

## **BILL ANALYSIS**

Senate Research Center

H.B. 2548  
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Business & Commerce  
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Engrossed

### **DIGEST AND PURPOSE**

Currently, under the Public Utilities Regulatory Act it is unclear whether the Public Utility Commission of Texas (PUC) has the authority to order a public utility to construct transmission and distribution infrastructure. H.B. 2548 clarifies that PUC has the authority to order the construction of such transmission and distribution facilities.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 35.004(d), Utilities Code, to authorize the Public Utility Commission (PUC), notwithstanding Section 36.054(a), if it determines that conditions warrant the action, to authorize the inclusion of construction work in progress in the rate base for transmission investment required by PUC under Section 39.203(e).

SECTION 2. Amends Section 37.056(c), Utilities Code, to require PUC to grant each certificate on a nondiscriminatory basis after considering certain information.

SECTION 3. Amends Section 39.203(e), Utilities Code, to authorize PUC to require an electric utility or a transmission and distribution utility to construct or enlarge facilities to ensure safe and reliable service for the state's electric markets and to reduce transmission constraints within ERCOT in a cost-effective manner where the constraints are such that they are not being resolved through Chapter 37 or the ERCOT transmission planning process.

SECTION 4. Effective date: upon passage or September 1, 2003.