

PROJECT NO. 48526

RULEMAKING TO AMEND	§	PUBLIC UTILITY COMMISSION
CHAPTER 24 FOR THE SOLE	§	
PURPOSE OF RENUMBERING	§	OF TEXAS
CERTAIN SECTIONS, RENAMING	§	
AND RELETTERING CERTAIN	§	
SUBCHAPTERS, AND ADDING A	§	
NEW SUBCHAPTER	§	

ORDER ADOPTING THE REPEAL OF PART OF SUBCHAPTER A §§24.3, 24.8, 24.11, 24.14, ALL OF SUBCHAPTER B, SUBCHAPTER C §§24.41-24.44, ALL OF SUBCHAPTERS D THROUGH K, AND NEW §§24.3, 24.8, 24.11, 24.14 AND NEW SUBCHAPTERS B THROUGH L AS APPROVED AT THE SEPTEMBER 27, 2018 OPEN MEETING

The Public Utility Commission of Texas (commission) adopts the repeal of part of Subchapter A: General Provisions §§24.3, 24.8, 24.11, 24.14, Subchapter B: Rates, Rate-Making and Rates/Tariff Changes §§24.21-24.24, §24.26, §§24.28-24.36, Subchapter C: Rate-Making Appeals §§24.41-24.44, Subchapter D: Records and Reports §§24.71-24.76, Subchapter E: Customer Service and Protection §§24.80-24.90, Subchapter F: Quality of Service §§24.91-24.95, Subchapter G: Certificates of Convenience and Necessity §§24.101-24.107, §§24.109-24.111, §§24.113-24.120, Subchapter H: Water Utility Submetering and Allocation §§24.121-24.127, Subchapter I: Wholesale Water or Sewer Service §§24.128-24.138, Subchapter J: Enforcement, Supervision, and Receivership, §§24.140-24.144, §24.146, §24.147, Subchapter K: Provision Regarding Municipalities §§24.150- 24.153, relating to substantive rules applicable to water and sewer service providers and adopts new §§24.3, 24.8, 24.11, 24.14, Subchapter B: Rates and Tariffs §§24.25, 24.27, 24.29, 24.31, 24.33, 24.35, 24.37, 24.39, 24.41, 24.43, 24.44, 24.47, 24.49, Subchapter C: Alternative Rate Methods §24.75, Subchapter D: Rate-Making

Appeals §§24.101, 24.103, 24.105, 24.107, Subchapter E: Records and Reports §§24.125, 24.127, 24.129, 24.131, 24.133, 24.135, Subchapter F: Customer Service and Protection §§24.151, 24.153, 24.155, 24.157, 24.159, 24.161, 24.163, 24.165, 24.167, 24.169, 24.171, Subchapter G: Quality of Service §§24.201, 24.203, 24.205, 24.207, 24.209, Subchapter H: Certificates of Convenience and Necessity §§24.225, 24.227, 24.229, 24.231, 24.233, 24.235, 24.237, 24.239, 24.241, 24.243, 24.245, 24.247, 24.249, 24.251, 24.253, 24.255, 24.257, 24.259, Subchapter I: Water Utility Submetering and Allocation §§24.275, 24.277, 24.279, 24.281, 24.283, 24.285, 24.287, Subchapter J: Wholesale Water or Sewer Service §§24.301, 24.303, 24.305, 24.307, 24.309, 24.311, 24.313, 24.315, 24.317, 24.319, 24.321, Subchapter K: Enforcement, Supervision, and Receivership §§24.351, 24.353, 24.355, 24.357, 24.359, 24.361, 24.363, Subchapter L: Provisions Regarding Municipalities §§24.375, 24.377, 24.379, and 24.381 relating to substantive rules applicable to water and sewer service providers without changes to the proposed text as published in the August 10, 2018 issue of the *Texas Register* (43 TexReg 5123). Sections 24.45 and 24.46 move from Subchapter C, Rate-Making Appeals to new Subchapter B, Rates and Tariffs. The rules were renumbered for administrative ease. This renumbering is adopted under Project Number 48526.

The commission received comments on the proposed § 24.239.

The Texas Press Association argued that a good cause exception to public notice be removed from the text of § 24.239. The Texas Press Association further argued that § 24.239 be amended to specify what form public notice should take and that that form be by publication in a newspaper.

Commission response

This rulemaking is limited to renumbering certain sections, renaming and relettering certain subchapters, and adding a new subchapter. No substantive changes were made to the rules. Therefore, the comment on § 24.239 is outside of the scope of this rulemaking. This comment will be taken into consideration for a future rulemaking.

All comments, including any not specifically referenced herein, were fully considered by the commission.

The repeals and new sections are adopted under section 14.002 of the Public Utility Regulatory Act, Tex. Util. Code Ann. §14.002 (West 2016) (PURA) which provides the commission with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction.

Cross reference to statutes: Public Utility Regulatory Act §14.002 and §14.052.

This agency certifies that the adoption 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 the repeals and new sections relating to substantive rules applicable to water and sewer service providers are hereby adopted with no changes to the text as proposed.

Signed at Austin, Texas the _____ day of September 2018.

PUBLIC UTILITY COMMISSION OF TEXAS

DEANN T. WALKER, CHAIRMAN

ARTHUR C. D'ANDREA, COMMISSIONER

SHELLY BOTKIN, COMMISSIONER