

**PROJECT NO. 29588**

**PUC RULEMAKING PROCEEDING § PUBLIC UTILITY COMMISSION  
TO AMEND PUC PROC. R. 22.71(g), §  
RELATING TO OFFICE HOURS OF § OF TEXAS  
THE COMMISSION FILING CLERK §**

**PROPOSAL FOR PUBLICATION OF AMENDMENT TO §22.71(g)  
AS APPROVED AT THE MAY 13, 2004 OPEN MEETING**

The Public Utility Commission of Texas (commission) proposes an amendment to §22.71(g), relating to Office Hours of the Commission Filing Clerk. The proposed amendment adds a provision explaining the operating hours of the commission's central records division and commission filing clerk. Project Number 29588 is assigned to this proceeding.

Ms. Annette Lown Mass, Attorney, Legal & Enforcement Division, has determined that for each year of the first five-year period the proposed section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Ms. Mass has determined that for each year of the first five years the proposed section is in effect the public benefit anticipated as a result of enforcing the section will be informing the public of the operating hours of the commission's central records division and commission filing clerk. There will be no adverse economic effect on small businesses or micro-businesses as a result of enforcing this section. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Ms. Mass has also determined that for each year of the first five years the proposed section is in effect there should be no effect on a local economy, and therefore no local employment impact statement is required under Administrative Procedure Act (APA), Texas Government Code §2001.022.

The commission staff will conduct a public hearing on this rulemaking, if requested pursuant to the Administrative Procedure Act, Texas Government Code §2001.029, at the commission's offices located in the William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701 on Wednesday, July 7, 2004 at 9:30 a.m. The request for a public hearing must be received within 30 days after publication.

Comments on the proposed amendment (16 copies) may be submitted to the Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326, within 30 days after publication. Comments should be organized in a manner consistent with the organization of the proposed rule(s). All comments should refer to Project Number 29588.

This amendment is proposed 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.

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

(a) – (f) (No change.)

(g) Office hours of Central Records and the commission filing clerk.

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

(4) 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.

(h) – (j) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

**ISSUED IN AUSTIN, TEXAS ON THE 17<sup>th</sup> DAY OF MAY 2004 BY THE  
PUBLIC UTILITY COMMISSION OF TEXAS  
ADRIANA A. GONZALES**

Q:\PD\TXR-Rules Management\Rules\Rulemaking Projects\Procedural\29588\29588pub.doc