

Subchapter M. PROCEDURES AND FILING REQUIREMENTS IN PARTICULAR COMMISSION PROCEEDINGS.

§22.244. Review of Municipal Rate Actions.

- (a) **Contents of petitions.** In addition to any information required by statute, petitions for review of municipal rate actions filed pursuant to the Public Utility Regulatory Act (PURA) §33.052 or §§33.101 – 33.104 shall contain the original petition for review with the required signatures and following additional information.
- (1) Each signature page of a petition shall contain in legible form above the signatures the following:
 - (A) A statement that the petition is an appeal of a specific rate action of the municipality in question;
 - (B) The date of and a concise description of that rate action;
 - (C) A statement designating a specific individual, group of individuals, or organization as the signatories' authorized representative; and
 - (D) A statement that the designated representative is authorized to represent the signatories in all proceedings before the commission and appropriate courts of law and to do all things necessary to represent the signatories in those proceedings.
 - (2) The printed or typed name, telephone number, street or rural route address, and facsimile transmission number, if available, of each signatory shall be provided. Post office box numbers are not sufficient. In appeals relating to PURA §§33.101 – 33.104, the petition shall list the address of the location where service is received if the address differs from the residential address of the signatory.
- (b) **Signatures.** A signature shall be counted only once, regardless of the number of bills the signatory receives. The signature shall be of the person in whose name service is provided or such person's spouse. The signature shall be accompanied by a statement indicating whether the signatory is appealing the municipal rate action as a qualified voter of that municipality under PURA §33.052, or as a customer of the municipality served outside the municipal limits under PURA §§33.101 – 33.104.
- (c) **Validity of petition and correction of deficiencies.** The petition shall include all of the information required by this section, legibly written, for each signature in order for the signature to be deemed valid. The presiding officer may allow the petitioner a reasonable time of up to 30 days from the date any deficiencies are identified to cure any defects in the petition.
- (d) **Verification of petition.** Unless otherwise provided by order of the presiding officer, the following procedures shall be followed to verify petitions appealing municipal rate actions filed pursuant to PURA §33.052 and §§33.101 – 33.104.
- (1) Within 15 days of the filing of an appeal of a municipal rate action, the Policy Development Division shall send a copy of the petition to the respondent municipality with a directive that the municipality verify the signatures on the petition.
 - (2) Within 30 days after receipt of the petition from the Policy Development Division, the municipality shall file with the commission a statement of review, together with a supporting written affidavit sworn to by a municipal official.
 - (3) The period for the municipality's review of the signatures on the petition may be extended by the presiding officer for good cause.
 - (4) Failure of the municipality to timely submit the statement of review shall result in all signatures being deemed valid, unless any signature is otherwise shown to be invalid or is invalid on its face.
 - (5) Objections by the municipality to the authenticity of signatures shall be set out in its statement of review and shall be resolved by the presiding officer.

Subchapter M. PROCEDURES AND FILING REQUIREMENTS IN PARTICULAR COMMISSION PROCEEDINGS.

- (e) **Disputes.** Any dispute over the sufficiency or legibility of a petition shall be resolved by the presiding officer by interim order.