

Amend HB 2712 (senate committee report) as follows:

(1) In the recital to SECTION 3 of the bill (page 1, line 46), strike "13.184(a), Water Code, is amended" and substitute "13.184, Water Code, is amended by amending Subsection (a) and adding Subsection (d)".

(2) In SECTION 3 of the bill, following amended Section 13.184(a), Water Code (page 2, between lines 1 and 2), insert the following:

(d) For a utility that uses a future or combined historic and future test year in a rate proceeding, if the regulatory authority determines in the next rate proceeding for that utility that the test year information used for the utility resulted in the utility's rates yielding more than a fair return on the utility's invested capital used and useful in rendering service to the public, the regulatory authority shall require the utility to refund to customers money collected in excess of a rate that would have yielded a fair return during the period in which the excessive rate was collected.