

CHAPTER 25. SUBSTANTIVE RULES RELATING TO ELECTRIC SERVICE PROVIDERS.

Subchapter I. TRANSMISSION AND DISTRIBUTION

DIVISION 2. TRANSMISSION AND DISTRIBUTION APPLICABLE TO ALL ELECTRIC UTILITIES.

§25.215. Terms and Conditions of Access by a Competitive Retailer to the Delivery System of a Municipally Owned Utility or Electric Cooperative that has Implemented Customer Choice.

- (a) **Purpose.** The purpose of this section is to implement Public Utility Regulatory Act (PURA) §39.203 as it relates to the establishment of non-discriminatory terms and conditions of access by competitive retailers to the delivery systems of municipally owned utilities and electric cooperatives that have implemented customer choice. Retail delivery service, including delivery service to a retail customer at transmission voltage, shall be provided directly to retail customers by a municipally owned utility or an electric cooperative that has implemented customer choice. A municipally owned utility or an electric cooperative that has implemented customer choice shall provide retail delivery service in accordance with the rates, terms and conditions set forth in the delivery service tariffs promulgated by the municipally owned utility or an electric cooperative.
- (b) **Application.** This section and the pro-forma access tariff set forth in subsection (d) of this section govern the terms and conditions of access by competitive retailers at the point of supply to retail customers connected to the delivery systems of municipally owned utilities and electric cooperatives that have implemented customer choice.
- (c) **Access tariff.** Not later than the 90th day before the date customer choice is offered, each municipally owned utility or electric cooperative in Texas shall file with the Public Utility Commission of Texas (commission) its access tariff governing access by competitive retailers to retail customers connected to the delivery system of the municipally owned utility or electric cooperative using the pro-forma access tariff in subsection (d) of this section. A municipally owned utility or an electric cooperative may add to or modify only Chapters 2 and 5 of the access tariff, reflecting individual characteristics and rates. Chapters 1, 3, and 4 of the pro-forma access tariff shall be used exactly as written; these Chapters can be changed only through the rulemaking process. The access tariff, however, shall contain the name of the municipally owned utility or electric cooperative in lieu of "(Utility)".
- (d) **Pro-forma access tariff.** The commission adopts by reference the form "Tariff for Competitive Retailer Access," effective date of August 23, 2001. This form is available in the commission's Central Records division and on the commission's website at www.puc.state.tx.us.