

**SUBJECT:** Internet broadcasting of PUC and ERCOT public hearings and meetings

**COMMITTEE:** State Affairs — committee substitute recommended

**VOTE:** 14 ayes — Solomons, Menendez, Cook, Craddick, Farabee, Gallego, Geren, Harless, Hilderbran, Jones, Maldonado, Oliveira, Swinford, S. Turner

0 nays

1 absent — Lucio

**WITNESSES:** For — Randy Chapman; Stephen Davis, Alliance for Retail Markets; Bill Peacock; Texas Public Policy Foundation; (*Registered, but did not testify:* Luke Bellsnyder, Texas Association of Manufacturers; Carol Biedrzycki, Texas Ratepayers Organization to Save Energy; Kristen Doyle, Cities Aggregation Power Project, South Texas Aggregation Project, Steering Committee Of Cities Served By Oncor; John W. Fainter Jr., Association of Electric Companies of Texas, Inc; Walt Jordan, Oncor; Tim Morstad, AARP; David Power, Public Citizen; Cyrus Reed, Sierra Club, Lone Star Chapter; Carl Richie, TXU Energy; Ed Sterling, Texas Press Association, Texas Daily Newspaper Association)

Against — None

On — Don Ballard, Public Utility Counsel; (*Registered, but did not testify:* Barry Smitherman, Public Utility Commission; Dennis Thomas, TexasAdmin.com, Inc.)

**BACKGROUND:** The Public Utility Commission of Texas (PUC) and the Electric Reliability Council of Texas (ERCOT) currently use a third party — TexasAdmin — to broadcast and archive their public hearings and meetings. Some interested parties, such as legislators, are provided a free login and passcode in order to access the webcasts on TexasAdmin.com, but the majority of the general public is charged a fee.

**DIGEST:** CSHB 1783 would amend the Utilities Code by requiring the PUC and ERCOT to provide live Internet broadcast of all of their public hearings and meetings, without charge.

The bill would allow the PUC to recover administrative costs of broadcasting on their website by imposing an assessment against:

- a public utility;
- the Lower Colorado River Authority;
- a retail electric provider that served more than 250,000 customers;
- or
- a power generation company that owned more than 5,000 megawatts of installed capacity in this state.

The bill would take effect September 1, 2009, and would apply only to a hearing or meeting held on or after that date.

**SUPPORTERS  
SAY:**

CSHB 1783 would expand public access to the meetings of the agencies that determine the cost and availability of electricity, a vital service. In order to have access to PUC or ERCOT open meetings, interested citizens now must either attend in person or purchase a service through TexasAdmin.com to view broadcasts online. Most hearings take place during the work week at each entity's respective headquarters in Austin, making it difficult for most Texans to attend the meetings in person. The only alternative is to pay a fee to gain access to broadcasts of what are supposed to be publicly accessible meetings.

Making open meetings available on the Internet will help foster broader knowledge and understanding of PUC and ERCOT activities and processes. Making these proceedings available for viewing free of charge would enhance the openness of state government. The relatively small cost to the state would be more than justified by expanding public access to these important meeting.

**OPPONENTS  
SAY:**

No apparent opposition.

**NOTES:**

HB 1783 was recommitted to the State Affairs Committee on March 25, when a committee substitute was adopted. The committee substitute added a provision to allow the PUC to recover its administrative costs.

According to the fiscal note, the primary cost driver of this bill would be for technology, including cameras, routers, and bandwidth. The projected technology costs each year for the PUC would be: \$161,919 for fiscal

2010; \$124,077 for fiscal 2011; \$136,888 for fiscal 2012; \$148,017 for fiscal 2013; and \$160,501 for fiscal 2014. Also, an additional FTE would be required at a cost of about \$72,000 per year for salary and benefits.