

1-1 By: Schwertner S.B. No. 1877  
1-2 (In the Senate - Filed March 4, 2025; March 17, 2025, read  
1-3 first time and referred to Committee on Business & Commerce;  
1-4 March 31, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 10, Nays 0; March 31, 2025,  
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Schwertner	X			
1-10	King			X	
1-11	Blanco	X			
1-12	Campbell	X			
1-13	Creighton	X			
1-14	Johnson	X			
1-15	Kolkhorst	X			
1-16	Menéndez	X			
1-17	Middleton	X			
1-18	Nichols	X			
1-19	Zaffirini	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1877 By: Schwertner

1-21 A BILL TO BE ENTITLED  
1-22 AN ACT

1-23 relating to the authority of the Office of Public Utility Counsel to  
1-24 access certain data.  
1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-26 SECTION 1. Section 13.003, Utilities Code, is amended by  
1-27 amending Subsection (a) and adding Subsection (a-1) to read as  
1-28 follows:  
1-29 (a) The office:  
1-30 (1) shall assess the effect of utility rate changes  
1-31 and other regulatory actions on residential consumers in this  
1-32 state;  
1-33 (2) shall advocate in the office's own name a position  
1-34 determined by the counsellor to be most advantageous to a  
1-35 substantial number of residential consumers;  
1-36 (3) may appear or intervene, as a party or otherwise,  
1-37 as a matter of right on behalf of:  
1-38 (A) residential consumers, as a class, in any  
1-39 proceeding before the commission, including an alternative dispute  
1-40 resolution proceeding; and  
1-41 (B) small commercial consumers, as a class, in  
1-42 any proceeding in which the counsellor determines that small  
1-43 commercial consumers are in need of representation, including an  
1-44 alternative dispute resolution proceeding;  
1-45 (4) may initiate or intervene as a matter of right or  
1-46 otherwise appear in a judicial proceeding:  
1-47 (A) that involves an action taken by an  
1-48 administrative agency in a proceeding, including an alternative  
1-49 dispute resolution proceeding, in which the counsellor is  
1-50 authorized to appear; or  
1-51 (B) in which the counsellor determines that  
1-52 residential electricity consumers or small commercial electricity  
1-53 consumers are in need of representation;  
1-54 (5) is entitled to:  
1-55 (A) the same access as a party, other than  
1-56 commission staff, to records gathered by the commission under  
1-57 Section 14.204; and  
1-58 (B) request and receive electricity market data,  
1-59 including data related to reliability, generation resource  
1-60 adequacy, long-term transmission planning, and transmission and

2-1 distribution system resiliency, from:

2-2 (i) the commission;

2-3 (ii) the independent organization  
2-4 certified under Section 39.151 for the ERCOT power region; and

2-5 (iii) an electric utility;

2-6 (6) is entitled to discovery of any nonprivileged  
2-7 matter that is relevant to the subject matter of a proceeding or  
2-8 petition before the commission;

2-9 (7) may represent an individual residential or small  
2-10 commercial consumer with respect to the consumer's disputed  
2-11 complaint concerning utility services that is unresolved before the  
2-12 commission;

2-13 (8) may recommend legislation to the legislature that  
2-14 the office determines would positively affect the interests of  
2-15 residential and small commercial consumers; and

2-16 (9) may advise persons who are interested parties for  
2-17 purposes of Section 37.054 on procedural matters related to  
2-18 proceedings before the commission on an application for a  
2-19 certificate of convenience and necessity filed under Section  
2-20 37.053.

2-21 (a-1) Information submitted to the office under Subsection  
2-22 (a)(5)(B) is confidential and not subject to disclosure by the  
2-23 office under Chapter 552, Government Code, if that information  
2-24 would be confidential and not subject to disclosure by the  
2-25 commission under Chapter 552, Government Code, or other law if the  
2-26 commission held the information.

2-27 SECTION 2. This Act takes effect September 1, 2025.

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