



Control Number: 49813



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**PROJECT NO. 49813
PUBLIC UTILITY COMMISSION OF TEXAS**

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PUBLIC UTILITY COMMISSION
FILINGS

**PUBLIC NOTICE OF STRAWMAN PROPOSING NEW 16 TEXAS ADMINISTRATIVE
CODE §24.238 AND AMENDMENTS TO 16 TEXAS ADMINISTRATIVE CODE
§§24.41, 24.239, AND 24.245, AND NEW AND REVISED FORMS RELATED TO FAIR
MARKET VALUE, AND REQUEST FOR COMMENTS**

The staff of the Public Utility Commission of Texas (commission) requests comments on a strawman rule to implement Senate Bill 2272, relating to the procedure for amending a water or sewer certificate of public convenience and necessity through expedited release or streamlined expedited release, and HB 3542, establishing a fair market valuation process to be used by a class A or class B water or sewer utility that is acquiring another utility or the facilities of another utility. The strawman proposes new 16 Texas Administrative Code (TAC) §24.238, outlining the fair market valuation process, and conforming amendments to 16 TAC §§24.41 and 24.239, which describe the components of a utility's cost of service and set forth the sale, transfer, merger process used to obtain commission approval of an acquisition of a utility or utility facilities. The strawman also proposes amendments to 16 TAC §24.245 relating to the process used to determine the amount of monetary compensation the commission may order following the amendment of a utility's certificate of convenience and necessity through expedited release and streamlined expedited release. In addition to the strawman, staff is proposing a new form to be submitted as part of the fair market valuation process and revisions to the existing Application for Sale, Transfer, or Merger of a Retail Public Utility.

The proposed strawman rule and new and revised forms will be filed with the commission on September 19, 2019, and can be accessed through the commission's website homepage under "Filings," using Control Number 49813. Written comments on the strawman

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rule and forms may be filed by submitting 16 copies to the commission's Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 within 21 days of the date of publication of this notice. Comments should be organized in a manner consistent with the organization of the new rule and amendments and the forms. All responses should reference Project Number 49813.

**ISSUED IN AUSTIN, TEXAS ON THE 4th DAY OF SEPTEMBER 2019 BY THE
PUBLIC UTILITY COMMISSION OF TEXAS
ANDREA GONZALEZ**

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