

BILL ANALYSIS

H.B. 2664
By: Tepper
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Lubbock Power & Light (LP&L) is the third-largest municipally owned utility in the state and the first to deregulate and join the competitive market, but it needs certain statutory changes in order to fully transition into the ERCOT power region and join that market. Once entering the competitive market, LP&L seeks to be treated in the same manner as investor-owned utilities. State law currently prohibits a municipally owned utility from disclosing personal information in a customer's account unless the customer requests the disclosure, with certain exceptions. ERCOT is not currently included among the entities covered by these exceptions, and an entity like ERCOT needs to have access to customer data in order for LP&L to successfully transition to retail competition, as ERCOT serves as a clearinghouse for those operating in the competitive market. In order for retail electric providers to sign up customers, ERCOT must be the custodian of electric customer information. H.B. 2664 seeks to provide for the transition of LP&L into the competitive market by allowing a municipally owned utility to share customer information with ERCOT and another entity as necessary to facilitate the transition of customers among retail electric providers.

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

H.B. 2664 amends the Utilities Code to include the following among the entities to which a government-operated utility may disclose personal information in a customer's account record:

- a retail electric provider; or
- another entity as necessary to facilitate the transition of customers among retail electric providers or as necessary to comply with rules, guidelines, and procedures established by ERCOT.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.