

1-1 By: Hancock S.B. No. 1281  
1-2 (In the Senate - Filed March 9, 2021; March 18, 2021, read  
1-3 first time and referred to Committee on Business & Commerce;  
1-4 April 9, 2021, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 9, 2021,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1281 By: Hancock

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to certificates of public convenience and necessity for  
1-22 certain transmission projects.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 37.052, Utilities Code, is amended by  
1-25 adding Subsection (c) to read as follows:

1-26 (c) An electric utility is not required to amend the  
1-27 utility's certificate of public convenience and necessity to  
1-28 construct a transmission line that connects the utility's existing  
1-29 transmission facilities to a load-serving substation or metering  
1-30 point if:

1-31 (1) the transmission line does not exceed three miles  
1-32 in length;

1-33 (2) each landowner whose property would be directly  
1-34 affected by the transmission line, as provided by commission rules,  
1-35 provides written consent for the transmission line; and

1-36 (3) all rights-of-way necessary for construction of  
1-37 the transmission line have been purchased.

1-38 SECTION 2. Section 37.056(d), Utilities Code, is amended to  
1-39 read as follows:

1-40 (d) The commission by rule shall establish criteria, in  
1-41 addition to the criteria described by Subsection (c), for granting  
1-42 a certificate for a transmission project that serves the ERCOT  
1-43 power region, that is not necessary to meet state or federal  
1-44 reliability standards, and that is not included in a plan developed  
1-45 under Section 39.904(g) [~~does not serve a competitive renewable~~  
1-46 energy zone]. The criteria must include a comparison of the  
1-47 estimated cost of the transmission project for consumers and the  
1-48 estimated cost savings for consumers that may result from the  
1-49 transmission project. The commission shall include with its  
1-50 decision on an application for a certificate to which this  
1-51 subsection applies findings on the criteria.

1-52 SECTION 3. The changes in law made by this Act apply only to  
1-53 a proceeding affecting a certificate of public convenience and  
1-54 necessity that commences on or after the effective date of this Act.  
1-55 A proceeding affecting a certificate of public convenience and  
1-56 necessity that commenced before the effective date of this Act is  
1-57 governed by the law in effect on the date the proceeding is  
1-58 commenced, and that law is continued in effect for that purpose.

1-59 SECTION 4. This Act takes effect September 1, 2021.

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