

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS

Subchapter B. CUSTOMER SERVICE AND PROTECTION.

§25.45. Low-Income List Administrator.

- (a) **Purpose.** The purpose of this section is to define the responsibilities of the Low-Income List Administrator (LILA) to establish and maintain a list of eligible low-income customers and to specify the process for a retail electric provider (REP) who voluntarily seeks to obtain the low-income customer identification service from the LILA pursuant to Public Utility Regulatory Act (PURA) §17.007.
- (b) **Application.** This section applies to the LILA, which has been contracted by the commission to administer aspects of the low-income customer identification process established under PURA §17.007 in cooperation with the Texas Health and Human Services Commission (HHSC). This section also applies to REPs that provide retail electric service in an area that has been opened to customer choice and that voluntarily seek to obtain the low-income customer identification service from the LILA.
- (c) **Customer identification process.** The LILA shall identify eligible low-income customers through a monthly automatic identification process in cooperation with HHSC.
- (1) Automatic identification is an electronic process to identify customers eligible for the low-income list by matching client data from the HHSC with residential customer-specific data from participating REPs.
- (A) HHSC shall provide client information to the LILA in accordance with subsection (d)(1) of this section.
- (B) REPs shall provide customer information to the LILA in accordance with subsection (d)(3) of this section.
- (C) The LILA shall compare the customer information from HHSC and REPs, create files of matching customers and notify the REPs of their eligible customers.
- (2) Automatically identified customers shall continue to be included on the LILA's list of eligible low-income customers as long as the customers receive qualifying HHSC benefits. Once a customer no longer receives qualifying HHSC benefits, the customer will no longer be identified by the LILA's process as an eligible low-income customer that is sent to the customer's REP.
- (d) **Responsibilities.** In addition to the requirements established in this section, program responsibilities for the LILA may be established in the commission's contract with the LILA; program responsibilities for tasks undertaken by HHSC may be established in the memorandum of understanding between the commission and HHSC.
- (1) **HHSC's responsibilities.** HHSC shall assist in the implementation and maintenance of the automatic enrollment process by providing a database of customers receiving qualifying HHSC benefits as detailed in the memorandum of understanding between HHSC and the commission.
- (2) **The LILA's responsibilities.** The LILA shall:
- (A) receive customer lists from participating REPs on at least a monthly basis through data transfer;
- (B) retrieve the database of clients from HHSC on at least a monthly basis;
- (C) establish a list of eligible customers, by comparing customer lists from the REPs with HHSC databases and identifying customer records that reasonably match;
- (D) make available to each participating REP, on a date prescribed by the commission on at least a monthly basis, a list of eligible low-income customers; and
- (E) protect the confidentiality of the customer information provided by the REPs and the client information provided by HHSC.
- (3) **A participating REP's responsibilities.** A REP that voluntarily seeks to obtain a list of eligible low-income customers shall:
- (A) provide residential customer information to the LILA through data transfer on a date prescribed by the commission on at least a monthly basis. The customer information

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS

Subchapter B. CUSTOMER SERVICE AND PROTECTION.

shall include, to the greatest extent possible, each full name of the primary and secondary customer on each account, billing and service addresses, primary and secondary social security numbers, primary and secondary telephone numbers, Electric Service Identifier (ESI ID), service provider account number, and premise code;

- (B) retrieve from the LILA the list of eligible low-income customers; and
- (C) assist the LILA in working to resolve issues concerning customer eligibility.

(e) **Confidentiality of information.**

- (1) The data acquired from HHSC pursuant to this section is subject to a HHSC confidentiality agreement.
- (2) All data transfers from REPs to the LILA pursuant to this section shall be conducted under the terms and conditions of a standard confidentiality agreement to protect customer privacy and REPs' competitively sensitive information.
- (3) The LILA may use information obtained pursuant to this section only for purposes prescribed by commission rule.

(f) **Identification of the LILA and annual election process.** The commission shall maintain a project in which REPs may elect to obtain the low-income customer identification service from the LILA. As part of this project, the commission may delegate to the executive director the authority to contract with a third-party vendor to administer aspects of the low-income customer identification process established under PURA §17.007 in cooperation with HHSC, and to negotiate the LILA's annual fee for the provision of the low-income customer identification service under PURA §17.007(d)(2).