

1 AN ACT

2 relating to notification of an application related to a certificate  
3 of public convenience and necessity for water or sewer service.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 13.246(a), Water Code, is amended to  
6 read as follows:

7 (a) If an application for a certificate of public  
8 convenience and necessity or for an amendment to a certificate is  
9 filed, the commission shall cause notice of the application to be  
10 given to affected parties and to each county and groundwater  
11 conservation district that is wholly or partly included in the area  
12 proposed to be certified. If [~~if~~] requested, the commission shall  
13 fix a time and place for a hearing and give notice of the  
14 hearing. Any person affected by the application may intervene at  
15 the hearing.

16 SECTION 2. The change in law made by this Act to Section  
17 13.246(a), Water Code, applies only to an application for a  
18 certificate of public convenience and necessity or an amendment to  
19 a certificate filed on or after the effective date of this Act. An  
20 application filed before the effective date of this Act is subject  
21 to the law in effect on the date of filing, and that law is continued  
22 in effect for that purpose.

23 SECTION 3. This Act takes effect September 1, 2009.

David Dewhurst

President of the Senate

Jon Stans

Speaker of the House

I certify that H.B. No. 1295 was passed by the House on May 15, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Robert Hamey

Chief Clerk of the House

I certify that H.B. No. 1295 was passed by the Senate on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Ratsy Spaul

Secretary of the Senate

APPROVED: 19 JUN '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

2:10 O'CLOCK

JUN 19 2009

Colby Hunter III