

CHAPTER 24. SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER SERVICE PROVIDERS.

Subchapter H. CERTIFICATES OF CONVENIENCE AND NECESSITY.

§24.255. Contents of Request for Cease and Desist Order by the Commission Under TWC §13.252.

- (a) If a retail public utility in constructing or extending a line, plant, or system interferes or attempts to interfere with the operation of a line, plant, or system of any other retail public utility, or provides, makes available, or extends retail water or sewer utility service to any portion of the service area of another retail public utility that has been granted or is not required to possess a certificate of convenience and necessity (CCN), the commission may issue an order that prohibits the construction or extension of the interfering line, plant, or system or the provision of service or that prescribes terms and conditions for locating the line, plant, or system affected or for the provision of service. A request for a commission order shall include the following:
- (1) the name, CCN number, if applicable, e-mail address, phone number, and mailing address of the retail public utility making the request;
 - (2) the name, CCN number, if applicable, mailing address, phone number, if known, and e-mail address, if known, of the retail public utility which is to be the subject of the order;
 - (3) a description of the alleged interference or unlawful provision of service;
 - (4) a map of the service area of the requesting utility that clearly shows the location of the alleged interference or unlawful provision of service;
 - (5) copies of any other information or documentation which would support the position of the requesting utility; and
 - (6) other information as required by the commission.
- (b) A request for a commission order under this section shall be filed with the commission in the form of a petition and shall contain the necessary information under subsection (a) of this section. The petition must be filed within 180 days from the date the petitioner becomes aware that another retail public utility is interfering or attempting to interfere with the operation of a line, plant or system or is providing retail water or sewer utility service within the service area of another retail public, unless the petitioner can demonstrate good cause for its failure to file such action within the 180 days.