

By: Darby

H.B. No. 3069

A BILL TO BE ENTITLED

AN ACT

relating to the approval of a certificate of convenience and necessity for certain transmission projects.

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

SECTION 1. Section 37.056(d), Utilities Code, is amended to read as follows:

(d) The commission by rule shall establish criteria, in addition to the criteria described by Subsection (c), for granting a certificate for a transmission project that serves the ERCOT power region and that is not necessary to meet state or federal reliability standards. The criteria must include a comparison over a period of not less than 10 years of the estimated cost of the transmission project for consumers and the estimated congestion cost savings for consumers that may result from the transmission project, considering both current and future expected congestion levels and the transmission project's ability to reduce those congestion levels. The criteria must apply a three percent discount rate to the quantified value of the congestion cost savings after the fifth year of the comparison period. The commission shall include with its decision on an application for a certificate to which this subsection applies findings on the criteria.

SECTION 2. The changes in law made by this Act apply only to a proceeding affecting a certificate of public convenience and

1 necessity that commences on or after the effective date of this Act.
2 A proceeding affecting a certificate of public convenience and
3 necessity that commenced before the effective date of this Act is
4 governed by the law in effect on the date the proceeding is
5 commenced, and that law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2025.