

PROJECT NO. 39823

REPEAL AND AMENDMENT OF	§	PUBLIC UTILITY COMMISSION
CHAPTER 25 SUBSTANTIVE RULES	§	OF TEXAS
THAT THE CHAPTER 25 REVIEW	§	
FOUND TO BE OBSOLETE	§	

**ORDER ADOPTING REPEAL OF §§25.87, 25.182, 25.185,
AND AN AMENDMENT TO §25.6
AS APPROVED AT THE MAY 18, 2012 OPEN MEETING**

The Public Utility Commission of Texas (commission) adopts the repeals of §25.87 relating to Distribution Unbundling Reports, which expired April 1, 2001; §25.182 relating to Energy Efficiency Grant Program, which is no longer in effect; and §25.185 relating to Energy Efficiency Incentive Program for Military Bases, which expired on January 1, 2005. All repeals are made with no changes to the proposed text as published in the February 24, 2012 issue of the *Texas Register* (37 TexReg 1046). The commission adopts an amendment to §25.6 relating to Cost of Copies of Public Information, to correct an obsolete Texas Administrative Code citation, with changes to the proposed text as published in the February 24, 2012 issue of the *Texas Register* (37 TexReg 1046). The commission stated in the original proposal that the office of the Secretary of State handles fees for copies of public information in accordance with 1 TAC §71.8. However, Senate Bill 254, relating to the transfer of the duties of the Texas Building and Procurement Commission under the public information law to the attorney general, and Senate Bill 727, relating to the public information law, were adopted by the 79th Legislature in 2005 and transferred certain authority over public information to the Office of the Attorney General. The rules relating to costs of copies of public information were transferred to the Attorney General

and reorganized under 1 TAC §70.3 in the September 29, 2006 issue of the *Texas Register* (31 TexReg 8251).

These repeals and amendment are adopted under Project Number 39823.

The commission did not receive any comments or a request for a public hearing.

The repeals and amendment are adopted under the Public Utility Regulatory Act, Texas Utilities Code Annotated §14.002 (West 2007) (PURA), which provides the Public Utility Commission with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction, the Administrative Procedure Act (APA), Texas Government Code Annotated §2001.039, (West 2008) which requires each state agency to review and readopt its rules every four years, and the Texas Government Code Annotated §552.262 (West 2008), which requires the Office of Attorney General to adopt rules for use by each governmental body in determining charges for providing copies of public information.

Cross Reference to Statutes: PURA §14.002, APA §2001.039, and Texas Government Code Annotated §552.262.

§25.87. Distribution Unbundling Reports. (REPEALED)

§25.182. Energy Efficiency Grant Program. (REPEALED)

§25.185. Energy Efficiency Incentive Program for Military Bases. (REPEALED)

§25.6. Cost of Copies of Public Information.

The rules set forth in 1 TAC §70.3 (relating to Costs of Copies of Public Information) will apply to copies of public records made at the commission.

This agency hereby certifies that the adoption 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 the repeal of §25.87 relating to Distribution Unbundling Reports, the repeal of §25.182 relating to Energy Efficiency Grant Program, the repeal of §25.185 relating to Energy Efficiency Incentive Program for Military Bases are hereby adopted with no changes, and an amendment to §25.6 relating to Cost of Copies of Public Information is hereby adopted with changes to the text as proposed.

SIGNED AT AUSTIN, TEXAS on the _____ day of MAY 2012.

PUBLIC UTILITY COMMISSION OF TEXAS

DONNA L. NELSON, CHAIRMAN

KENNETH W. ANDERSON, JR., COMMISSIONER

ROLANDO PABLOS, COMMISSIONER