

By: Fraser

S.B. No. 776

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Public Utility Commission of Texas to approve certain transmission facilities constructed by a municipally owned utility.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 37.051, Utilities Code, is amended by adding Subsection (g) to read as follows:

(g) A municipally owned utility may not directly or indirectly construct, install, operate, or extend a transmission facility outside of its certificated service area unless the municipally owned utility first obtains from the commission, through the application process provided by Section 37.053, a certificate that states that the public convenience and necessity requires or will require the transmission facility. Section 37.056 applies to an application under this subsection. This subsection does not apply to:

(1) a transmission facility that is used solely to provide the municipally owned utility access to a generation resource located outside its certificated service area; or

(2) upgrades to an existing transmission line that do not require any additional land, right-of-way, easement, or other property not owned by the municipally owned utility.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2015.