

PROJECT NO. 29717

**PUC RULEMAKING PROCEEDING § PUBLIC UTILITY COMMISSION
TO AMEND PUC PROC. R. 21.31(f) §
RELATING TO OFFICE HOURS OF § OF TEXAS
THE COMMISSION FILING CLERK §**

**ORDER ADOPTING AMENDMENT TO §21.31(f)
AS APPROVED AT THE JULY 15, 2004 OPEN MEETING**

The Public Utility Commission of Texas (commission) adopts an amendment to §21.31(f), relating to Office Hours of the Commission Filing Clerk, with no changes to the proposed text as published in the June 11, 2004 issue of the *Texas Register* (29 TexReg 5703). The amendment matches the changes adopted in §22.71(g) in Project Number 29588 and simply adds a provision explaining the revised operating hours of the commission's central records division and commission filing clerk. This amendment is adopted under Project Number 29717.

There were no requests for public hearing. The commission did not receive any comments on the proposed amendment.

This amendment is adopted under the Public Utility Regulatory Act, Texas Utilities Code Annotated §14.002 and §14.052 (Vernon 1998, Supplement 2004) (PURA), which provides the Public Utility Commission with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction, including rules of practice and procedure.

Cross Reference to Statutes: Public Utility Regulatory Act §14.002 and §14.052.

§21.31. Filing of Pleadings, Documents, and Other Materials.

(a) – (e) (No change.)

(f) **Office hours of the commission filing clerk.** With the exception of open meeting days, for the purpose of filing documents, the office hours of the commission filing clerk are from 9:00 a.m. to 5:00 p.m., Monday through Friday, on working days.

(1) The office hours of Central Records are from 9:00 a.m. to 5:00 p.m., Monday through Friday, on working days, except on Fridays, when Central Records will close for all purposes from noon to 1:00 p.m.

(2) Central Records will open at 8:00 a.m. on open meeting days. With the exception of paragraph (3) of this subsection, no filings will be accepted between the hours of 8:00 a.m. and 9:00 a.m.

(3) On open meeting days, between the hours of 8:00 a.m. and 9:00 a.m., the Commissioners and the Policy Development Division may file items related to the open meeting on behalf of the Commissioners.

(A) The Commissioners and the Policy Development Division shall provide the filing clerk with an extra copy of all documents filed pursuant to this paragraph for public access.

(B) The Policy Development Division shall provide the parties of record copies of documents filed under this paragraph as soon as possible after filing. To the extent practicable, the existence of documents filed under this paragraph shall be announced prior to the discussion on the noticed item at the open meeting. In addition to providing copies via mail or

facsimile, staff may transmit the documents to the parties of record by electronic transmission or via hand-delivery at the open meeting.

(g) – (h) (No change.)

This agency hereby certifies that the rule, as adopted, has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority. It is therefore ordered by the Public Utility Commission of Texas that §21.31, relating to Office Hours of the Commission Filing Clerk, is hereby adopted with no changes to the text as proposed.

ISSUED IN AUSTIN, TEXAS ON THE _____ DAY OF _____ 2004.

PUBLIC UTILITY COMMISSION OF TEXAS

JULIE PARSLEY, COMMISSIONER

PAUL HUDSON, CHAIRMAN

BARRY T. SMITHERMAN, COMMISSIONER