

PROJECT NO. 25599

PUC PROCEEDING TO EXAMINE	§	PUBLIC UTILITY COMMISSION
PROCEDURAL RULES RELATING TO	§	
THE FORMAL AND INFORMAL	§	OF TEXAS
RESOLUTION OF DISPUTES	§	
INVOLVING TELECOMMUNICATIONS	§	
PROVIDERS, INCLUDING PUC	§	
PROCEDURAL RULES P, Q, AND R	§	

**ORDER ADOPTING THE REPEAL OF CHAPTER 22,
SUBCHAPTERS P, Q, AND R, AS APPROVED AT THE
JANUARY 29, 2004 OPEN MEETING**

The Public Utility Commission of Texas (commission) adopts the repeal of Chapter 22, Subchapter P relating to Dispute Resolution, Subchapter Q relating to Post-Interconnection Agreement Dispute Resolution, and Subchapter R relating to Approval of Amendments to Existing Interconnection Agreements and Agreements Adopting Terms and Conditions Pursuant to FTA96 §252(i) as published in the October 10, 2003 issue of the *Texas Register* (28 TexReg 8759). Chapter 21 replaces the rules that currently exist in subchapters P, Q, and R. The commission is simultaneously adopting under separate publication in this issue of the *Texas Register*, new Chapter 21, Interconnection Agreements for Telecommunications Service Providers. Project Number 25599 is assigned to these proceedings.

The following sections are repealed: In Subchapter P—§22.301, Purpose; §22.303, Mediation; §22.304, Voluntary Alternative Dispute Resolution; §22.305, Compulsory Arbitration; §22.306, Confidential Information; §22.307, Subsequent Proceedings; §22.308, Approval of Negotiated Agreements; §22.309, Approval of Arbitrated Agreements; and §22.310, Consolidation; in Subchapter Q—§22.321, Purpose; §22.322, Definitions; §22.323, Filing of Agreement; §22.324, Confidential Information; §22.325, Informal Settlement Conference; §22.326, Formal Dispute

Resolution Proceeding; §22.327, Request for Expedited Ruling; and §22.328, Request for Interim Ruling Pending Dispute Resolution; in Subchapter R—§22.341, Approval of Amendments to Existing Interconnection Agreements; and §22.342, Approval of Agreements Adopting Terms and Conditions Pursuant to Federal Telecommunications Act of 1996 (FTA96) §252(i).

The commission adopts new Chapter 21 for the more efficient processing of interconnection agreement proceedings to meet the needs of parties and the commission and to codify commission practice and policy regarding interconnection agreement disputes, mediations, and arbitrations. Therefore, the rules in subchapters P, Q, and R are no longer necessary.

The commission received no comments on the proposed repeal.

This repeal is adopted 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, §14.052, and the Federal Telecommunications Act of 1996, 47 U.S.C. §151, *et. seq.*

- §22.301. Purpose.
- §22.303. Mediation.
- §22.304. Voluntary Alternative Dispute Resolution.
- §22.305. Compulsory Arbitration.
- §22.306. Confidential Information.
- §22.307. Subsequent Proceedings.
- §22.308. Approval of Negotiated Agreements.
- §22.309. Approval of Arbitrated Agreements.
- §22.310. Consolidation.
- §22.321. Purpose.
- §22.322. Definitions.
- §22.323. Filing of Agreement.
- §22.324. Confidential Information.
- §22.325. Informal Settlement Conference.
- §22.326. Formal Dispute Resolution Proceeding.
- §22.327. Request for Expedited Ruling.
- §22.328. Request for Interim Ruling Pending Dispute Resolution.
- §22.341. Approval of Amendments to Existing Interconnection Agreements.
- §22.342. Approval of Agreements Adopting Terms and Conditions Pursuant to Federal Telecommunications Act of 1996 (FTA96) §252(i).

This agency hereby certifies that the repeal, as adopted, 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 repeal of Chapter 22, Subchapters P, Q, and R, is adopted with no changes as proposed.

ISSUED IN AUSTIN, TEXAS ON THE 9th DAY OF FEBRUARY 2004.

PUBLIC UTILITY COMMISSION OF TEXAS

JULIE PARSLEY, COMMISSIONER

PAUL HUDSON, CHAIRMAN