

## **BILL ANALYSIS**

Senate Research Center  
86R4361 GRM-D

S.B. 566  
By: Perry  
Business & Commerce  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Xcel Energy's Southwestern Public Service Company (SPS) plans to file its Advanced Metering Infrastructure (AMI) deployment plan with the Public Utility Commission (PUC) by early 2021.

This bill is needed because, under current law, PUC rules governing AMI do not apply to SPS.

S.B. 566 will clarify that the same customer protections and cost-recovery provisions that exist for AMI deployment in ERCOT apply to the Xcel Energy - SPS service territory.

The bill will also require SPS to follow PUC rules, including those allowing customers to opt out of the AMI program.

The draft allows for the recovery of AMI as recommended by the PUC in its 2019 Scope of Competition Report.

As proposed, S.B. 566 amends current law relating to the deployment of advanced metering and meter information networks by certain non-ERCOT utilities.

### **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 Section 39.402, Utilities Code, by adding Subsections (e) and (f), as follows:

(e) Authorizes an electric utility subject to this subchapter (Provisions For Certain Non-ERCOT Utilities) that elects to deploy advanced metering and meter information networks to recover reasonable and necessary costs incurred in deploying advanced metering and meter information networks, notwithstanding Subsection (a). Provides that an electric utility that elects to deploy advanced metering or meter information networks is subject to Public Utility Commission of Texas (PUC) rules adopted under Sections 39.107(h) (relating to the requirement that PUC establish a nonbypassable surcharge for an electric utility or transmission and distribution utility) and (k) (relating to PUC rules prohibiting an electric utility or transmission and distribution utility from selling, sharing, or disclosing information generated, provided, or otherwise collected from an advanced metering system). Requires PUC to ensure that any deployment plan approved under this section and any related customer surcharge are not applicable to customer accounts that receive service at transmission voltage and are consistent with PUC rules related to advanced metering systems regarding customer protections, data security, privacy, and ownership, and options given consumers to continue to receive service through a non-advanced meter.

(f) Requires an electric utility subject to this subchapter that elects to deploy an advanced meter information network to deploy the network as rapidly as practicable to allow customers to better manage energy use and control costs.

SECTION 2. Effective date: upon passage or September 1, 2019.