

The Public Utility Commission of Texas (commission) proposes the repeal of §26.21 relating to General Provisions of Customer Service and Protection Rules, §26.22 relating to Request for Service, §26.23 relating to Refusal of Service, §26.24 relating to Credit Requirements and Deposits, §26.26 relating to Spanish Language Requirements, §26.27 relating to Bill Payment and Adjustments, §26.28 relating to Suspension or Disconnection of Service, §26.30 relating to Complaints, and §26.31 relating to Information to Applicants and Customers. Project Number 21423 is assigned to this proceeding.

Simultaneously, the commission is proposing new rules with the same section numbers to replace the rules proposed for repeal. Due to the extensive modifications proposed in the new rules, amending the existing rules is less practical than repealing the existing rules and publishing new rules. The modifications are required as a result of the changes to the Public Utility Regulatory Act (PURA), §§17.003(c), 17.004, 17.052(3), 64.003(c), 64.004, and 64.052(3).

Jo Alene Kirkel, Director of Enforcement, Office of Customer Protection, has determined that for each year of the first five-year period the proposed repeal is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the repeal.

Ms. Kirkel has determined that for each year of the first five years the proposed repeal is in effect the public benefit anticipated as a result of enforcing the repeal will be the elimination of rules inconsistent with PURA as amended by the 76th Legislature. There will be no effect on small businesses or micro-businesses as a result of enforcing this repeal. There is no anticipated economic cost to persons who are required to comply with the repeal as proposed.

Ms. Kirkel has also determined that for each year of the first five years the proposed repeal 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 §2001.022.

The commission staff will conduct a public hearing on this rulemaking pursuant to Government Code §2001.029 at the commission's offices, located in the William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701, on Tuesday, August 15, 2000 at 9:30 a.m. in the Commissioners' Hearing Room, located on the 7th floor.

Comments on the proposed repeal (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. Reply comments may be submitted within 45 days after publication. The commission invites specific comments regarding the costs associated with, and benefits that will be gained by, implementation of the proposed repeal. The

commission will consider the costs and benefits in deciding whether to repeal these sections. All comments should refer to Project Number 21423.

This repeal is proposed under the Public Utility Regulatory Act, Texas Utilities Code Annotated §14.002 (Vernon 1998) (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: Public Utility Regulatory Act §§14.002, 17.003(c), 17.004, 17.052(3), 64.003(c), 64.004, and 64.052(3).

§26.21. General Provisions of Customer Service and Protection Rules.

§26.22. Request for Service.

§26.23. Refusal of Service.

§26.24. Credit Requirements and Deposits.

§26.26. Spanish Language Requirements.

§26.27. Bill Payment and Adjustments.

§26.28. Suspension or Disconnection of Service.

§26.30. Complaints.

§26.31. Information to Applicants and Customers.

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

**ISSUED IN AUSTIN, TEXAS ON THE 22nd DAY OF JUNE 2000 BY THE
PUBLIC UTILITY COMMISSION OF TEXAS
RHONDA G. DEMPSEY**