

By: Lambert

H.B. No. 3534

A BILL TO BE ENTITLED

AN ACT

relating to rates charged by certain transmission and distribution utilities to certain places of worship.

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

SECTION 1. Subchapter A, Chapter 36, Utilities Code, is amended by adding Section 36.010 to read as follows:

Sec. 36.010. RATES FOR CERTAIN PLACES OF WORSHIP. (a) This section only applies to a transmission and distribution utility that:

(1) on January 1, 2017, operated solely in ERCOT; and

(2) provides service to fewer than 100,000 meters.

(b) A transmission and distribution utility providing service to a customer that is a nonprofit place of worship shall bill the customer on a kilowatt hour basis. If the customer has separately metered facilities, the utility shall bill each of those facilities on a kilowatt hour basis if the facilities operate primarily during off-peak periods.

(c) The commission shall adopt rules necessary to administer this section.

SECTION 2. The Public Utility Commission of Texas shall adopt rules as necessary to implement Section 36.010, Utilities Code, as added by this Act, as soon as practicable. A transmission and distribution utility shall modify its rates applicable to each nonprofit place of worship in accordance with Section 36.010,

1 Utilities Code, as added by this Act, not later than January 1,
2 2018.

3 SECTION 3. (a) Notwithstanding any other law or agreement,
4 on the petition of a nonprofit place of worship, the Public Utility
5 Commission of Texas shall evaluate a charge for transmission or
6 distribution service charged by a transmission and distribution
7 utility to the place of worship on or after January 1, 2017, and
8 before January 1, 2018, to determine whether the charge complies
9 with Section 36.010, Utilities Code, as added by this Act.

10 (b) If the Public Utility Commission of Texas determines
11 under Subsection (a) of this section that the charge does not comply
12 with Section 36.010, Utilities Code, as added by this Act, the
13 commission:

14 (1) by order shall require the utility to refund to the
15 nonprofit place of worship money collected from the charge in
16 excess of the charge fixed under Section 36.010, Utilities Code, as
17 added by this Act; and

18 (2) may allow the place of worship to recover from the
19 utility any reasonable expenses incurred by the place of worship in
20 the process of submitting a petition under this section.

21 (c) This section expires and a nonprofit place of worship
22 may not submit a petition under this section after September 1,
23 2019.

24 SECTION 4. This Act takes effect September 1, 2017.