

**NOTICE OF A PUBLIC HEARING ON  
PROPOSED REVISIONS TO 30 TAC CHAPTER 291**

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed repeals and additions to 30 Texas Administrative Code (TAC) Chapter 291, Utility Regulations.

The proposed rulemaking would allow implement House Bill 149, 80th Legislature, 2007, Regular Session, relating to retail public water and sewer utilities. This proposed rulemaking would add the definition of a nonfunctioning system and allow a retail public utility that takes over a nonfunctioning utility to charge reasonable temporary rates and give the retail public utility a reasonable period of time to bring the nonfunctioning system into compliance with commission rules before the commission assesses penalties.

A public hearing on this proposal will be held in Austin on September 18, 2008, at 2:00 p.m. in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle. The hearing will be structured for the receipt of oral or written comments. Registration begins 30 minutes prior to the hearing. Individuals may present oral statements when called upon in order of registration. A time limit may be established to assure enough time is allowed for every interested person to speak. There will be no open discussion during the hearing; however, commission staff members will be available for discussion 30 minutes prior to the hearing and will answer questions before and after the hearing.

Persons planning to attend the hearing, who have special communication or other accommodation needs, should contact Michael Parrish, Office of Legal Services at (512) 239-2548. Requests should be made as far in advance as possible.

Comments may be submitted to Michael Parrish, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at <http://www5.tceq.state.tx.us/rules/ecomments>. File size restrictions may apply to comments submitted through the eComments system. All comments should reference Rule Project Number 2008-014-291-PR. The comment period closes September 22, 2008. To view rules, please visit [http://www.tceq.state.tx.us/nav/rules/propose\\_adopt.html](http://www.tceq.state.tx.us/nav/rules/propose_adopt.html). For further information or questions concerning this proposal, please contact Tammy Benter, Utilities and Districts Section, Water Supply Division, at (512) 239-6136.