

By: Barry

H.B. No. 5269

Substitute the following for H.B. No. 5269:

By: King

C.S.H.B. No. 5269

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of the Office of Public Utility Counsel to
3 access certain data.

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

5 SECTION 1. Section 13.003, Utilities Code, is amended by
6 amending Subsection (a) and adding Subsection (a-1) to read as
7 follows:

8 (a) The office:

9 (1) shall assess the effect of utility rate changes
10 and other regulatory actions on residential consumers in this
11 state:

12 (2) shall advocate in the office's own name a position
13 determined by the counsellor to be most advantageous to a
14 substantial number of residential consumers:

15 (3) may appear or intervene, as a party or otherwise,
16 as a matter of right on behalf of:

20 (B) small commercial consumers, as a class, in
21 any proceeding in which the counsellor determines that small
22 commercial consumers are in need of representation, including an
23 alternative dispute resolution proceeding.

(4) may initiate an interview as a matter of right, or

1 otherwise appear in a judicial proceeding:

2 (A) that involves an action taken by an
3 administrative agency in a proceeding, including an alternative
4 dispute resolution proceeding, in which the counsellor is
5 authorized to appear; or

6 (B) in which the counsellor determines that
7 residential electricity consumers or small commercial electricity
8 consumers are in need of representation;

9 (5) is entitled to:

10 (A) the same access as a party, other than
11 commission staff, to records gathered by the commission under
12 Section 14.204; and

13 (B) request and receive electricity market data
14 in an electronic format and at no cost to the office, including data
15 related to reliability, generation resource adequacy, long-term
16 transmission planning, and transmission and distribution system
17 resiliency, from:

18 (i) the commission;

19 (ii) the independent organization
20 certified under Section 39.151 for the ERCOT power region; and

21 (iii) an electric utility;

22 (6) is entitled to discovery of any nonprivileged
23 matter that is relevant to the subject matter of a proceeding or
24 petition before the commission;

25 (7) may represent an individual residential or small
26 commercial consumer with respect to the consumer's disputed
27 complaint concerning utility services that is unresolved before the

1 commission;

2 (8) may recommend legislation to the legislature that
3 the office determines would positively affect the interests of
4 residential and small commercial consumers; and

5 (9) may advise persons who are interested parties for
6 purposes of Section [37.054](#) on procedural matters related to
7 proceedings before the commission on an application for a
8 certificate of convenience and necessity filed under Section
9 [37.053](#).

10 (a-1) Information submitted to the office under Subsection
11 (a)(5)(B) is confidential and not subject to disclosure by the
12 office under Chapter [552](#), Government Code, if that information
13 would be confidential and not subject to disclosure by the
14 commission under Chapter [552](#), Government Code, or other law if the
15 commission held the information.

16 SECTION 2. This Act takes effect September 1, 2025.