

AN ACT

relating to the rates of certain retail public utilities.

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

SECTION 1. Subsection (a), Section 10.08, Chapter 966, Acts of the 77th Legislature, Regular Session, 2001, is amended to read as follows:

(a) The changes in law made by this article to Chapter 13, Water Code, apply to a proceeding in which the Texas Commission on Environmental Quality has not issued a final order before September 1, 2001 [~~the effective date of this article, provided, however, that this article does not apply to a public utility that provided utility service in only 24 counties on January 1, 2003. The provisions of Chapter 13, Water Code, that were in effect before September 1, 2001, apply to those public utilities~~].

SECTION 2. Section 13.145, Water Code, is amended to read as follows:

Sec. 13.145. MULTIPLE SYSTEMS CONSOLIDATED UNDER TARIFF.

(a) A utility may consolidate more than one system under a single tariff only if:

(1) the systems under the tariff are substantially similar in terms of facilities, quality of service, and cost of service; and

(2) the tariff provides for rates that promote water conservation for single-family residences and landscape

1 irrigation.

2 (b) This section does not apply to a public utility that
3 provided utility service in only 24 counties on January 1, 2003.

4 SECTION 3. This Act takes effect September 1, 2005.

David Swinhurst
President of the Senate

Jim Cuddeback
Speaker of the House

I hereby certify that S.B. No. 1063 passed the Senate on April 28, 2005, by the following vote: Yeas 31, Nays 0. _____

Letsy Saw
Secretary of the Senate

I hereby certify that S.B. No. 1063 passed the House on May 25, 2005, by a non-record vote. _____

Robert Haney
Chief Clerk of the House

Approved:

17 JUNE 05
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:10 PM O'CLOCK

JUN 17 2005
Roger Williams
Secretary of State