

BILL ANALYSIS

Senate Research Center
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S.B. 1076
By: King
Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law generally provides a one-year timeline for the Public Utility Commission (PUC) to approve the need and route of a transmission project. That timeline is shortened to 6 months in the event the project is critically needed. And a 6-month timeline was applicable to projects approved under the competitive renewable energy zone program in the late 2000s.

This one-year general timeline for the proceeding at the PUC is in addition to the preceding process at ERCOT to first approve the project moving forward to the PUC, and in addition to the time needed to construct the project after the PUC approves it. The process from start to finish can therefore take more than 3 years.

S.B. 1076 generally applies a 6-month timeline for the PUC to approve the need and route of a transmission project. The same 6-month process used for other projects demonstrates that amount of time is reasonably sufficient. And shortening the timeline for PUC approval will ensure that transmission projects are built in a more timely manner to keep up with the growth of the state. Moreover, to the extent the project is justified by economic benefits to customers, in addition to reliability, a faster approval process at the PUC brings those benefits to customers faster.

Electric utilities support this legislation. Generators and other parties that intervene in transmission line cases may oppose the legislation.

As proposed, S.B. 1076 amends current law relating to the deadline for approving a certificate of public convenience and necessity for certain transmission projects.

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 37.057, Utilities Code, as follows:

Sec. 37.057. DEADLINE FOR APPLICATION FOR NEW TRANSMISSION FACILITY. Requires the Public Utility Commission of Texas to approve or deny an application for a certificate for a new transmission facility not later than the 180th day after the date the application is filed, rather than the first anniversary of the date the application is filed.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2023.