

CHAPTER 25. SUBSTANTIVE RULES RELATING TO ELECTRIC SERVICE PROVIDERS.

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

§25.80. Annual Report on Historically Underutilized Businesses.

- (a) In this section, "historically underutilized business" has the same meaning as in Texas Government Code, §481.191, as it may be amended.
- (b) Every electric utility shall report its use of historically underutilized businesses (HUBs) to the commission on a form approved by the commission. An electric utility may submit the report on paper, or on paper and on a diskette (in Lotus 1-2-3 (*utility name.wk*) or Microsoft Excel (*utility name.xl*) format).
 - (1) Each electric utility shall on or before December 30 of each year submit to the commission a comprehensive annual report detailing its use of HUBs for the four quarters ending on September 30 of the year the report is filed, using the Large Utilities HUB Report form.
 - (2) Each electric utility wishing to report indirect HUB procurements or HUB procurements made by the contractor of the utility may use the Supplemental HUB report form.
 - (3) Each electric utility shall submit a text description of how it determined which of its vendors is a HUB.
 - (4) Each electric utility that has more than 1,000 customers in a state other than Texas, or which purchases more than 10% of its goods and services (other than fuel, purchased power, and wheeling) from vendors not located in Texas, shall separately report by total and category all electric utility purchases, all electric utility purchases from Texas vendors, and all electric utility purchases from Texas HUB vendors. A vendor is considered a Texas vendor if its physical location is situated within the boundaries of Texas.
 - (5) Each electric utility shall also file any other documents it believes appropriate to convey an accurate impression of its use of HUBs.
- (c) This section may not be used to discriminate against any citizen on the basis of race, nationality, color, religion, sex, or martial status.
- (d) This section does not create a new cause of action, either public or private.