

AN ACT

relating to benefit programs provided by retail electric providers and certificated telecommunications utilities for low-income customers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 17.007, Utilities Code, is amended to read as follows:

Sec. 17.007. IDENTIFICATION [~~ELIGIBILITY~~] PROCESS FOR CUSTOMER SERVICE BENEFITS [~~DISCOUNTS~~]. (a) The Health and Human Services Commission, on request of the commission, shall assist in developing an automatic process for identifying low-income customers to retail electric providers and certificated telecommunications utilities to enable those providers and utilities to offer customer service, discounts, bill payment assistance, or other methods of assistance [~~The commission by rule shall provide for an integrated eligibility process for customer service discounts, including discounts under Sections 39.903 and 55.015~~].

(b) The commission and the Health and Human Services Commission shall continue the memorandum of understanding entered into by those agencies in effect on January 1, 2017, that establishes the respective duties of those agencies in relation to the automatic process, and may amend the memorandum of understanding as necessary to achieve the goals of this section.

1 (c) The commission may not require a retail electric
2 provider or a certificated telecommunications utility to offer
3 customer service, discounts, bill payment assistance, targeted
4 bill messaging, or other benefits for which the provider or utility
5 is not reimbursed.

6 (d) The commission may not submit a request to the Health
7 and Human Services Commission to provide for a process to identify
8 low-income electric customers for a fiscal year unless:

9 (1) the commission receives a request from one or more
10 retail electric providers not later than July 31 of the previous
11 fiscal year for a list of low-income electric customers to be
12 developed; and

13 (2) each retail electric provider that submits a
14 request to the commission under Subdivision (1) agrees to reimburse
15 the commission for the cost of development of the list on terms
16 agreed to by the commission and the provider.

17 SECTION 2. Section 55.015(b), Utilities Code, is amended to
18 read as follows:

19 (b) The commission shall adopt rules providing for
20 automatic enrollment to receive lifeline service for eligible
21 consumers. The Health and Human Services Commission [~~Texas~~
22 ~~Department of Human Services~~], on request of the commission, shall
23 assist in the adoption and implementation of those rules. The
24 commission and the Health and Human Services Commission [~~Texas~~
25 ~~Department of Human Services~~] shall enter into a memorandum of
26 understanding establishing the respective duties of those agencies
27 [~~the commission and department~~] in relation to the automatic

1 enrollment.

2 SECTION 3. Section 56.021, Utilities Code, is amended to
3 read as follows:

4 Sec. 56.021. UNIVERSAL SERVICE FUND ESTABLISHED. The
5 commission shall adopt and enforce rules requiring local exchange
6 companies to establish a universal service fund to:

7 (1) assist telecommunications providers in providing
8 basic local telecommunications service at reasonable rates in high
9 cost rural areas under two plans:

10 (A) the Texas High Cost Universal Service Plan
11 (16 T.A.C. Section 26.403); and

12 (B) the Small and Rural Incumbent Local Exchange
13 Company Universal Service Plan (16 T.A.C. Section 26.404);

14 (2) reimburse the telecommunications carrier that
15 provides the statewide telecommunications relay access service
16 under Subchapter D;

17 (3) finance the specialized telecommunications
18 assistance program established under Subchapter E;

19 (4) reimburse the department and the commission for
20 costs incurred in implementing this chapter and Chapter 57;

21 (5) reimburse a telecommunications carrier providing
22 lifeline service as provided by 47 C.F.R. Part 54, Subpart E, as
23 amended;

24 (6) finance the implementation and administration of
25 the identification process under [~~an integrated eligibility~~
26 ~~process created under~~] Section 17.007 for [~~customer service~~
27 ~~discounts relating to~~] telecommunications services[~~, including~~

1 ~~outreach expenses the commission determines are reasonable and~~
2 ~~necessary];~~

3 (7) reimburse a designated provider under Subchapter
4 F;

5 (8) reimburse a successor utility under Subchapter G;
6 and

7 (9) finance the program established under Subchapter
8 H.

9 SECTION 4. This Act takes effect September 1, 2017.

S.B. No. 1976

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1976 passed the Senate on April 26, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1976 passed the House on May 6, 2017, by the following vote: Yeas 132, Nays 9, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor