

Amend CSSB 853 (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 33.152(a), Utilities Code (page 1, line 36), strike "10,000 of those customers" and substitute "five percent of the municipally owned utility's customers".

(2) In added Section 33.152, Utilities Code, between Subsections (b) and (c) (page 1, between lines 48 and 49), insert the following subsection and reletter subsequent subsections and cross-references to those subsections accordingly:

(c) For the purposes of Subsection (b), the rates of the municipally owned utility are inconsistent with the rates available to similarly situated customers in areas of the state that have access to customer choice if an average rate paid by the customers of the municipally owned utility during the most recent five years is at least 10 percent higher than the comparable average rate paid during the same five-year period by similarly situated customers in areas of the state that have access to customer choice.

(3) Strike added Section 33.153, Utilities Code (page 2, lines 13-24) and substitute the following:

Sec. 33.153. LIMITATION. The commission may not conduct more than one review under this subchapter for each municipally owned utility.