

## **BILL ANALYSIS**

H.B. 4449  
By: Holland  
State Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

As technology changes, the use of electric energy storage equipment, such as high-capacity batteries, has become more common in Texas. In consideration of this development, the Public Utility Commission of Texas (PUC) has requested clarification with regard to the appropriate regulatory treatment of this equipment under state law. H.B. 4449 seeks to clarify existing law to reaffirm the PUC policy that a municipally owned utility or an electric cooperative that owns or operates certain electric energy storage equipment or facilities need not register as a power generation company with the PUC.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 4449 amends the Utilities Code to clarify that the provision of state law classifying the owner or operator of electric energy storage equipment or facilities that are generation assets as a power generation company required to register with the Public Utility Commission of Texas before generating electricity does not require a municipally owned utility or an electric cooperative that owns or operates electric energy storage equipment or facilities that are intended to be used to sell energy or ancillary services at wholesale to register as a power generation company.

### **EFFECTIVE DATE**

September 1, 2019.