

BILL ANALYSIS

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S.B. 483
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Retail electric providers (REPs) are the vendors of electric energy to Texas customers. REPs provide the front door for electricity services and handle customer billing and account information. Transmission and distribution utilities (TDUs) own the infrastructure that carries electricity including electrical lines and poles. The Texas Utility Code requires TDUs to share data with REPs for communication with customers but statute does not require REPs to share information with TDUs. This one-way information sharing may be intended to centralize the information customers receive, but it also limits the ability of TDUs to efficiently communicate with impacted customers when electrical infrastructure and services delivery are compromised.

This issue was especially evident during Hurricane Beryl, when millions of Texans struggled to receive basic information about outages impacting their homes. S.B. 483 facilitates more efficient customer communication by ensuring that TDUs can securely obtain and utilize customer contact information for limited, specified purposes. This bill amends Chapter 17 (Customer Protection) of the Utilities Code to allow a TDU to request proprietary customer information from a REP that is reasonably necessary for the TDU to communicate an emergency affecting service, an interruption of service, or restoration of service. This bill also specifies that the request must be met within 48 hours and customer authorization is not required within the context of an emergency affecting service, an interruption of service, or restoration of service. S.B. 483 indicates that a TDU receiving customer information shall implement data security practices, including encryption and secure storage and may not retain the customer information longer than is reasonably necessary to communicate an emergency, outage, or restoration of service. Finally, this bill provides for enforcement by allowing the attorney general to issued a court order if a utility does not comply with this section.

As proposed, S.B. 483 amends current law relating to the sharing and protection of certain utility proprietary customer information.

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 Subchapter A, Chapter 17, Utilities Code, by adding Section 17.011, as follows:

Sec. 17.011. SHARING PROPRIETARY CUSTOMER INFORMATION. (a) Defines "proprietary customer information."

(b) Authorizes an electric utility providing electric delivery services for a retail electric provider to request from the retail electric provider any proprietary customer information reasonably necessary for the electric utility to communicate with a customer regarding an emergency affecting service, an interruption of service, or restoration of service. Requires the retail electric provider to provide to the electric utility the proprietary customer information not later than 48 hours after the request is made. Provides that the retail electric provider is not required

to obtain a prior verifiable authorization from the customer before complying with this subsection.

(c) Authorizes an electric utility, notwithstanding Section 39.157(d)(4) (relating to requiring that Public Utility Commission of Texas rules ensure that a utility does not release any proprietary customer information to certain entities or providers without obtaining prior verifiable authorization), to provide the proprietary customer information to another person without prior verifiable authorization from the customer as necessary for communication with the customer regarding an emergency affecting service, an interruption of service, or restoration of service.

(d) Provides that an electric utility or another person who obtains proprietary customer information under this section is:

(1) required, for purposes of protecting the confidentiality, integrity, and accessibility of the information, to establish, implement, and maintain reasonable administrative, technical, and physical data security practices that are appropriate to the volume and nature of the information at issue, including encryption and secure data storage; and

(2) prohibited from retaining the information for longer than reasonably necessary to communicate with the customer regarding an emergency affecting service, an interruption of service, or restoration of service.

(e) Provides that, except as provided by Subsection (f), Subchapter B (Enforcement and Penalties), Chapter 15 (Judicial Review, Enforcement, and Penalties), does not apply to a violation of this section.

(f) Provides that Section 15.021 (Action to Enjoin or Require Compliance) applies to a violation of this section.

(g) Provides that this section does not affect the application of Chapter 541 (Consumer Data Protection), Business & Commerce Code, to a person that is not an electric utility or a retail electric provider.

SECTION 2. Effective date: September 1, 2025.