

## **BILL ANALYSIS**

Senate Research Center  
88R15602 ANG-F

H.B. 1597  
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Business & Commerce  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2020, the Public Utility Commission of Texas (PUC) rejected two unopposed tariff filings, deciding for the first time that Section 52.251, Title 2 (Public Utility Regulatory Act), Utilities Code, prohibits associations from filing shared tariffs because the law says that a "public utility shall file with the PUC a tariff . . . ." Although shared filing was common practice previous to this decision, an amendment to Title 2 could explicitly state that public utilities are permitted to file shared tariffs through trade associations, consultants, or other groups.

H.B. 1597 seeks to allow groups of utilities to file unified tariffs and allows for trade associations to file tariffs on behalf of groups of providers. The bill also allows holding companies to file unified tariffs for all operating companies owned or operated by the holding company.

H.B. 1597 amends current law relating to tariff filing requirements for certain telecommunications providers.

### **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 52.251, Utilities Code, by adding Subsections (a-1), (c), and (d) and amending Subsection (b), as follows:

(a-1) Authorizes an affiliate or trade association to file the tariff required under Subsection (a) on behalf of the public utility.

(b) Requires the public utility, affiliate, or trade association, rather than the public utility, to file as a part of the tariff required under Subsection (a) each rule that relates to or affects:

(1)-(2) makes no changes to these subdivisions.

(c) Provides that the tariff filing is considered approved if the Public Utility Commission of Texas (PUC) does not approve or deny the tariff filing or request supplemental information from the public utility, affiliate, or trade association that filed the tariff before the 60th day after receiving the tariff filing.

(d) Requires the public utility, affiliate, or trade association, if the PUC requests supplemental information from the utility, affiliate, or association under Subsection (c), to provide the PUC with the supplemental information not later than the 15th day after receiving the request from the PUC. Provides that the tariff filing, if the PUC does not approve or deny the tariff filing before the 30th day after the PUC receives the supplemental information, is considered approved.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.