

BILL ANALYSIS

C.S.H.B. 1597
By: Murr
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In 2020, the Public Utility Commission of Texas (PUC) rejected two unopposed tariff filings, deciding for the first time that the Public Utility Regulatory Act prohibits trade associations from filing shared tariffs because the law specifically says that a public utility must file a tariff with the PUC. C.S.H.B. 1597 seeks to address this issue by allowing groups of utilities to file unified tariffs, allow for trade associations to file tariffs on behalf of a group of providers, and allow holding companies to file unified tariffs for all operating companies owned or operated by the holding company.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1597 amends the Utilities Code to authorize a trade association or an affiliate to file the requisite tariff under the Public Utility Regulatory Act on behalf of a public telecommunications utility. With respect to the processing of a tariff application by the Public Utility Commission of Texas (PUC), the bill provides the following:

- a tariff application is considered approved if the 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 filing;
- if the PUC requests supplemental information from the public utility, the public utility, affiliate, or trade association must provide the PUC with the requested information not later than the 15th day after receiving the request; and
- a tariff filing is considered approved if the PUC does not either approve or deny the filing before the 30th day after the PUC receives the requested supplemental information.

The bill's provisions apply only to a tariff filed on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1597 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision absent from the introduced establishing that the bill's provisions apply only to a tariff filed on or after the bill's effective date.