

BILL ANALYSIS

Senate Research Center

H.B. 3309
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, under the Utilities Code, an electric utility may not directly or indirectly provide service to the public under a franchise or permit unless the utility first obtains from the Public Utility Commission of Texas a certificate stating that public convenience and necessity requires or will require the installation, operation, or extension of the utility's service. The proceedings for issuing a certificate are set forth in statute and can take several months and require substantial paperwork. Combining proceedings could improve administrative efficiency.

H.B. 3309 provides for the consolidation of certificate proceedings if it is apparent from the application for a certificate of convenience and necessity, or from a motion to intervene, that the transmission lines subject to separate proceedings share a common point of interconnection.

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 B, Chapter 37, Utilities Code, by adding Section 37.0541, as follows:

Sec. 37.0541. CONSOLIDATION OF CERTAIN PROCEEDINGS. Requires the Public Utility Commission of Texas (PUC) to consolidate the proceeding on an application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line with the proceeding on another application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line if it is apparent from the applications or a motion to intervene in either proceeding that that the transmission lines that are the subject of the separate proceedings share a common point of interconnection. Provides that this section does not apply to a proceeding on an application for a certificate of convenience and necessity for a transmission line to serve a competitive renewable energy zone as part of a plan developed by PUC under Section 39.904(g)(2) (relating to requiring PUC to develop a plan to construct transmission capacity necessary to serve electric customers) unless the transmission line would be constructed by more than one transmission service provider.

SECTION 2. Effective date: upon passage or September 1, 2009.