

The Railroad Commission of Texas adopts amendments to §15.125, relating to Application, without changes to the proposal published in the July 3, 2009, issue of the *Texas Register* (34 TexReg 4482). The amendments make a non-substantive addition to the consumer rebate application form and allow two additional methods of filing the form.

In §15.125, relating to Application, the Commission adopts an amendment in subsection (a) to allow applicants to submit another identification number as determined by the Comptroller of Public Accounts as a third option. The two current options are a tax identification number or a Social Security number. In subsection (e), the Commission adopts new wording to allow applicants to submit applications electronically or by facsimile transmission.

The Commission received one comment on the proposal, which supported the proposed amendment to allow the use of a secure identification number in lieu of a tax identification number or a social security number.

The Commission adopts the amendments under the Texas Natural Resources Code, §113.241, which authorizes the Commission to adopt all necessary rules relating to activities regarding the use of LPG and other environmentally beneficial alternative fuels; §113.243, which authorizes the Commission to research, develop, and implement marketing, advertising, and informational programs relating to alternative fuels to make alternative fuels more understandable and readily available to consumers; and §113.2435, which authorizes the Commission to establish consumer rebate programs for purchasers of appliances and equipment fueled by LP-gas or other environmentally beneficial alternative fuels for the purpose of achieving energy conservation and efficiency and improving the quality of air in this state.

Statutory authority: Texas Natural Resources Code, §§113.241, 113.243, and 113.2435.

Cross-reference to statute: Texas Natural Resources Code, Chapter 113.

§15.125. Application.

(a) Forms. Application for a rebate shall be made by a consumer on forms prescribed for that purpose by the commission. The application for a rebate consists of a one- or two-page form, depending on the type of rebate, verifying the equipment for which the rebate is being sought. The form may require, for example, the make, model, and serial number of the eligible equipment installed or being replaced; the date and physical address of the installation; the applicant's name, address, and telephone number; and the participating propane marketer's or propane equipment supplier's name, address, telephone number, and Railroad Commission LP-Gas license number. The form requires the signature of the applicant and the Company Representative and, for certain rebate amounts, the applicant's tax identification number, social security number, or any other identification number as determined by the Comptroller of Public Accounts. The required documentation must show that the equipment for which the rebate is being sought is installed and operating in the State of Texas in compliance with Railroad Commission requirements.

(b)-(d) (No change.)

(e) Acceptance. Applications will be accepted no earlier than the effective date of this rule and no later than the date of termination of the program. An application for a rebate on domestic equipment, such as an appliance, must be received at the Commission no later than 30 days following the date of the eligible installation to be eligible for a rebate. An application for a rebate on a motor vehicle, industrial lift truck, or other industrial equipment must be received at the Commission no later than 60 days following the date of the eligible installation to be eligible for a rebate. Applications may be mailed or hand-delivered to the Railroad Commission of Texas, Alternative Fuels Research and Education Division, 1701 North Congress Avenue, Room 11-1700, P.O. Box 12967, Austin, Texas 78711-2967. Applications may also be scanned and submitted electronically or submitted by facsimile transmission (FAX).

(f)-(h) (No change.)

This agency hereby certifies that the sections as adopted have been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on August 18th, 2009.

Filed with the Office of the Secretary of State on August 18, 2009.

RAILROAD COMMISSION OF TEXAS



Victor G. Carrillo, Chairman



Elizabeth A. Jones, Commissioner

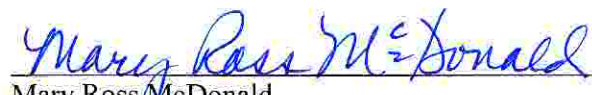


Michael L. Williams, Commissioner

ATTEST:



Secretary of the Commission



Mary Ross McDonald
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Office of General Counsel
Railroad Commission of Texas