

PROJECT NO. 40801

RULEMAKING PROCEEDING TO	§	PUBLIC UTILITY COMMISSION
AMEND PUC SUBSTANTIVE RULE	§	
25.142(A) RELATING TO	§	OF TEXAS
SUBMETERING FOR APARTMENTS,	§	
CONDOMINIUMS, AND MOBILE	§	
HOME PARKS	§	

**PROPOSAL FOR PUBLICATION OF AMENDMENT TO §25.142
AS APPROVED AT THE MARCH 1, 2013 OPEN MEETING**

The Public Utility Commission of Texas (commission) proposes an amendment to §25.142, relating to Submetering for Apartments, Condominiums, and Mobile Home Parks. The proposed amendment will correct the cross-reference to the Texas Utilities Code in the rule. Project Number 40801 is assigned to this proceeding.

Maria Faconti, Attorney, Legal 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. Faconti has also 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 derive from the consistency achieved in the P.U.C. Substantive Rules as a result of having an accurate cross-reference to the Texas Utilities Code, eliminating public confusion. There will be no adverse economic effect on small businesses or micro-businesses as a result of enforcing this section. Therefore, no regulatory flexibility analysis is required. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Ms. Faconti 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 April 3, 2013. The request for a public hearing must be received within 14 days after publication.

Comments on the proposed amendment 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 31 days after publication. Sixteen copies of comments to the proposed amendment are required to be filed pursuant to §22.71(c) of this title. Reply comments may be submitted within 38 days after publication. Comments should be organized in a manner consistent with the organization of the proposed rule(s). The commission invites specific comments regarding the costs associated with, and benefits that will be gained by, implementation of the proposed section. The commission will consider the costs and benefits in deciding whether to adopt the section. All comments should refer to Project Number 40801.

This amendment is proposed under the Public Utility Regulatory Act, Texas Utilities Code Annotated §14.002 (West 2007 and Supp. 2012) (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.

Cross Reference to Statutes: Texas Utilities Code §184.014.

§25.142. Submetering for Apartments, Condominiums, and Mobile Home Parks.

(a) **Purpose.**

This section implements Texas Utilities Code ~~§184.014~~§184.052.

(b) - (f) (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 4th DAY OF MARCH 2013 BY THE
PUBLIC UTILITY COMMISSION OF TEXAS
ADRIANA A. GONZALES**