

1-1 By: Nichols, Gallegos, Patrick S.B. No. 635  
1-2 (In the Senate - Filed February 14, 2011; February 23, 2011,  
1-3 read first time and referred to Committee on Natural Resources;  
1-4 April 13, 2011, reported favorably by the following vote: Yeas 9,  
1-5 Nays 1; April 13, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the authority of the executive director of the Texas  
1-9 Commission on Environmental Quality in relation to establishing  
1-10 water and sewer utility rates.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (h), Section 13.043, Water Code, is  
1-13 amended to read as follows:

1-14 (h) The commission or executive director may~~[, on a motion~~  
1-15 ~~by the executive director or by the appellant under Subsection (a),~~  
1-16 ~~(b), or (f) of this section,]~~ establish interim rates to be in  
1-17 effect until a final decision is made in an appeal filed under  
1-18 Subsection (a), (b), or (f).

1-19 SECTION 2. Subsections (b) and (1), Section 13.187, Water  
1-20 Code, are amended to read as follows:

1-21 (b) A copy of the statement of intent shall be mailed or  
1-22 delivered to the appropriate offices of each affected municipality,  
1-23 to the executive director, and to any ~~[other]~~ affected persons as  
1-24 required by the regulatory authority's rules.

1-25 (1) At any time during the pendency of the rate proceeding  
1-26 the regulatory authority or, if the regulatory authority is the  
1-27 commission, the executive director may fix interim rates to remain  
1-28 in effect until a final determination is made on the proposed rate.

1-29 SECTION 3. This Act takes effect September 1, 2011.

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