

By: Anchía

H.B. No. 4784

A BILL TO BE ENTITLED

AN ACT

relating to the provision of electricity service in the ERCOT power region.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 39.101(b), Utilities Code, is amended to read as follows:

(b) A customer is entitled:

(1) to be informed about rights and opportunities in the transition to a competitive electric industry;

(2) to choose the customer's retail electric provider consistent with this chapter, to have that choice honored, and to assume that the customer's chosen provider will not be changed without the customer's informed consent;

(3) to have access to providers of energy efficiency services, to on-site distributed generation, and to providers of energy generated by renewable energy resources;

(4) to be served by a provider of last resort that offers a commission-approved standard service package;

(5) to receive sufficient information to make an informed choice of service provider;

(6) to be protected from unfair, misleading, or deceptive practices, including protection from being billed for services that were not authorized or provided; ~~and~~

(7) to have an impartial and prompt resolution of

disputes with its chosen retail electric provider and transmission and distribution utility;

(8) to participation in demand response programs through retail electric providers and demand response providers; and

(9) to receive notice from the retail electric provider that serves the customer:

(A) when the independent organization certified under Section 39.151 for the ERCOT power region issues an emergency energy alert about low operating reserves to providers of generation in the power region; or

(B) of planned outages and the length of time the outages are expected to last.

SECTION 2. Section 39.905, Utilities Code, is amended by adding Subsections (a-1) and (b-2) to read as follows:

(a-1) In addition to meeting the demand goals provided by Subsection (a), each electric utility shall also meet an annual energy savings goal of:

(1) one-fourth of one percent annual energy savings in the 2024 calendar year;

(2) one-half of one percent annual energy savings in the 2025 calendar year;

(3) three-fourths of one percent annual energy savings in the 2026 calendar year; and

(4) one percent annual energy savings beginning with the 2027 calendar year.

(b-2) The commission by rule shall provide a method to

1 establish each utility's annual savings goal under Subsection
2 (a-1). The method must be based on the existing and expected usage
3 of electricity delivered in a utility's service area that is
4 required to pay the annual energy efficiency cost recovery fee. In
5 adopting rules, the commission may provide for cost caps for the
6 implementation of Subsection (a-1) and provide good cause
7 exceptions for a utility that is unable to meet the goal in a
8 cost-effective manner.

9 SECTION 3. Subchapter 2, Chapter 39, Utilities Code, is
10 amended by adding Section 39.919 to read as follows:

11 Sec. 39.919. RESIDENTIAL DEMAND RESPONSE PROGRAM. (a) The
12 commission by rule shall require each retail electric provider in
13 the ERCOT power region to create a residential demand response
14 program to reduce the average total residential load by at least:

15 (1) one percent of peak summer and winter demand by
16 December 31, 2024;

17 (2) two percent of peak summer and winter demand by
18 December 31, 2025;

19 (3) three percent of peak summer and winter demand by
20 December 31, 2026; and

21 (4) five percent of peak summer and winter demand by
22 December 31, 2027.

23 (b) The rules must:

24 (1) ensure that demand response participation is
25 reasonably available to residential customers;

26 (2) promote the use of smart metering technology;

27 (3) ensure that demand response programs are capable

1 of responding to an emergency energy alert about low operating
2 reserves issued by the independent organization certified under
3 Section 39.151 for the ERCOT power region;

4 (4) provide opportunities for demand response
5 providers to contract with retail electric providers to provide
6 demand response services; and

7 (5) ensure the program does not impact the critical
8 needs of vulnerable populations.

9 SECTION 4. The Public Utility Commission of Texas shall
10 adopt rules to implement the changes made by this Act to Section
11 39.905, Utilities Code, not later than December 31, 2023.

12 SECTION 5. This Act takes effect September 1, 2023.