

Amend Amendment No. 6 by Oliveira to **CSSB 482** (house committee printing) by striking the text of the amendment and substituting the following:

Amend **CSSB 482** by adding the following appropriately numbered SECTION to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Subchapter E, Chapter 39, Utilities Code, is amended by adding Section 39.2025 to read as follows:

Sec. 39.2025. MARKET REVIEW BASED ON PRICE OF ELECTRICITY.

(a) In this section, "month to month electric service plan" does not include an electric service plan that is represented to be based on renewable power.

(b) The commission shall review the price of the month to month electric service plans under which residential customers who have not affirmatively chosen alternative month to month electric service plans receive service if, for more than six consecutive months, including the six months before the date this section took effect, the price charged to those residential customers is more than one cent per kilowatt hour higher, inclusive of required charges, than the simple average of the prices charged for other month to month electric service plans in the relevant transmission and distribution service territory.

(c) If, based on the review, the commission determines that the price that has been charged to those customers is not reasonable, the commission shall reduce the retail electric provider's price charged to those customers for the month to month electric service plan and order bill credits as appropriate. The commission may not require price reductions that will result in a reduced price that is less than the simple average of the prices charged for other month to month electric service plans in the relevant transmission and distribution service territory at the time the reduction is applied.

(d) The commission shall enter appropriate orders to expedite the implementation of the requirements of this section.

(e) This section expires September 1, 2009.