



Control Number: 50293



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# OPEN MEETING COVER SHEET

## RULEMAKING

**MEETING DATE:** May 14, 2020

**DATE DELIVERED:** May 7, 2020

**AGENDA ITEM NO.:** 17

**CAPTION:** Project No. 50293 - Review of Electric  
Utility Service for Public Retail Customers

**ACTION REQUESTED:** Discussion and possible action with respect  
to Order Adopting Repeal of 16 TAC  
§25.227

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Mueller, Paula

# *Public Utility Commission of Texas*

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## **Memorandum**

**TO:** Chairman DeAnn T. Walker  
Commissioner Arthur C. D'Andrea  
Commissioner Shelly Botkin

**FROM:** Paula Mueller, Rules Director

**DATE:** May 7, 2020

**RE:** Item No. 17, Project No. 50293, Review of Electric Utility Service for Public Retail Customers

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Attached for your consideration is the draft Order Adopting Repeal of 16 TAC § 25.227, relating to Electric Utility Service for Public Retail Customers. This proposed repeal will implement HB 2263 (86<sup>th</sup> Legislative Session, Regular Session, 2019), which removed provisions in PURA that authorized the Commissioner of the General Land Office to make electricity sales directly to public retail customers. Because this is a repeal, the rule text will not be published in the Texas Register.

No public hearing was requested and therefore no public hearing was held.

The commission did not receive comments on the proposed repeal.

Staff requests that the Commission issue the Order Adopting Repeal of 16 TAC § 25.227.

If you have any questions, please contact Paula Mueller.

**PROJECT NO. 50293**

**REVIEW OF ELECTRIC UTILITY  
SERVICE FOR PUBLIC RETAIL  
CUSTOMERS**

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**PUBLIC UTILITY COMMISSION  
  
OF TEXAS**

**(STAFF RECOMMENDATION)  
ORDER ADOPTING REPEAL OF 16 TAC §25.227  
AS APPROVED AT THE MAY 14, 2020 OPEN MEETING**

The Public Utility Commission of Texas (commission) adopts the repeal of 16 TAC §25.227 relating to Electric Utility Service for Public Retail Customers without changes to the proposal as published in the February 28, 2020 issue of the *Texas Register* (45 TexReg 1294). The repeal implements amendments to the Public Utility Regulatory Act (PURA) included in House Bill (HB) 2263 enacted during the 86<sup>th</sup> Legislative Session. HB 2263 removed provisions in PURA that authorized the commissioner of the General Land Office to make electricity sales directly to public retail customers.

No public hearing on the repeal was requested and therefore no public hearing was held.

The commission did not receive comments on the proposed repeal.

This repeal is adopted under the Public Utility Regulatory Act, Texas Utilities Code Annotated §14.002 which provides the Public Utility Commission with the authority to make and enforce rules reasonably required in the exercise of its powers and jurisdiction.

Cross Reference to Statutes: Public Utility Regulatory Act §14.002.

**§25.227. Electric Service for Public Retail Customers.**

**(REPEALED)**

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 §25.227, relating to Electric Utility Service for Public Retail Customers, is hereby repealed without changes to the proposal.

**SIGNED AT AUSTIN, TEXAS the \_\_\_\_\_ day of MAY 2020.**

**PUBLIC UTILITY COMMISSION OF TEXAS**

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**DEANN T. WALKER, CHAIRMAN**

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**ARTHUR C. D'ANDREA, COMMISSIONER**

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**SHELLY BOTKIN, COMMISSIONER**