

## Tex. Utilities Code § 41.004

This document is current through the 2023 Regular Session; the 1st C.S.; the 2nd C.S.; the 3rd C.S. and the 4th C.S. of the 88th Legislature; and the November 7, 2023 general election results.

*Texas Statutes & Codes Annotated by LexisNexis® > Utilities Code > Title 2 Public Utility Regulatory Act (Subts. A — C) > Subtitle B Electric Utilities [Expires September 1, 2023] (Chs. 31 — 50) > Chapter 41 Electric Cooperatives and Competition (Subchs. A — D) > Subchapter A General Provisions (§§ 41.001 — 41.005)*

### Sec. 41.004. Jurisdiction of Commission.

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Except as specifically provided otherwise in this chapter, the commission has jurisdiction over electric cooperatives only as follows:

- (1) to regulate wholesale transmission rates and service, including terms of access, to the extent provided in Subchapter A, Chapter 35;
- (2) to regulate certification to the extent provided in Chapter 37;
- (3) to establish a code of conduct as provided in Section 39.157(e) subject to Section 41.054;
- (4) to establish terms and conditions, but not rates, for open access to distribution facilities for electric cooperatives providing customer choice, as provided in Section 39.203;
- (5) to require reports of electric cooperative operations only to the extent necessary to:
  - (A) ensure the public safety;
  - (B) enable the commission to satisfy its responsibilities relating to electric cooperatives under this chapter;
  - (C) enable the commission to determine the aggregate electric load and energy requirements in the state and the resources available to serve that load; or
  - (D) enable the commission to determine information relating to market power as provided in Section 39.155; and
- (6) to evaluate and monitor the cybersecurity preparedness of an electric cooperative described by Section 39.1516(a)(3) or (4).

### History

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Enacted by Acts 1999, 76th Leg., ch. 405 (S.B. 7), § 39, effective September 1, 1999; Acts 2019, 86th Leg., ch. 610 (S.B. 936), § 10, effective September 1, 2019.

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