

PROJECT NO. 29587

**PUC RULEMAKING PROCEEDING § PUBLIC UTILITY COMMISSION
TO AMEND PUC PROC. R. 22.22, §
RELATING TO SERVICE ON THE § OF TEXAS
COMMISSION §**

**ORDER ADOPTING AMENDMENT TO §22.22
AS APPROVED AT THE JULY 15, 2004 OPEN MEETING**

The Public Utility Commission of Texas (commission) adopts an amendment to §22.22, relating to Service on the Commission with no changes to the proposed text as published in the May 28, 2004 issue of the *Texas Register* (29 TexReg 5242). The amendment changes the recipient of service of all papers or other legal documents served on the commission or any of its members in their official capacity from the General Counsel to Executive Director. This amendment is adopted under Project Number 29587.

There were no requests for public hearing. The commission did not receive any comments on the proposed amendment.

This amendment 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 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 and §14.052

§22.22. Service on the Commission.

- (a) The commission's Executive Director, or the Executive Director's authorized representative, shall have the authority to accept service of all papers or other legal documents served on the commission or any of its members if served in their official capacity and not individually. Pursuant to Texas Government Code §2001.176(b)(2), for a petition initiating judicial review, the commission shall be served a copy of the actual petition.
- (1) Preferred method of service. Delivery to the Executive Director, or the authorized representative, in person, a true copy of the citation with a copy of the petition attached.
 - (2) Alternative method of service. Mailing to the Executive Director, by registered or certified mail, return receipt requested, a true copy of the citation with a copy of the petition attached.
- (b) For appeals filed pursuant to the Public Utility Regulatory Act §39.001(f), parties shall provide a courtesy copy of the appeal to the commission's Executive Director, simultaneous to completing legal service pursuant to the Texas Rules of Appellate Procedure.

This agency hereby certifies that the rule, 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 §22.22, relating to Service on the Commission, is hereby adopted with no changes to the text as proposed.

ISSUED IN AUSTIN, TEXAS ON THE _____ DAY OF _____ 2004.

PUBLIC UTILITY COMMISSION OF TEXAS

JULIE PARSLEY, COMMISSIONER

PAUL HUDSON, CHAIRMAN

BARRY T. SMITHERMAN, COMMISSIONER