

CHAPTER 25. SUBSTANTIVE RULES APPLICABLE TO ELECTRIC SERVICE PROVIDERS.

Subchapter D. RECORDS, REPORTS, AND OTHER REQUIRED INFORMATION.

§25.78. State Agency Utility Account Information.

- (a) **Application.** The requirements of this section shall apply to any electric utility, including a municipally-owned electric utility.
- (b) In this section, "State agency" shall have the following meaning:
 - (1) any board, commission, department, office, or other agency in the executive branch of state government that is created by the constitution or a statute of the state;
 - (2) an institution of higher education as defined by the Education Code §61.003, other than a public junior college;
 - (3) the legislature or a legislative agency; or
 - (4) the Supreme Court of Texas, the Court of Criminal Appeals of Texas, a court of civil appeals, a state judicial agency, or the State Bar of Texas.
- (c) An electric utility shall provide the information required in subsection (e) of this section for each state agency account in the prescribed form and medium. The electric utility shall obtain from the General Services Commission or its designee a copy of the field layouts and electronic format that the electric utility shall use. The General Services Commission or its designee shall notify the electric utility of any changes to the field layouts and electronic format with sufficient time for the electric utility to submit the information required by this subsection in a timely manner. Such form and medium must make the reports easy to compile and analyze in a manner which is not unreasonably costly, and to the extent possible, the General Services Commission or its designee will accommodate the electric utilities' electronic formats.
- (d) An electric utility shall retain all billing records for each state agency account for at least four years from the billing date, notwithstanding any other commission rule relating to the retention of billing records that may provide for a shorter retention period.
- (e) An electric utility shall:
 - (1) each year file the monthly billing information for each state agency account required by this subsection within 45 days after the end of the reporting period for the six months ending with the February billing period and for the six months ending with the August billing period.
 - (2) provide in the prescribed form the following information for each state agency account:
 - (A) Utility name: name of the electric utility providing service;
 - (B) Account Name: name of the state agency receiving service from the electric utility;
 - (C) Account Number;
 - (D) Account Address: the address of the facility being served by the electric utility, or, if that is not available, the service location;
 - (E) SIC Code: Standard Industrial Code number applicable to facilities served at the account, if available;
 - (F) Account Description: descriptive information available to the electric utility regarding the nature of the facilities served at the account, (e.g., office building, traffic signal, etc.) if available;
 - (G) Rate Class: name of the rate class under which service is provided (e.g., Residential, General Service, Highway Safety Lighting, etc.);
 - (H) Rate Code: the code number used by the electric utility to identify the rate class under which service is provided;

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§25.78(e) continued

- (I) Service Voltage: the specific service voltage (e.g., 480 volts, 12,470, 69,000, etc.) if available, otherwise provide general voltage level (e.g., secondary, primary, transmission);
 - (J) Read Date: the date on which the meter was read during the billing period;
 - (K) Kilowatt-Hour Meter Number: the serial number for the kilowatt-hour meter;
 - (L) Kilowatt-Hour Multiplier: the multiplier used to determine kilowatt-hour consumption based on the meter reading;
 - (M) Monthly kWh: the number of kilowatt-hours used for billing purposes;
 - (N) Demand Meter Number: the serial number for the demand meter if different from that of the kilowatt-hour meter;
 - (O) Demand Meter Multiplier: the multiplier used to determine demand based on the meter reading;
 - (P) Demand Reading: the reading taken from the demand meter, stated in kilowatts or kilovolt-amperes;
 - (Q) Billing Demand: the demand amount used for billing purposes, in kilowatts or kilovolt-amperes;
 - (R) Metered Demand: the demand amount measured during the billing period, stated in kilowatts or kilovolt-amperes;
 - (S) KVAR: reactive power measurement for the billing period, if available;
 - (T) Power Factor: the ratio of real power (kW) to apparent power (kVa), if available;
 - (U) Customer Revenue: the portion of the bill related to the monthly customer charge or facilities charge, if available;
 - (V) Power Cost Recovery Factor (PCRF): the PCRF rate for the period that is assessed based on energy usage; the PCRF rate for the period that is assessed based on demand (if applicable); and the total PCRF charge for the period;
 - (W) Energy Revenue: the portion of the bill related to the monthly energy charge(s), if available;
 - (X) Demand Revenue: the portion of the bill related to the monthly demand charge(s), if available;
 - (Y) Base Revenue: the portion of the bill related to the non-fuel charges, including customer, energy, and demand charges, if available;
 - (Z) Fuel Revenue: the portion of the bill related to fuel and/or purchased power;
 - (AA) Other Revenue: the portion of the bill related to taxes or other miscellaneous charges;
 - (BB) Other Charges/Credits: the amount of any non-recurring charges or other credits, such as fuel credits and margin credits;
 - (CC) Explanation: an explanation of the nature of the charge/credit included in Other Charges/Credits;
 - (DD) Total Revenue: the total monthly bill, including base, fuel, and other charges;
 - (EE) Load Factor: the ratio of the average demand during the billing period to the maximum demand; and
 - (FF) Cost Per Kilowatt-Hour: the total cost during the billing period divided by the number of kilowatt-hours.
- (3) provide the information required by this section to the General Services Commission or its designee by electronic transfer, if feasible, or, otherwise, by diskette. Only in cases of extreme undue hardship will it be permissible for an electric utility to provide the information in paper documents.

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- (f) Information provided pursuant to this section shall be subject to any protections of the Texas Government Code, Public Information Act, Chapter 552. Any request for information required by this section shall be filed with the Office of the Attorney General or its designee.
- (g) The commission, electric utilities, and the Office of the Attorney General's designee, as well as representatives of interested state agencies, shall continue to evaluate the effectiveness and efficiency of the public monitoring and verification system for state agency customers provided in this section.
- (h) An electric utility shall make a good faith effort to provide all the information required by this section. It is a violation of this section for any information to be omitted from the report unless a good faith reason exists for less than full compliance. Examples of good faith reasons for not providing a complete report include: technical limitations that cannot be corrected without undue expense, unavailability of the particular information on an electric utility's billing system or database, information that cannot reasonably be made available in the form requested, waiver by commission order, or written waiver by the Office of the Attorney General or its designee. Unless otherwise challenged in a complaint proceeding by the Office of the Attorney General as set forth herein, an electric utility is presumed to have made a good faith effort to provide the required information and is not required to seek any type of advance waiver. In the event an electric utility does not provide a complete report, the Office of the Attorney General may file a complaint with the commission. In any such complaint proceeding, the electric utility shall have the burden of showing the omission was in good faith.