

CHAPTER 205

H.B. No. 1865

An Act relating to the authority of a regulatory authority to approve certain proposed gas utility rate reductions under the Gas Utility Regulatory Act.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Section 5.02, Gas Utility Regulatory Act (Article 1446e, Vernon's Texas Civil Statutes), is amended by adding Subsection (d) to read as follows:

*(d) Notwithstanding any provision in this Act to the contrary, the regulatory authority may approve administratively any decrease in rates proposed by the applicant and agreed upon by all parties directly affected, unless the regulatory authority finds the proposed decrease not to be in the public interest.*

**SECTION 2.** Section 5.03, Gas Utility Regulatory Act (Article 1446e, Vernon's Texas Civil Statutes), is amended by adding Subsection (b) to read as follows:

*(b) Upon application by a gas utility for a rate reduction, and unless such rate reduction is found by the regulatory authority to be not in the public interest, the regulatory authority may administratively approve the proposed lower rates without reference to the cost of service standard of (a) above.*

**SECTION 3. EMERGENCY.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on April 4, 1985, by a non-record vote; passed by the Senate on May 9, 1985, by the following vote: Yeas 31, Nays 0.

Approved: May 24, 1985

Effective: August 26, 1985