and other relevant stakeholders, it became apparent that there needs to be a means for a new applicant to make an appeal to the PUC and to have their grievance addressed in a timely manner.

S.B. 1719 will simply allow for a new applicant, within the first 30 days, to appeal their fees to the PUC. If the PUC finds that the fees in question are in fact inconsistent with the WSC's tariff, the PUC can order the WSC to charge a rate that is consistent.

(Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 1719 amends current law relating to appellate jurisdiction of the Public Utility Commission regarding certain water or sewer utility fees.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 13.043, Water Code, by amending Subsection (g) and adding Subsection (g-1), as follows:

(g) Authorizes an applicant for service from an affected county or a water supply or sewer service corporation to appeal to the Public Utility Commission of Texas (PUC) a decision of the county or water supply or sewer service corporation relating to any fee or amount to be paid, rather than affecting the amount to be paid, to obtain service other than the regular membership or tap fees.

(g-1) Authorizes an applicant for service from a water supply or sewer service corporation to appeal to the PUC for a determination of whether the regular membership fee or tap fee required to be paid to obtain service is consistent with the tariff of the water supply or sewer service corporation. Requires the PUC, if the PUC finds that the fee is inconsistent with the tariff of the water supply or sewer service corporation, to issue an order requiring the water supply or sewer service corporation to charge the applicant an amount consistent with the tariff. Requires that an appeal under this subsection be initiated not later than the 30th day after the date the water supply or sewer service corporation provides the applicant with the cost of obtaining service.

SECTION 2. Effective date: upon passage or September 1, 2021.