

CHAPTER 150

S.B. No. 953

AN ACT

relating to certain communications of members and employees of the public utility commission.

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

SECTION 1. Section 4, Public Utility Regulatory Act, as amended (Article 1446c, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 4. The Administrative Procedure and Texas Register Act applies to all proceedings under this Act except to the extent inconsistent with this Act. *Communications of members and employees of the commission with a party, a party's representative, or other persons are governed by Section 17 of that Act.*

SECTION 2. Subsection (d), Section 8, Public Utility Regulatory Act, as amended (Article 1446c, Vernon's Texas Civil Statutes), is amended to read as follows:

(d) The commission shall employ administrative law judges to preside at hearings of major importance before the commission. An administrative law judge must be a licensed attorney with not less than five years' general experience or three years' experience in utility regulatory law. The administrative law judge shall perform his duties independently from the commission. ~~[The commission and parties who may appear before the commission may not communicate with an administrative law judge concerning any issue of fact or law in a contested case that has not been finally decided by the commission, except on notice and opportunity for all parties to participate.]~~

SECTION 3. Subsection (g), Section 6, Public Utility Regulatory Act, as amended (Article 1446c, Vernon's Texas Civil Statutes), is repealed.

SECTION 4. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 30, 1987, by a viva-voce vote. Passed the House on May 13, 1987, by a non-record vote.

Approved May 21, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.