

House Bill 144
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. The heading to Subchapter E, Chapter 38, Utilities Code, is amended to read as follows:
SUBCHAPTER E. INFRASTRUCTURE IMPROVEMENT
AND MAINTENANCE [REPORT]

SECTION 2. Subchapter E, Chapter 38, Utilities Code, is amended by adding Section 38.103 to read as follows:
Sec. 38.103. DISTRIBUTION POLE PLAN. (a) Each electric cooperative, electric utility, and municipally owned utility that distributes electric energy to the public shall submit to the commission a plan for the management and inspection of distribution poles in the entity's distribution system.

- (b) Each plan submitted under Subsection (a) must include:
- (1) a statement of the plan's scope and objectives;
 - (2) the roles and responsibilities of individuals responsible for overseeing and executing the plan;
 - (3) a description of the cooperative's or utility's processes for:
 - (A) the management and inspection of distribution poles on the entity's distribution system;
 - (B) the training and certifying of personnel, including third-party vendors, who inspect distribution poles; and
 - (C) the documentation of and response to a report or complaint made by a landowner regarding the condition or repair of distribution poles;
 - (4) for each distribution pole to be inspected:
 - (A) a deadline by which the inspection will be completed;
 - (B) a process by which inspection records will be submitted;
 - and
 - (C) a timeline for any remedial action required for a pole

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SECTION 1. Same as House version.

SECTION 2. Subchapter E, Chapter 38, Utilities Code, is amended by adding Section 38.103 to read as follows:
Sec. 38.103. DISTRIBUTION POLE PLAN. (a) Each electric cooperative, electric utility, and municipally owned utility that distributes electric energy to the public shall submit to the commission a plan for the management and inspection of distribution poles the cooperative or utility owns in the cooperative's or utility's distribution system. [FA1(1)]

- (b) Each plan submitted under Subsection (a) must include:
- (1) a statement of the plan's scope and objectives for ensuring public safety through the effective management, inspection, maintenance, and repair of distribution poles;
 - (2) the roles and responsibilities of individuals responsible for overseeing and executing the plan;
 - (3) processes for
training and certifying personnel, including third-party vendors, who inspect distribution poles;

- (4) an estimated timeline for completing inspections and

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identified as unreliable, unsafe, or needing repair; and

(5) a proposed budget for implementing the plan.

(c) The commission shall approve, modify, or reject a plan submitted to the commission under Subsection (a) not later than the 180th day after the date the plan is submitted.

(d) Except as provided by Subsection (e), at least once every three years, an entity to which this section applies shall submit an update to the commission detailing the entity's compliance with the plan's objectives and the costs of implementing the plan. An electric utility may submit the update in a report required under Section 38.101.

(e) At least once each month, an entity to which this section applies shall submit an update to the commission in a form prescribed by the commission of the information described by Subsection (b)(4). After an entity to which this section applies submits at least 24 monthly updates in compliance with this section, on application by the entity, the commission may allow the entity to instead file an annual update not later

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remedial action required for any pole identified as unreliable, unsafe, or needing repair;

(5) processes for documenting and responding to a report or complaint made by a landowner regarding the condition or repair of a distribution pole;

(6) for a plan submitted by an electric utility, the estimated cost of implementing the plan; and

(7) a description of the cooperative's or utility's methods to monitor compliance with the plan. [FA1(2)]

(d) Not later than May 1 of each year, an entity to which this section applies shall submit an update to the commission detailing the entity's compliance with the plan's objectives, the costs of implementing the plan to date, and the results of the entity's inspection of distribution poles, including the number of poles inspected and any remediation or replacement action taken. An electric utility may submit the update in a report required under Section 38.101. [FA1(3)-(4)]

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than May 1 of each year. An update must include for each distribution pole inspected an indication of whether the pole passed inspection and was determined to be safe, reliable, and able to withstand extreme weather conditions, including high winds.

(f) This section does not expand the commission's jurisdiction over an electric cooperative beyond the jurisdiction granted under Section 41.004(5)(A). A plan or update filed under this section is considered a report to ensure public safety for the purposes of Section 41.004.

SECTION 3. Not later than January 1, 2027, each entity to which Section 38.103, Utilities Code, as added by this Act, applies shall submit the plan required by that section to the Public Utility Commission of Texas. The Public Utility Commission of Texas may establish different plan submission dates for each class of entity to which Section 38.103, Utilities Code, as added by this Act, applies.

SECTION 4. This Act takes effect immediately if it receives

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() The commission shall review each plan and update submitted under this section to determine whether the entity that submitted the plan or update is in compliance with the plan's objectives described by Subsection (b)(1) and notify the entity whether or not the entity is in compliance with those objectives. [FA1(5)]

() The commission may accept in place of the information required under this section any information required under other law that is substantially similar to the information required under this section. [FA1(5)]

SECTION 3. Same as House version.

SECTION 4. Same as House version.

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a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

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