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TEXAS DOCUMENT

TEXAS REGISTER

In This Issue...

Texas Department of Human Resources proposes to adopt rules regarding the exclusion of Veterans Administration aid-and-attendance benefit in Medicaid eligibility determination process; proposed date of adoption—July 25 2532

State Property Tax Board adopts regulations governing the collection of current and delinquent state ad valorem taxes by counties; effective date—July 7 2534

Department of Human Resources adopts new rules concerning third party resources in its Medicaid eligibility rules; effective date—July 7 2535

Public Utility Commission of Texas adopts amendments to its rules concerning practice and procedure; records and reports; rates; service; and special rules; effective dates—July 7 and 8. 2535



Office of the Secretary of State

The *Texas Register* is currently in the process of converting to the numbering system found in the *Texas Administrative Code* (TAC). To aid the reader in this conversion, both the 10-digit *Register* number and the new TAC number will be listed for agencies whose rules have been published in the TAC. Emergency, proposed, and adopted rules sections of the *Register* are divided into two classifications: codified and noncodified. Codified rules appear in title number order. Non-codified rules appear in alphabetical order as they have in the past. An "Index of TAC Titles Affected" appears at the end of this issue.

Titles 1, 4, 7, 10, 13, 22, 31, 34, 37, and 43 only of the TAC have now been published. Documents classified in the *Texas Register* to titles not yet published and certain documents affecting titles of the code have been accepted in the non-TAC format and may be renumbered or revised, or both, when initially codified in the TAC.

Under the TAC scheme, each agency rule is designated by a TAC number. For example, in the citation 1 TAC §27.15:

1 is the title (agencies grouped together by subject title which are arranged alphabetically)

TAC is the *Texas Administrative Code*

§27.15 is the section number (27 represents the chapter number and 15 represents the individual rule within the chapter)

Latest Texas Code Reporter
(Master Transmittal Sheet): No. 2, May 80

HOW TO CITE: Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document published on page 2404 of Volume 4 is cited as follows: 4 TexReg 2404.

Cover illustration represents Elisabet Ney's statue of Stephen F. Austin, which stands in the foyer of the State Capitol.

TEXAS REGISTER

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George W. Strake, Jr.
Secretary of State

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Appointments

Hospital Licensing Advisory Council

For a six-year term to expire December 7, 1985:

Dorothea Ann Mather
6063 Riverview Way
Houston, Texas 77057 (public member)

Ms. Mather is replacing Joe Roddy, Jr., of Austin, Travis County, whose term expired.

State Rural Medical Education Board

For a six-year term to expire February 27, 1986:

Dr. Joel Hartman Johnson
Brenham Clinic
Brenham, Texas 77833

Dr. Johnson is replacing Dr. C. C. Pate of Paducah, Cottle County, whose term expired.

Southern Regional Education Board

Effective June 30, 1980, for a four-year term to expire June 30, 1984:

W. E. (Pete) Snelson, State Senator
319 North Colorado Street
Midland, Texas 79701

Senator Snelson is being reappointed.

Teachers' Professional Practices Commission

For a two-year term to expire August 31, 1981:

William E. Crockett
Walnut Bend Elementary School
10620 Briar Forest Drive
Houston, Texas 77042 (elementary school teacher)

Mr. Crockett will be replacing Emma Jean Tanner of Lake Jackson, Brazoria County, whose term expired.

For a term to expire August 31, 1981:

William James Campion, President
Henderson County Junior College
Athens, Texas 75751

Mr. Campion will be filling the unexpired term of Charles Felix Gibson of Paris, Lamar County, who resigned.

White House Conference on Families

For a term through the end of the activities of the conference:

David A. Sweet
9219 Hunter's Trace E
Austin, Texas 78758

Mr. Sweet is replacing Pat Windham of Harlingen who resigned.

Issued in Austin, Texas, on June 11 and 12, 1980.

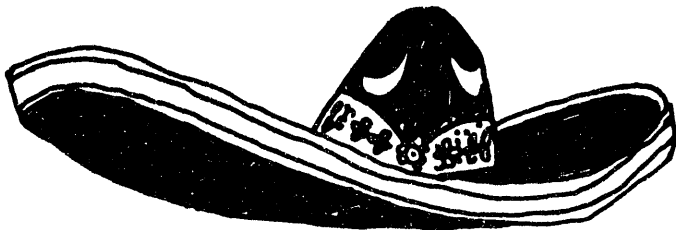
Doc. No. 804627 & William P. Clements, Jr.
804628 Governor of Texas

For further information, please call (512) 475-3021.

An agency may adopt emergency rules after determining what it considers to be an imminent peril to the public health, safety, or welfare. These rules may be effective immediately on filing with the secretary of state for no more than 120 days, renewable once for no more than 60 days. An agency must submit written reasons, published in the *Register*, for the emergency adoption of rules.

This section now contains two classifications: codified and noncodified. Agencies whose rules have been published in the *Texas Administrative Code* will appear under the heading "Codified." These rules will list the new TAC number, which will be followed immediately by the *Texas Register* 10-digit number. Agencies whose rules have not been published in the TAC will appear under the heading "Noncodified." The rules under the heading "Codified" will appear first, immediately followed by rules under the heading "Non-codified."

Symbology—Changes to existing material are indicated in *bold italics*. [Brackets] indicate deletion of existing material.



CODIFIED

TITLE 22. EXAMINING BOARDS

Part V. Texas State Board of Dental Examiners

Chapter 109. Conduct

Advertising

Effective June 13, 1980, for a 30-day period, the Texas State Board of Dental Examiners is renewing the effectiveness of §109.203 (382.19.20.003) concerning credit notice, which was adopted on an emergency basis. The emergency new section was published in the *Texas Register* dated March 11, 1980 (5 TexReg 895).

Issued in Austin, Texas, on June 13, 1980.

Doc. No. 804625 Carl C. Hardin, Jr.
Executive Director
Texas State Board of Dental Examiners

Effective Date: June 13, 1980

Expiration Date: July 13, 1980

For further information, please call (512) 475-2443.

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, except where a federal statute or regulation requires implementation of a rule on shorter notice.

Upon request, an agency shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement from the agency before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling objections to the agency's decision.

This section now contains two classifications: codified and noncodified. Agencies whose rules have been published in the *Texas Administrative Code* will appear under the heading "Codified." These rules will list the new TAC number, which will be followed immediately by the *Texas Register* 10-digit number. Agencies whose rules have not been published in the TAC will appear under the heading "Noncodified." The rules under the heading "Codified" will appear first, immediately followed by rules under the heading "Non-codified."

Symbology—Changes to existing material are indicated in **bold italics**. [Brackets] indicate deletion of existing material.

NONCODIFIED

Texas Department of Human Resources

Medicaid Eligibility

Income for Individuals Related to the SSI Program 326.25.34.005

(Editor's note: The text of the following rule proposed for repeal will not be published. The rule may be examined in the offices of the Texas Department of Human Resources, 706 Banister, Austin, or in the Texas Register Division offices, 503E Sam Houston Building, Austin.)

The Department of Human Resources proposes the repeal of Rule 326.25.34.005 in its Medicaid eligibility rules. Policy contained in this rule is being expanded and clarified in proposed Rules .021 and .022, appearing in this issue of the *Texas Register*. Rule .005 does not adequately address current policy and is therefore being proposed for repeal.

The department has determined that the repeal of Rule .005 will have no fiscal implications for the state or units of local government.

Written comments are invited and may be sent to Susan L. Johnson, administrator, Handbook and Procedures Development Division—124, Department of Human Resources, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this *Register*.

The repeal of the following rule is proposed under the authority of the Human Resources Code, Title II.

.005. VA Aid-in-Attendance Allowance.

Doc. No. 804639

326.25.34.021, .022

The Department of Human Resources proposes Rules 326.25.34.021 and .022 regarding the exclusion of the Veterans Administration aid-and-attendance benefit in the Medicaid eligibility determination process. The rules are being added to conform with a recent Department of Health, Education, and Welfare clarification of an existing federal regulation. Since any applicant with a Veterans Administration payment could be unduly penalized and might be unable to receive needed medical attention, the rules were adopted on an emergency basis to prevent a direct threat to those individuals' health, safety, and well-being.

The department has determined that the cost of implementing the proposed rules, as determined by the 66th Legislature, will be approximately \$75,890 for fiscal year 1980. Budget recommendations for the following years are: \$334,643 for fiscal year 1981; \$416,051 for fiscal year 1982; \$491,252 for fiscal year 1983; and \$589,241 for fiscal year 1984.

Written comments are invited and may be sent to Susan L. Johnson, administrator, Handbook and Procedures Development Division—124, Department of Human Resources, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this *Register*.

The following rules are proposed under the authority of the Human Resources Code, Title II.

.021. VA Aid-and-Attendance Exclusion.

(a) The Veterans Administration pays additional compensation and pension allowances to some disabled veterans, their spouses, widows, or parents. This additional allowance is designated by VA as aid and attendance and is based upon the individual's need for the regular aid and attendance of another person.

(b) Aid-and-attendance allowances are excluded from income consideration in the eligibility determination process as they represent medical expenses paid by a third party.

(c) VA considers veterans, their spouses, widows, widowers, or parents in need of regular aid and attendance if the individual is:

(1) blind or so nearly blind as to have corrected visual acuity of 5/200 or less or concentric contraction of the visual field by 5° or less; or

(2) a patient in a nursing home on account of mental or physical incapacity; or

(3) unable to keep clean and presentable without assistance; or

(4) unable to dress or undress unaided; or

(5) has frequent need of adjustment of any prosthetic or orthopedic appliances which, by reason of the particular disability, cannot be done without aid (this will not include the adjustment of appliances which nondisabled persons would be unable to adjust without aid, such as supports, belts lacing at the back, etc.).

(d) The A&A portion of the total VA benefit payment must be deducted from the available income of the applicant/recipient when determining the individual's Medicaid eligibility. However, the A&A benefit must be considered available in computing the individual's applied income.

(e) The A&A portion should be shown as a part of the total VA benefit on the input document. Then, the amount of the A&A benefit would be included with all other exclusions and deductions. These entries will allow the A&A benefit to be excluded for eligibility and will include the A&A benefit in computing the individual's applied income.

(f) Any A&A allowance received by an ineligible spouse is to be totally excluded when determining the amount of spouse contributions to applied income and when reporting ineligible spouse income.

(g) Neither the beneficiary's award letter or the VA check indicates whether aid and attendance is included in an individual's total VA payment. Therefore, in order to verify the type and amount of benefits received, it may be necessary to contact the Veterans Administration via Form 52. Form 52 should be annotated to indicate that separate amounts for each type of VA benefit received are required.

.022. *Housebound Allowances.*

(a) Veterans who do not qualify for regular aid and attendance and widowers receiving dependency and indemnity compensation who do not qualify for regular aid and attendance may qualify for a housebound allowance. Housebound allowance is also excluded from income in the eligibility determination process as a third-party payment for medical expenses.

(b) The criteria for housebound payments are:

(1) the individual has a single, permanent disability rated as 100% without resort to individual unemployability; and

(2) has an additional disability or disabilities independently notable at 60% or more, separate and distinct from the permanent disability rated as 100%, and involving different anatomical segments or bodily systems; or

(3) is permanently housebound by reason of one or more disabilities (this requirement is met when the individual is substantially confined as a direct result of his or her disabilities, to his or her dwelling or, if hospitalized, to the ward or clinical area); and

(4) it is reasonably certain that the disability or disabilities and resultant confinements will continue throughout the individual's lifetime.

(c) Housebound allowances would usually be received only by individuals residing in the community. If an individual receiving a housebound allowance is eligible for medical assistance only in a nonvendor living arrangement, the amount of the housebound allowance should be totally excluded when reporting the individual's VA income. If, however, an individual enters a Title XIX long-term care facility while still receiving the housebound allowance and applies/is eligible for medical assistance, the amount of the housebound allowance must be treated in the case budget and reported in the same manner as for an aid-and-attendance allowance. The Veterans Administration should also be advised of the change in the individual's living arrangement so that the individual's VA benefits may be appropriately adjusted.

(d) Any housebound allowance received by an ineligible spouse is to be totally excluded when determining deemed income or the amount of spouse contributions to applied income, and when reporting ineligible spouse income.

(e) Neither the beneficiary's award letter or the VA check indicates whether a housebound allowance is included in an individual's total VA payment. Therefore, in order to verify the type and amount of benefits received, it may be necessary to contact the Veterans Administration via Form 52. Form 52 should be annotated to indicate that separate amounts for each type of VA benefit received are required.

Issued in Austin, Texas, on June 16, 1980.

Doc. No. 804640

Jerome Chapman
Commissioner

Texas Department of Human Resources

Proposed Date of Adoption: July 25, 1980

For further information, please call (512) 441-3355.

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, and the adoption may go into effect no sooner than 20 days after filing, except where a federal statute or regulation requires implementation of a rule on shorter notice.

Upon request, an agency shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement from the agency before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling objections to the agency's decision.

This section now contains two classifications: codified and noncodified. Agencies whose rules have been published in the *Texas Administrative Code* will appear under the heading "Codified." These rules will list the new TAC number, which will be followed immediately by the *Texas Register* 10-digit number. Agencies whose rules have not been published in the TAC will appear under the heading "Noncodified." The rules under the heading "Codified" will appear first, immediately followed by rules under the heading "Noncodified."

CODIFIED

TITLE 34. PUBLIC FINANCE

Part VII. State Property Tax Board

Chapter 163. Reporting Procedures

The State Property Tax Board has adopted in final form the following sections as published in the May 9, 1980, issue of the *Texas Register* (5 TexReg 1789). These sections govern the collection of current and delinquent state ad valorem taxes by counties.

These sections are adopted under Section 31.09, Property Tax Code, and Attorney General Opinion MW-147.

§163.1 (237.06.00.001). *Definitions.* As used in these sections, the words and terms defined in this section shall have the meanings set forth below:

(1) "Quarter or quarterly" commences July 1, 1980, and will consist of July through September, October through December, January through March, and April through June.

(2) "Parcel" means a unit of property that is a separately listed and valued item on the tax role.

§163.2 (237.06.00.002). *Reporting Current State Ad Valorem Tax for 1980 and all Succeeding Years.*

(a) For 1980 and all succeeding tax years, the county tax assessor shall assess and collect all current state ad valorem taxes for the State of Texas. The county tax assessor shall report annually on or before October 1 of the tax year, under oath, on forms prescribed by the State Property Tax Board, the current state ad valorem tax to be collected. The county tax assessor shall calculate and report the state ad valorem tax using either of the following methods:

(1) The county tax assessor shall report the total market value of the county and shall then calculate the amount of current state ad valorem tax owed by applying the .0001% assessment ratio and the tax rate of \$.10 per \$100 of assessed value to arrive at state tax due; or,

(2) The county tax assessor shall report those parcels whose market values equal or exceed \$10 million. The county tax assessor shall list the total market value of each parcel and then calculate the amount of current state ad valorem tax due by applying the assessment ratio of .0001% and the tax rate of \$.10 per \$100 of assessed value to arrive at state tax due.

(b) The county tax collector may defer collecting the state ad valorem tax on a parcel until such time as the ad valorem tax due the state as calculated under either of the above methods is \$5.00 or more. Where the uncollected state ad valorem tax is under \$5.00, the county is authorized to advance and to pay over to the state treasurer, at the same time as filing the annual report with the State Property Tax Board, the state ad valorem tax as yet uncollected. Such advance payment shall be applied against state tax payable when collected.

§163.3 (237.06.00.003). *Reporting Delinquent State Ad Valorem Tax for 1979 and all Prior Tax Years.* For 1979 and all prior tax years, the county tax assessor shall collect all delinquent state ad valorem taxes for the State of Texas. The county tax assessor shall report quarterly, under oath, on forms prescribed by the State Property Tax Board, the delinquent state ad valorem tax collected for 1979 and all prior tax years. On the same day as the county tax assessor makes his quarterly report, the county tax assessor shall pay over to the state treasurer those taxes owed the state from the state ad valorem taxes collected during the quarter. Reports and payments are due on or before the 30th day following the end of a quarter.

Issued in Austin, Texas, on June 13, 1980.

Doc. No. 804636 Walter E. Lillie
 General Counsel
 State Property Tax Board

Effective Date: July 7, 1980

Proposal Publication Date: May 5, 1980

For further information, please call (512) 837-8622.



NONCODIFIED

Texas Department of Human Resources

Medicaid Eligibility

Medicare Benefits and Buy-In 326.25.23

The Department of Human Resources adopts Rule 326.25.23.004 about third party resources in its Medicaid eligibility rules, as proposed in the March 25, 1980, issue of the *Texas Register* (5 TexReg 1125). Both federal and state law require that available third-party resources (individual health insurance, group health, liability/casualty insurance, etc.) be used to pay medical claims for eligible recipients prior to utilization of Medicaid benefits.

No comments were received and the rule is being adopted without changes to the proposed text.

The following rule is adopted under the authority of the Human Resources Code, Title II, with the approval of the Texas Board of Human Resources.

.004. Third Party Resources (TPR).

(a) Title XIX (Medicaid) funds are to be utilized for the payment of medical services only after all available third party resources have been utilized. A third party resource is a source of payment other than the recipient or DHR. These resources include payments from both private and public health insurance and from other liable third parties that can be applied toward Medicaid recipients medical and health benefits expenses.

(b) The authority and requirement to pursue third party resources is included in the Social Security Act, in Title 42 of the Code of Federal Regulations, and the state law. Under state law, when a person applies for or receives Medicaid, he or she automatically assigns to DHR his or her right of recovery from personal insurance or other sources and the right of recovery from personal injuries occasioned by the negligence or wrongdoing of another, to the extent of the cost of medical care services paid for by the Texas Medical Assistance Program. State law also requires Medicaid recipients to report to DHR any such insurance coverage or personal injuries involving a liable third party at the time of application and subsequently, within 60 days of learning of such coverage or liability.

(c) An applicant/recipient is responsible by statute law for informing the department of:

- (1) any insurance coverage that may cover the recipient's medical needs;
- (2) any unsettled civil or criminal court claim which may include payment for medical needs;
- (3) any injury requiring medical attention for which insurance or another third party may be legally liable.

(d) A recipient is responsible for reimbursing the department when he or she receives a payment from insurance/settlement for medical services paid by Medicaid. If a recipient refuses to make this reimbursement or cannot

because he or she has spent the payment, a fraud referral is made if the Medicaid expenditure was \$100 or more.

Issued in Austin, Texas, on June 16, 1980.

Doc. No. 804638 Jerome Chapman
Commissioner
Texas Department of Human Resources

Effective Date: July 7, 1980

Proposal Publication Date: March 25, 1980

For further information, please call (512) 441-3355.

Public Utility Commission of Texas

Practice and Procedure 052.01.00.012, .017, .035, .039, .043, .051, .067, .079, .094, .104

In open meeting on May 21, 1980, the Public Utility Commission of Texas adopted the following amendments, which were promulgated under the authority granted to the commission pursuant to Article 1446c, Section 16, Vernon's Annotated Civil Statutes.

.012. *Definitions.* As used in these rules, unless the context requires otherwise, the following words shall have the indicated meanings:

(1)-(34) (No change.)

(35) Test year: The most recent 12 months for which operating data for a public utility are available and shall commence with a calendar or fiscal quarter.

(36) (No change.)

.017. *Communications.* Communications in person by public utilities, their affiliates or representatives, or any party with the commission or any employee of the commission shall be governed by Article 6252-23, Sections 2, 3, 3a, and 4, Texas Revised Civil Statutes. These communications shall be recorded at the commission. This record will contain the name of the person contacting the commission or employee of the commission, the name of the party, business entities represented, a brief description of the subject matter of the communication, and the action, if any, requested by same. This record shall be available to the public on a monthly basis.

.035. Examination and Correction of Pleadings.

(a) Any pleading filed with the commission shall be examined for sufficiency under these rules. If it does not comply in all material respects with these rules, it shall nevertheless be conditionally accepted for filing. Upon notification by this commission of a deficiency in pleadings, the pleading party shall correct or complete the pleading in accordance with the notice. If a dispute between the commission and the filing party cannot be resolved as to correctness and sufficiency of pleadings, the commission shall issue a final order in connection therewith.

(b) If the commission or presiding examiner issues written order within 25 days after filing, concluding that material deficiencies exist in a commission-prescribed rate change application, the applicant shall have 10 days to amend its application and correct the deficiency. If the deficiency is not corrected within the 10-day period, the earliest possible effective date of the proposed change is at least 35 days after the filing of a sufficient application with substantially complete information as required by the commission,

and the deadlines under Section 43 of the Act shall then be determined from the 35th day (or proposed effective date, if later) of the filing of the sufficient application and information. An order issued by a presiding examiner under this section is specifically deemed to be appealable to the commission.

.039. Time Limits for Filing Requests for Information and Prepared Testimony and Exhibits.

(a) In any major rate proceeding over which the commission has original jurisdiction, all requests for information and prepared testimony and exhibits shall, unless otherwise provided by the commission, be filed as follows:

(1) (No change.)

(2) Any utility filing an application, petition, or statement of intent to change its rates must file all of its evidence, including the prepared testimony of all of its witnesses and exhibits, on the same date that such application, petition, or statement of intent to change its rates is filed with the commission. In addition, such filing shall include annual company financial statements that have been examined and reported on by an independent certified public accountant, the date of such statements to be within the test year. Also, the filing shall include a report on a test year review made by the independent certified public accountant that covers the test year. The required procedures for the test year review shall be included in the commission-prescribed rate filing package. A utility filing for a change in rates shall be prepared to go forward at a hearing on the data which have been previously submitted and sustain the burden of proof of establishing that its proposed changes are just and reasonable, and the material submitted as the filing and supporting work papers shall be of such composition, scope, and format so as to serve as the utility's complete case. Fifteen sets of the company's application, petition, or statement of intent to change rates, working papers, supporting data, prepared testimony and exhibits shall be submitted and filed with the commission, each securely bound in a cover. The book data included in the schedules and information required to be prepared and submitted as part of the filing shall be reported in a separate column or columns. All adjustments to book amounts shall also be shown in a separate column or columns so that book amounts, adjustments thereto, and adjusted amounts will be clearly disclosed, and any separation and allocation between interstate and intrastate operations shall be fully disclosed and clearly explained. In addition, the utility must complete and submit 15 copies of the commission-prescribed rate filing package and all the applicable schedules contained therein in order to complete an original filing, and failure to file such complete rate filing package shall be considered an incomplete filing, and any application or statement of intent to change rates shall be subject to being dismissed and any time limits shall not begin to run thereon.

(3)-(4) (No change.)

(b) In any other proceeding before the commission, the commission or its hearing examiner may require by order that motions in intervention, protests, requests for information, answers to requests for information, and prepared testimony and exhibits be filed prior to the date set for hearing.

.043. Publication of Notice.

(a) Rate setting proceedings.

(1) In all rate proceedings, whether the commission

has original or appellate jurisdiction, notice shall be given in the following ways:

(A) publication by the commission in the *Register*;

(B) written notice to the parties at least 10 days in advance of the hearing date.

(2) (No change.)

(b) Licensing proceedings. In licensing proceedings, notice shall be given in the following ways:

(1) publication by the commission in the *Register*;

(2) except in minor boundary changes, publication by the applicant in a newspaper having general circulation in the area of the state where a "certificate of convenience and necessity" is being requested, in that newspaper once each week for two consecutive weeks beginning with the week after the application is made with the commission, of the applicant's intent to secure a "certificate of convenience and necessity;" this notice shall identify in general terms the type of facility, if applicable, and the area for which the certificate is being requested;

(3) written notice to the parties at least 10 days in advance of the hearing date.

(4) the commission may require the applicant to mail or deliver notice to other affected persons or agencies.

(c) Rulemaking proceedings. In rulemaking proceedings, notice shall be given in the following ways:

(1) publication by the commission in the *Register* at least 30 days prior to the hearing date and simultaneous delivery to the lieutenant governor and speaker of the house;

(2) the commission shall mail notice to all persons who have made timely written requests of the commission for advance notice of its rulemaking proceedings;

(3) the commission may require the applicant to mail or deliver notice to other affected persons or agencies.

(d) Proceedings other than rate setting, licensing, or rulemaking proceedings. In proceedings other than rate setting, licensing, or rulemaking, notice shall be given in the following ways:

(1) publication by the commission in the *Register*;

(2) written notice to the parties 10 days in advance of the hearing date;

(3) the commission may require the applicant to mail or deliver notice to other affected persons or agencies.

.051. Dismissal without Hearing.

(a) (No change.)

(b) An applicant may withdraw its application, without prejudice to refiling of same, at any time prior to rendition of a final order thereon by the commission.

.067. Interim Orders.

(a) Prior to any final order of the commission, a party or the staff may seek, through an examiner, relief through a written interim order, but that order shall not be considered of the same nature as a final decision. Furthermore, an interim order shall not be subject to exceptions or application for rehearing, but any party aggrieved by the interim order may file an appeal from the examiner's ruling to the commissioners by filing written notice within 10 days of the rendition of the order. Such appeal may seek a stay of the interim order. The commissioners shall rule on the interim order within 15 days of the filing of the appeal and, pending such ruling may grant a stay of the interim order. If the commissioners do not rule on the appeal within 15 days of its filing, or extend the time for ruling, the interim order is deemed approved and any granted stay is lifted.

(b) A procedural or evidentiary ruling by an examiner is not an interim order and is not appealable to the commissioners pending the issuance by the examiner of an examiner's report.

.079. *Subpoenas.* The issuance of subpoenas in any proceeding shall be governed by Section 14 of the Administrative Procedure and Texas Register Act. Following written request by a party, or on its own motion, the commission may issue subpoenas addressed to the sheriff or any constable to require the attendance of witnesses and the production of books, records, papers, or other objects as may be necessary and proper for the purposes of a proceeding. The subpoena may be issued by any commissioner, the director of public utilities, the secretary of the commission, or the presiding examiner of the hearing.

.094. *Reciprocity of Final Orders between States.* After reviewing the facts and the issues presented, a final order may be adopted by the commission even though it is inconsistent with the commission's procedural or substantive rules if the final order is an adoption, in whole or in part, of a final order rendered by a regulatory agency of some state other than the State of Texas after a hearing on the merits has been held by that other state's regulatory agency and if the number of customers in Texas affected by the final order is no more than the lesser of either 1,000 customers or 10% of the total number of customers of the affected utility.

.104. *Ex Parte Communications.* During the pendency of any proceeding before this commission, no communications by public utilities, their affiliates or representatives, or any party shall be made with the commissioners or hearings examiner concerning any issue of fact or law relative to the matter pending, to the exclusion of any other party to said proceedings.

Issued in Austin, Texas, on June 17, 1980.

Doc. No. 804661 Philip F. Ricketts
Secretary of the Commission
Public Utility Commission of Texas

Effective Date: July 8, 1980

Proposal Publication Date: March 21, 1980

For further information, please call (512) 458-0100.

052.01.00.021, .022, .024

In open meeting on May 21, 1980, the Public Utility Commission of Texas adopted the following amendments, which were promulgated under the authority granted to the commission pursuant to Article 1446c, Section 16, Vernon's Annotated Civil Statutes.

.021. *Classification of Parties.* Parties to proceedings before the commission shall be classified as applicants or petitioners respondents, and intervenors. Parties to proceedings shall have the right to present a direct case, cross-examine all witnesses, file requests for information, make legal arguments and otherwise fully participate as a party in any proceeding. Complainants or protestants are not parties to the proceeding and may only register their protest or complaint and may, within the discretion of the commission or hearings examiner, present a direct case but have no right to cross-examine witnesses, file requests for information, or to otherwise participate in the proceeding. The commission

staff shall not be a party as such; however, the general counsel's office may cross-examine all witnesses, file requests for information, make legal arguments, or otherwise fully participate in any proceedings.

.022. *Definitions.*

(a) Applicant (Petitioner). Any party who has by written petition, including appeals, applied for or seeks an available remedy from the commission.

(b) Protestant. A person opposing any matter contained in applications or petitions submitted to the commission.

(c) Complainant. A person complaining to the commission of any act or omission committed by any person subject to the jurisdiction of the commission.

(d) Respondent. A person against whom any complaint has been filed or who is under formal investigation by the commission or the applicable municipality in any appeal to the commission from the decision of the governing body of such municipality.

(e) Intervenor. A party other than those listed above who, upon showing a justiciable interest, is permitted to become a party to a proceeding.

(f) Staff. The employees of the Public Utility Commission of Texas who represent the public interest in any proceeding.

.024. *Appearances.*

(a) Proceedings other than major rate proceedings. Any affected person or agency may formally appear before the commission. The presiding examiner may require hearing participants of a similar class to select one person to represent them in the proceedings. In all regularly docketed cases other than major rate cases, a hearing participant may be permitted to appear formally in support of or in opposition to all or part of the remedy sought in any proceeding by filing its pleading at least 15 days in advance of the hearing day, and it may present any relevant and proper testimony and evidence bearing upon the issues involved in the particular proceeding, providing that any such appearance made within 30 days of a scheduled hearing shall not work to delay such hearing. Any affected person or agency wishing to formally appear before the commission must notify by mail at least 15 days in advance of the hearing date all the parties to the proceeding or proceedings in which the affected person or agency wishes to appear and the general counsel to the Public Utility Commission. Any person or agency not wishing to appear formally, but wishing only to appear for the purpose of showing support or opposition or to make any general relevant statement showing support or opposition, may appear at the proceeding without notifying all known parties by mail.

(b) Major rate proceedings over which the commission has original jurisdiction. All motions to intervene in major rate increase applications over which the commission has original jurisdiction shall be filed within 10 days from the date the application, petition, or statement of intent to change rates is filed with the commission. The motion to intervene shall clearly and specifically set forth the justiciable interest that the intervenor has for becoming a party to the proceeding. The commission or hearings examiner shall hold a hearing at 9 a.m. on the fifth working day following this 10-day period at the commission's offices located at 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas, to determine whether an intervention will be granted or denied and to classify or consolidate the intervenors for hearing purposes.

and to hear any other motion concerning such proceeding. All protests shall be filed within 45 days from the date the application, petition, or statement of intent to change rates is filed with the commission and must set forth the grounds of the protest clearly and specifically.

(c) Filing time exceptions. The times for filing set out in this rule may be modified by the commission for good cause.

Issued in Austin, Texas, on June 17, 1980.

Doc. No. 804662 Philip F. Ricketts
Secretary of the Commission
Public Utility Commission of Texas

Effective Date: July 8, 1980
Proposal Publication Date: April 4, 1980
For further information, please call (512) 458-0100.

Substantive

Records and Reports 052.02.02.021, .022

In open meeting on May 21, 1980, the Public Utility Commission of Texas adopted the following amendments, which were promulgated under the authority granted to the commission pursuant to Article 1446c, Section 16, Vernon's Annotated Civil Statutes.

.021. General Reports.

(a)-(d) (No change.)

(e) Fuel cost and use information. Copies of all presently effective and future fuel purchase and/or sale contracts shall be available for examination or filed with the commission on request. Information, including estimates and calculations, involved in calculating a fuel cost factor for a given billing period, shall be filed with the commission by the fifth day of the billing period by all electric utilities, including municipally owned electric utilities. In addition, each generating electric utility, including municipally owned generating electric utilities, shall file a monthly fuel report on a form prescribed by the commission.

(f)-(p) (No change.)

.022. Financial Records and Reports.

(a)-(b) (No change.)

(c) Reports on sale of property and mergers.

(1) A public utility shall not sell, acquire, lease, or rent any plant as an operating unit or system in the State of Texas for a total consideration in excess of \$100,000 unless the public utility reports such pending transaction to the commission.

(2) A public utility shall not merge or consolidate with another public utility operating in the State of Texas unless the public utility reports such pending transaction to the commission.

(3) A public utility shall not purchase voting stock in another public utility doing business in the State of Texas, unless the utility reports such pending purchase to the commission.

(4) A public utility shall not loan money, stocks, bonds, notes, or other evidences of indebtedness to any corporation or person owning or holding directly or indirectly any stock of the public utility unless the public utility reports such transaction to the commission within a reasonable time. A properly filed tariff change with respect to energy conservation loans available to customers, who may or may not be

shareholders as defined above, will be considered adequate reporting to the commission.

Issued in Austin, Texas, on June 17, 1980.

Doc. No. 804663 Philip F. Ricketts
Secretary of the Commission
Public Utility Commission of Texas

Effective Date: July 7, 1980
Proposal Publication Date: March 21, 1980
For further information, please call (512) 458-0100.

052.02.02.024

The Public Utility Commission of Texas has withdrawn from consideration for adoption the proposed amendment to Rule 052.02.02.024 concerning maintenance and location of records. The text of Rule .024 as proposed for amendment was published at 5 TexReg 1079.

Issued in Austin, Texas, on June 12, 1980.

Doc. No. 804637 Philip F. Ricketts
Secretary of the Commission
Public Utility Commission of Texas

Filed: June 16, 1980, 10:47 a.m.
For further information, please call (512) 458-0100.

Rates 052.02.03

In open meeting on May 21, 1980, the Public Utility Commission of Texas adopted the following amendments, which were promulgated under the authority granted to the commission pursuant to Article 1446c, Section 16, Vernon's Annotated Civil Statutes.

.031. Rate Base.

(a) Rate base. The rate base is the adjusted value of the invested capital used and useful in rendering service to the public. Components to be included in determining the overall utility rate base are as follows:

(1)-(2) (No change.)

(3) Working capital allowance to be composed of but not limited to the following:

(A)-(B) (No change.)

(C) A reasonable allowance up to 1/8 of total annual operations and maintenance expenses, excluding allowance for (A) and (B) above. Operations and maintenance expenses do not include depreciation, other taxes, or federal income taxes. The amount of operations and maintenance expense may be reduced for fuel expense, depending on the method of passing fuel cost to the consumer and for other items.

(4) (No change.)

.033. Rate Structure.

(a) (No change.)

(b) Rate design.

(1) (No change.)

(2) An adjustment for recovering the cost of fuel used in the generation of electric power may be allowed in the tariff of electric utilities when approved by the commission provided that:

(A) at the time of a rate hearing, the utility shall have filed with the commission all requested fuel contracts and cost data upon which such total fuel costs are predicated with a schedule showing any adjustments anticipated under current contracts;

(B) the total cost of fuel per kilowatt-hour (fuel cost factor) and/or purchased power (purchased power adjustment factor) is shown on the bill (provided that the utility shall have the option of also showing on the bill the total cost of fuel);

(C) the items included in the cost of fuel are approved by the commission;

(D) fuel costs billed shall be for fuel consumed in the generation of electric energy in the calendar month that most closely corresponds to the billing period; and

(E) the total fuel cost is applied equitably to each customer's bill and is proportional to the number of kilowatt-hours used. This shall be done by determining a fuel cost factor.

(3) Items included in the cost of fuel will be reviewed on a regular basis by the commission, and improper charges shall be disallowed. If such charges are disallowed, the utility shall provide appropriate refunds to affected customers as directed by order of the commission.

(4) Each electric utility shall maintain a monthly record of the cost of fuel used in the generation of electricity which is included or will be included in customer rates. Such record shall show at each month end the total cost (actual or estimate) of fuel consumed for that month and on a cumulative basis, and the total dollar amount of revenues resulting from the fuel cost component in customer rates. Any difference between the (1) total cost of fuel consumed and (2) the amount of revenues resulting from the fuel cost component in customer rates shall be credited or charged to the customers in the next billing month.

(5) An adjustment for recovering the cost of economy energy purchased pursuant to a sale between different electric utilities may, at the commission's discretion, be allowed in the tariff of the purchasing utility.

(6) If the fuel cost revenues exceed the fuel cost by 10% in any given month and the total fuel cost revenues have exceeded total fuel costs by the total of 5.0% or more for the most recent 12-month period, the utility shall so advise the commission.

(7) A 10% penalty shall be applied to excessive collections above the actual fuel costs for any given month. For any month in which a utility over-recovers actual fuel costs by 10% or more and has over-recovered by 5.0% or more for the 12-month period ending with such month, such over collections shall be deemed to be excessive unless otherwise found by order of the commission.

(8) No penalties for excessive collections shall be applied to those electric utilities which have been granted a fuel adjustment clause which explicitly considers changes in the efficiency of generation. In addition, utilities applying such an efficiency-based fuel adjustment clause shall be exempt from calculating adjustments for over and under collection in the manner set forth in paragraph (4) above.

.034. *Form and Filing of Tariffs.*

(a) (No change.)

(b) Requirements as to size, form, identification, and filing of tariffs.

(1) Every public utility shall file with the commission filing clerk four copies of its tariff containing schedules of all its rates, tolls, charges, rules, and regulations pertaining to all of its utility service by September 1, 1976, or when it applies for a certificate of convenience and necessity to operate as a public utility, if it is not in existence as of September 1, 1976. It shall also file four copies of each subsequent revision.

Each revision shall be accompanied by a cover page which contains a list of pages being revised, a statement describing each change, its effect if it is a change in an existing rate, and a statement as to impact on rates of the change by customer class, if any. If a proposed tariff revision constitutes an increase in existing rates of a particular customer class or classes, then the commission may require that notice be given.

(2)-(4) (No change.)

(c)-(e) (No change.)

(f) Availability of tariffs. Each utility shall make available to the public at each of its business offices within Texas all of its tariffs currently on file with the commission, and its employees shall lend assistance to seekers of information therefrom and afford inquirers an opportunity to examine any of such tariffs upon request. The utility also shall provide copies of any portion of the tariffs at a reasonable cost to reproduce such tariff for a requesting party.

(g)-(h) (No change.)

Doc. No. 804664

Service 052.02.04

In open meeting on May 21, 1980, the Public Utility Commission of Texas adopted the following amendments, which were promulgated under the authority granted to the commission pursuant to Article 1446c, Section 16, Vernon's Annotated Civil Statutes.

.044. *Discontinuance of Service.*

(a)-(b) (No change.)

(c) A customer's utility service may be disconnected if the bill has not been paid or a deferred payment agreement entered into within 22 days from the date of issuance and if proper notice has been given. Proper notice shall consist of a separate mailing or hand delivery at least seven days prior to a stated date of disconnection. If mailed, the cutoff day may not fall on a holiday or weekend but shall fall on the next work day after the seventh day. Payment at a utility's authorized payment agency is considered payment to the utility.

(d)-(e) (No change.)

.045. *Applicant Deposit.*

(a) (No change.)

(b) Re-establishment of credit. Every applicant who previously has been a customer of the utility and whose service has been discontinued for nonpayment of bills or meter tampering or bypassing of meter shall be required before service is rendered to pay all amounts due the utility or execute a deferred payment agreement, if offered, and re-establish credit as provided in subsection (a).

(1) In cases of meter tampering or bypassing of meter, electric energy or water consumed, but not metered, may be estimated by the utility based on amounts used under similar conditions during preceding years. Where no previous usage history exists or is considered unreliable due to meter tampering or bypassing of meter, consumption may be estimated on the basis of usage levels of similar customers and under similar conditions.

(2) A utility may charge for all labor, material, and equipment necessary to repair or replace all equipment damaged due to meter tampering or bypassing of meter.

(c)-(j) (No change.)

.046. Billing.**(a) Rendering and form of bills.****(1) Telephone utilities.****(A)-(B) (No change.)**

(C) If billings for telephone utility services are found to differ from the utility's lawful rates for the services being purchased by the customer, a billing adjustment shall be calculated by the utility. If the customer is due a refund, an adjustment shall be made for the entire period of overcharge. If the customer was undercharged, the utility may back bill the customer for a period not to exceed six months from the date the utility initially notifies the customer of the amount of undercharge and the total additional amount that will be due. Said amount shall be added to the next regular billing. If the underbilling is \$25 or more, the company shall offer to such customer a deferred payment plan option, for the same length of time as that of the underbilling.

Doc. No. 804665

Special 052.02.05

In open meeting on May 21, 1980, the Public Utility Commission of Texas adopted the following amendments, which were promulgated under the authority granted to the commission pursuant to Article 1446c, Section 16, Vernon's Annotated Civil Statutes.

.053. Water Utilities.**(a) (No change.)**

(b) Quality of product and adequacy of service. Each utility shall furnish water which has been approved by the Texas Department of Health.

(c) Adequacy of service. Each utility shall furnish and maintain sufficient facilities to provide a continuous and adequate supply of water at reasonable pressure subject to Rule 052.02.04.041(a).

(d) Meter test facilities and equipment.

(1) The accuracy of a water meter shall be tested by comparing the actual amount of water passing through it with the amount indicated on the dial. The test shall be conducted in accordance with the standards for testing cold water meters as prescribed by the American Water Works Association.

(2) The utility shall provide the necessary standard facilities, instruments, and other equipment for testing its meters in compliance with these rules. Any utility may be exempted from this requirement by the commission provided that satisfactory arrangements are made for testing its meters by another utility or commission-approved agency equipped to test meters in compliance with these rules.

(e) Meter test measurement standards.

(1) Measuring devices for test of meter may consist of a calibrated tank for volumetric measurement or tank mounted upon scales for weight measurement. If a volumetric standard is used, it shall be accompanied by a certificate of accuracy from any standard laboratory as may be approved by the commission. If a weight standard is used, the scales shall be tested and calibrated periodically by such approved laboratory and a record maintained of the results of the test.

(2) Standards used for meter testing shall be of a capacity sufficient to insure accurate determination of accuracy and shall be subject to the approval of the commission.

(3) A standard meter may be provided and used by a utility for the purpose of testing meters in place. This standard meter shall be tested and calibrated periodically to insure its accuracy within the limits required by these rules. In any event, such test shall be made at least once every 120 days while the standard meter is in use and a record of such tests shall be kept by the utility.

(f) Meter test prior to installation. No meter shall be placed in service unless its accuracy has been established. If any meter shall have been removed from service, it must be properly tested and adjusted before being placed in service again. No meter shall be placed in service if its accuracy falls outside the limits as specified by the American Water Works Association.

(g) Service connections.**(1) Ownership of service pipe.**

(A) The utility shall furnish and install, for the purpose of connecting its distribution system to the customer's premises, the service pipe from its main to the meter location.

(B) The customer shall be responsible for furnishing and laying the necessary service pipe from the meter location to the place of consumption and shall keep the service line in good repair.

(2) Location of service pipe. Prior approval of the utility shall be secured as to the proper location for connecting the customer's service pipe to the utility's facilities.

(3) Location of meters. Meters shall be readily accessible for maintenance and reading, and so far as practicable the location should be mutually acceptable to the customer and the utility. The meter shall be installed so as to be unaffected by climatic conditions and reasonably secure from injury.

(h) Requirements of others. The application of these rules shall not relieve the utility from abiding by the requirements of the laws and regulations of the state, local department of health, local ordinances, and all other regulatory agencies having jurisdiction over such matters.

Issued in Austin, Texas, on June 17, 1980.

Doc. No. 804666 Philip F. Ricketts
Secretary of the Commission
Public Utility Commission of Texas

Effective Date: July 8, 1980

Proposal Publication Date: March 21, 1980

For further information, please call (512) 458-0100.



The Open Meetings Act (Article 6252-17, Texas Civil Statutes) requires that an agency with statewide jurisdiction have notice posted for at least seven days before the day of a meeting. A political subdivision covering all or part of four or more counties, or an institution of higher education, must have notice posted for at least 72 hours before the scheduled meeting time. Notice of an emergency meeting or an emergency addition or amendment to an agenda must be posted for at least two hours before the meeting is convened. Although some notices may be received and filed too late for publication before the meetings are held, all filed notices will be published in the *Register*. Each notice published includes an agenda or a summary of the agenda as furnished for publication by the agency and the date and time of filing. Notices are posted on the bulletin board outside the offices of the secretary of state on the first floor in the East Wing of the State Capitol. These notices may contain more detailed agendas than space allows to be published in the *Register*.

Texas Aeronautics Commission

Friday, June 27, 1980, 10 a.m. The Texas Aeronautics Commission will meet in Room 221 at 410 East 5th Street in Austin. The meeting includes the following: staff attorney's report; carrier regulation division report; pending commission action—Docket 80-13: Alamo Commuter Airlines—application for Amendment of Certificate of Operating Authority 10 for additional service at Laredo (International Airport), Docket 80-14: Eagle Commuter Airlines, Inc.—termination of authority and deletion of Waco (Madison-Cooper Airport) from Certificate of Operating Authority 4, Docket 80-15: Permian Airways, Inc.—indefinite suspension of service at Dallas/Fort Worth (Dallas/Fort Worth Regional Airport), Docket 80-16: Commutair Inc.—suspension of service at Houston (William P. Hobby Airport) and Houston (Lakeside Airport), Docket 80-17: Commutair, Inc.—cancellation of Certificate of Operating Authority 6 with service at the following points: Austin (Robert Mueller Airport); Houston (Intercontinental Airport); Houston (William P. Hobby Airport); Houston (Lakeside Airport); and Sugar Land (Hull Field), Docket 80-18: Metroflight, Inc.—termination of authority and deletion of Lufkin/Nacogdoches (East Texas Regional Airport) from Certification of Operating Authority 2, Docket 80-11: Skyway Aviation of Texas, Inc., doing business as Air Americana—application for certificate of operating authority for service at Brownsville (International Airport); Corpus Christi (International Airport); San Antonio (International Airport); and Laredo (Laredo International Airport); other matters; briefing by FAA concerning air carrier safety program; and director's report.

Additional information may be obtained from Gwendolyn H. Webb, 410 East 5th Street, Austin, Texas 78701, telephone (512) 475-4768.

Filed: June 18, 1980, 10:17 a.m.
Doc. No. 804693

Governor's Committee on Aging

Thursday, June 27, 1980, 10 a.m. The Governor's Committee on Aging will convene at the Texas Department of Community Affairs Building, 210 Barton Springs, Austin, to conduct a State Advisory Committee meeting. According to the agenda, the meeting will concern: the minutes of the prior

meeting; the staff report from the coordinator of aging; review and discussion of the assistant advocate grant application; review of the three-year state plan which includes general requirements by AOA, objectives and action steps, training section, and the next steps on the planning process; assignments for public hearings tentatively set for July 24 and 25.

Additional information may be obtained from Chris Kyker, P.O. Box 12786, Austin, Texas 78711, telephone (512) 475-2717.

Filed: June 18, 1980, 10:20 a.m.
Doc. No. 804690

Texas Animal Health Commission

Friday, June 27, 1980, 9 a.m. The Texas Animal Health Commission makes an addition to the agenda of a meeting to be held in Room 100-B of the John H. Reagan Building, Austin. The commission adds item 4. (b)(5), requiring use of metal ear tags for identification of cattle tested, to the agenda.

Additional information may be obtained from Jo Anne Conner, 1015 Sam Houston Building, Austin, Texas, telephone (512) 475-4111.

Filed: June 16, 1980, 4:13 p.m.
Doc. No. 804651

Friday, June 27, 1980, 9 a.m. The Texas Animal Health Commission has made an addition to a meeting to be held in Room 100-B of the John H. Reagan Building, Austin. According to the agenda summary, the item added is 4.(b)(3)—consideration of Coryell County for inclusion into the Class A brucellosis control area.

Additional information may be obtained from Jo Anne Conner, 1015 Sam Houston Building, Austin, Texas, telephone (512) 475-4111.

Filed: June 18, 1980, 9:41 a.m.
Doc. No. 804689

State Banking Board

Tuesday, June 24, 1980, 2 p.m. The State Banking Board will meet at 2601 North Lamar, Austin, to conduct a voting session which is to include: charter applications for Bank of the West, Odessa and Chasewood State Bank, Houston; interim charter applications for First Schreiner Bank, Kerrville, and West University Bank, Houston; domicile change for Southwestern Bank, Stafford; motions for rehearing on State Bank of Pleasanton, Pleasanton; domicile change for Allied Merchants Bank, Port Arthur; rescission of charter of First Bank of Trinity, Trinity; and a review of applications approved, but not yet open.

Additional information may be obtained from Ruth Amberg, 2601 North Lamar, Austin, Texas 78705, telephone (512) 475-4451.

Filed: June 16, 1980, 1:38 p.m.
Doc. No. 804630

Texas Coastal and Marine Council

Friday, June 20, 1980, 9:30 a.m. The Texas Coastal and Marine Council made an emergency addition to a meeting held at Sea Isle Village, Port Aransas. According to the agenda, the added item involved marine transportation safety and public testimony. This item was inadvertently left off the original notice and must receive attention.

Additional information may be obtained from Jenny Aldridge, P.O. Box 13407, Austin, Texas 78711, telephone (512) 475-5830.

Filed: June 17, 1980, 11:43 a.m.
Doc. No. 804667

Coordinating Board, Texas College and University System

Friday, June 27, 1980, 10 a.m. The Administrative Council of the Coordinating Board, Texas College and University System, will meet in the Gusher Room at the Hilton Inn at 6255 Interstate 37 in Corpus Christi. According to the agenda summary, the council will discuss and consider various matters related to the Higher Education Insurance Program.

Additional information may be obtained from James McWhorter, P.O. Box 12788, Austin, Texas 78711, telephone (512) 475-4361.

Filed: June 18, 1980, 10:17 a.m.
Doc. No. 804692

East Texas State University

Tuesday, July 1, 1980, 10:30 a.m. The East Texas State University Board of Regents will meet at the Sheraton Inn, 1893 West Mockingbird Lane, Dallas. According to the agenda summary, the board will discuss a report presented by management consultants, and meet in executive session to develop criteria for selection of a president.

Additional information Charles Morrow, East Texas State University, Commerce, Texas, telephone (214) 886-5026.

Filed: June 18, 1980, 11:27 a.m.
Doc. No. 804695

Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids

Friday and Saturday, June 27 and 28, 1980. The Texas Board of Examiners in the Fitting and Dispensing of Hearing Aids will meet at the Sheraton-Crest Inn, 111 East 1st Street at Congress, Austin. The summarized agenda follows:

June 27, 1980, 8 a.m.-6 p.m. Examinations.

June 28, 1980, 8 a.m.-10:30 a.m. Examinations.

June 28, 1980, 10:30 a.m. The board will meet to consider sunset review; board action on examinations; 1982-83 budget; and reports from the Health Department's Hearing and Speech Services, the board president, executive director, and committees.

Additional information may be obtained from R. B. Hall, Penthouse Apartments, Suite 105, 1212 Guadalupe, Austin, Texas 78701, telephone (512) 475-3429.

Filed: June 17, 1980, 11:15 a.m.
Doc. No. 804660

Texas Health Facilities Commission

Wednesday, June 18, 1980, 9:30 a.m. The Texas Health Facilities Commission made an emergency addition to the agenda of a meeting held in Suite 305, the Jefferson Building, 1600 West 38th Street, Austin. According to the summarized agenda, the addition concerned an application for an exemption certificate by Visiting Nurse Association of Dallas, Dallas—AS80-0522-003. An urgent public need and emergency necessitated considering this item to enable the project to be efficiently and economically implemented.

Further information may be obtained from O. A. Cassity III, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-6940.

Filed: June 17, 1980, 11:30 a.m.
Doc. No. 804668

Friday, June 27, 1980, 9:30 a.m. The Texas Health Facilities Commission will meet in Suite 305 of the Jefferson Building, 1600 West 38th Street, Austin. According to the agenda summary, the commission will consider the following applications:

Exemption Certificate

Riverside Hospital, Robstown
AH80-0424-014

Scott and White Memorial Hospital, Temple
AH80-0425-009

West Texas Hospital, Lubbock
AH80-0417-026

Amendment of Exemption Certificate

Harris Hospital-Methodist, Fort Worth
AH79-0605-003A (050680)

Amendment Of Certificate of Need

Baylor University Medical Center, Dallas
AH78-0703-021A (050280)

Tomball Community Hospital, Tomball
AH79-0131-001A (050280)

Santa Rosa Medical Center, San Antonio
AH79-0507-011A (041880)

Certificate of Need

Meadowview Care Center, Kerrville
AN79-1204-010

Motions for Reconsideration and Rehearing

Cypress-Lakewood Medical Center, Houston
AH79-0425-009

Cypress-Fairbanks Medical Center, Houston
AH79-0702-041

Spring Branch Memorial Hospital, Houston
AH79-0622-025

Further information may be obtained from O.A. Cassity III, P.O. Box 15023, Austin, Texas 78761, telephone (512) 475-6940.

Filed: June 17, 1980, 11:31 a.m.
Doc. No. 804669

Thursday, July 3, 1980, 9:30 a.m. The Texas Health Facilities Commission will meet in Suite 305 of the Jefferson Building, 1600 West 38th Street, Austin. According to the agenda summary, the commission will consider the following applications:

Certificate of Need

Rosenberg Dialysis Facility, Rosenberg
AS79-1218-014

Permian Basin Planned Parenthood, Inc., Lamesa
AS80-0130-015

Jefferson Davis Hospital, Houston
AH80-0201-015

Bexar County Hospital, San Antonio
AH80-0313-031

Holiday Retirement Center, Sweetwater
AH78-0830-001

Mansfield Community Hospital, Mansfield
AH78-1221-001

Reissuance of Certificate of Need

Baybrook Village Convalescent Center, League City
AN79-0406-015R (051280)

Declaratory Ruling

Carrollton Minor Emergency Center, Carrollton
AO79-1114-008

Primacare Minor Emergency Center, Farmers Branch
AO79-1114-005

Order of Dismissal

Christian Home for the Aged, Houston
AN78-0323-010

Further information may be obtained from O.A. Cassity III,
P.O. Box 15023, Austin, Texas 78761, telephone (512)
475-6940.

Filed: June 17, 1980, 11:32 a.m.
Doc. No. 804670

State Board of Insurance

Tuesday, June 24, 1980, 9:30 a.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a hearing in Room 342, 1110 San Jacinto Street, Austin, to consider an application for admission filed by Northbrook Indemnity Company, Northbrook, Illinois—Docket 6022.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:10 p.m.
Doc. No. 804632

Tuesday, June 24, 1980, 11 a.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto Street, Austin, to consider an application for admission by Northbrook National Insurance Company, Northbrook, Illinois—Docket 6023.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804633

Tuesday, June 24, 1980, 2 p.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, concerning Docket 6024—application for admission for Northbrook Life Insurance Company, Northbrook, Illinois.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804634

Tuesday, June 24, 1980, 2:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, concerning Docket 6059—proposed merger of Northbrook Life Insurance Company of Texas, Irving, into Northbrook Life Insurance Company of Illinois, Northbrook, Illinois, such that Northbrook Life Insurance Company (the Illinois Corporation), will be the survivor.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804635

Wednesday, June 25, 1980, 9 a.m. The State Board of Insurance will conduct a public hearing in Room 402, 1110 San Jacinto, Austin, to consider Docket 1147—application of Equities International Life Insurance Company for review of Commissioner's Orders 78-2030 and 78-2234. This meeting was originally scheduled for March 12, 1980.

Additional information may be obtained from Pat Wagner, 1110 San Jacinto, Austin, Texas 78786, telephone (512) 475-2950.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804642

Wednesday, June 25, 1980, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, to consider Docket 6040—application of PennCorp Financial, Inc., Santa Monica, California, and subsidiaries to acquire control of Security Title and Trust Company, San Antonio, a subsidiary of First American Financial Corporation, Santa Ana, California.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804641

Wednesday, June 25, 1980, 2 p.m. The Commissioner's Hearing section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, to consider Docket 6025—application for admission of Sirius Reinsurance Corporation, Dover, Delaware.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804643

Thursday, June 26, 1980, 10 a.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, to consider Docket 6042—application for admission of Argonaut-Midwest Insurance Company, Chicago, Illinois.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804644

Thursday, June 26, 1980, 2 p.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, to consider Docket 6064—application of Nalico Life Insurance Company, Waco, to acquire U. S. Family Life Insurance Company, Waco.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804646

Thursday, June 26, 1980, 2:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto, Austin, to consider Docket 6062—proposed merger of U. S. Family Life Insurance Company, Waco, into Nalico Life Insurance Company, Waco.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:11 p.m.
Doc. No. 804647

Friday, June 27, 1980, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto Street, Austin, to consider compliance with Commissioner's Supervision Order 80-0972, dated March 3, 1980, by United Fidelity and Guaranty, Incorporated Limited, Houston—Docket 5983. This hearing is a continuation from May 30, 1980.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:12 p.m.
Doc. No. 804648

Monday, June 30, 1980, 10 a.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 342, 1110 San Jacinto Street, Austin, to consider application of Union Fidelity Life Insurance Company, Trevose, Pennsylvania, and Union Fidelity Management Associates, a Delaware Limited Partnership, to acquire control of Texas Fire and Casualty Company, Dallas—Docket 6044.

Additional information may be obtained from J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, telephone (512) 475-4353.

Filed: June 16, 1980, 4:12 p.m.
Doc. No. 804649

Texas Advisory Commission on Intergovernmental Relations

Friday, June 27, 1980, 9 a.m. The Committee for the Project to Revise the Model Rules for Law Enforcement Officers of the Texas Advisory Commission on Intergovernmental Relations will meet in Rooms 118 and 119, Stephen F. Austin Building, 17th and Congress, Austin. The committee will consider the model rules chapters on administrative procedures, rules on conduct and performance, departmental review and discipline, child abuse, and stop-and-frisk. The committee will also hold final discussion and approve chapters on use of force and execution of arrest warrants.

Additional information may be obtained from Stan Kantrowitz, 17th and Congress, Austin, Texas (512) 475-3728.

Filed: June 16, 1980, 3:39 p.m.
Doc. No. 804653

Texas Commission on Jail Standards

Wednesday, July 2, 1980, 8:30 a.m. The Texas Commission on Jail Standards will meet in Room 203 of the Texas Law Center at 1414 Colorado in Austin. According to the agenda summary, the meeting includes the following: roll call of commission members; reading of minutes of last regular commission meeting; director's report; inspection reports; letters of noncompliance; jails in compliance; status of construction/renovations; North Texas and East Texas County Judges and Commissioners Association. Old business—Limestone and Smith Counties. New business—Kendall and Comal Counties. The commission will consider applications for variance for Bailey, Callahan, Chambers, Cochran, Collingsworth, Edwards, Floyd, Grayson, Gregg, Jefferson, Jones, Martin, Mason, Morris, Motley, Oldham, Pecos, Red River, Runnels, Schleicher, Terry, Travis, Uvalde, Waller, Ward, Wharton, Willacy, Wilson, and Winkler. The commission will also meet in executive session.

Additional information may be obtained from Robert O. Viterna, 1414 Colorado, Suite 500, Austin, Texas, telephone (512) 475-2780.

Filed: June 17, 1980, 3:37 p.m.
Doc. No. 804675

Board of Law Examiners

Friday and Saturday, June 27 and 28, 1980, 9 a.m. and 8 a.m., respectively. The Board of Law Examiners will meet at the Sheraton-Marina Inn, 90011 Shoreline Boulevard, Corpus Christi, to review questions formulated for the July 1980 bar examination.

Additional information may be obtained from Wayne E. Denton, Texas Law Center, Suite 505, Austin, Texas 78701, telephone (512) 475-4137.

Filed: June 18, 1980, 11:05 a.m.
Doc. No. 804694

Texas Department of Mental Health and Mental Retardation

Friday, June 27, 1980, 9 a.m. The board of the Texas Department of Mental Health and Mental Retardation will meet at Volunteer Services Building, Denton State School, Denton. According to the agenda summary, the board will consider the following: 5.0% reduction of staff state report; Texas State Government Effectiveness Program Operational Audit Status Report; 1982-83 budget guidelines amendment—assistant commissioner for management information system; operating budget requests for 1982-1983 biennium approval; naming of Rusk State Hospital patient services building in honor of Dr. Charles W. Castner, Gazebo Construction at Richmond State School by Volunteer Services Council; and client/employee safety policy.

Additional information may be obtained from John J. Kavanagh, P.O. Box 12668, Austin, Texas 78711, telephone (512) 454-3761.

Filed: June 17, 1980, 4:20 p.m.
Doc. No. 804678

Board of Nurse Examiners

Wednesday, June 25, 1980, 8 a.m. The Board of Nurse Examiners has made additions to the agenda of a meeting to be held in Parlors A and B of the Sheraton Crest Inn, 111 East 1st Street, Austin. According to the agenda summary, the board has added 7.6. request for curriculum change, and 7.6.1. Prairie View A&M University, Houston, to the agenda.

Additional information may be obtained from Margaret L. Rowland, R.N., Board of Nurse Examiners, 510 South Congress, Room 216, Austin, Texas, telephone (512) 478-9602.

Filed: June 17, 1980, 9:38 a.m.
Doc. No. 804658

Board of Pardons and Paroles

Monday-Thursday, June 30-July 3, 1980, 9 a.m. daily. The Board of Pardons and Paroles will meet in Room 711, Stephen F. Austin Building, Austin. According to the agenda, the board will review cases of inmates for parole consideration; act on emergency reprieve requests and other acts of executive clemency; review reports regarding persons on parole; review procedures affecting the day-to-day operation of support staff; review and initiate needed rule changes relating to general operation, executive clemency, parole, and all hearings conducted by this agency; and take action upon gubernatorial directives.

Additional information may be obtained from Ken Casner, 711 Stephen F. Austin Building, Austin, Texas, telephone (512) 475-3363.

Filed: June 16, 1980, 4:29 p.m.
Doc. No. 804650

Public Utility Commission of Texas

Friday, June 27, 1980, 9 a.m. The Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin, to consider final orders and hear oral argument in the following dockets: 3034; 3073; 3116; 3173; 3062;

3072; 2880 and 2856; 2983; 3170; 2964; 3176; 2754 and 3187; 3175; 3215, 3236; 3237; 3246; 3251; 3257; 3265; 3266; and 3269.

Additional information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78757, telephone (512) 458-0100.

Filed: June 17, 1980, 3:29 p.m.
Doc. No. 804674

Wednesday, July 2, 1980, 9 a.m. The Hearings Division of the Public Utility Commission of Texas will conduct a hearing in Suite 450N, 7800 Shoal Creek Boulevard, Austin, on an application of Lackland City Company for a water and sewage rate increase within Bexar County—Docket 3047.

Additional information may be obtained from Philip F. Ricketts, 7800 Shoal Creek Boulevard, Suite 450N, Austin, Texas 78757, telephone (512) 458-0100.

Filed: June 16, 1980, 1:49 p.m.
Doc. No. 804654

Railroad Commission of Texas

Wednesday, June 18, 1980, 10 a.m. The Oil and Gas Division of the Railroad Commission met in emergency session in Room 309 of the Railroad Commission Building, 1124 South IH 35, Austin. The division considered Oil and Gas Docket 6-73,526—application of FEC, Inc., for the formation of a noncontiguous proration unit and for other relief in the Waskom (Travis Peak 1) Field, Harrison County. This matter was considered on less than seven days notice as a matter of urgent public necessity because of its potential effect on a number of other proration units in the field and the amount of allowable production from the subject well. Without immediate action, the commission would be unable to consider the full impact of its decision.

Additional information may be obtained from Vernon I. (Skipper) Lay, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 445-1281.

Filed: June 17, 1980, 3:15 p.m.
Doc. No. 804676

Wednesday, June 18, 1980, 11:30 a.m. The Transportation Division of the Railroad Commission of Texas met in emergency session in Room 309, 1124 IH 35 South, Austin. According to the agenda, the division considered a motion to extend the effective date of the order issued in Docket 023731ZZT—application of Common Carrier Motor Freight Association, Inc. This is deemed a matter of urgent public necessity because the shipping public will be adversely affected by uncertainty concerning the effective dates of rate increases.

Additional information may be obtained from Owen T. Kinney, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 445-1330.

Filed: June 18, 1980, 9:10
Doc. No. 804688

Texas State University System

Thursday, June 26, 1980, 10 a.m. The Texas State University System Board of Regents will meet in Room 206 and 207 of the State Bar Building, Austin. According to the agenda summary, the subjects for discussion include depository contract procedures; purchase orders for furniture for Sam Houston State University; contract award for the Science and HPE Building renovation; fiscal budget for 1980-81; and food service contract for Sul Ross State University.

Additional information may be obtained from Lamar Urbanovsky, 505 Sam Houston Building, Austin, Texas 78701, telephone (512) 475-3876.

Filed: June 17, 1980, 10:46 a.m.
Doc. No. 804659

Texas Water Development Board

Tuesday, June 17, 1980, 8:30 a.m. The Texas Water Development Board met in Room 118, Stephen F. Austin Building, 1700 North Congress, Austin. According to the agenda, the board recessed into executive session to discuss personnel matters. The fact that the personnel matters to be considered by the board related directly to the submission of the department's budget for fiscal year 1982 and 1983 and the board must consider these matters prior to the submission to the Legislative Budget Board and the Governor's Office by July 3, 1980, constitutes a matter of urgent public necessity.

Additional information may be obtained from Harvey Davis, P.O. Box 13087, Austin, Texas 78711.

Filed: June 16, 1980, 3:39 p.m.
Doc. No. 804631

Regional Agencies

Meetings Filed June 16, 1980

The Education Service Center, Region II, Board of Directors, will meet in the administrative conference room at 209 North Water, Corpus Christi, on June 26, 1980, at 6:30 p.m. Further information may be obtained from Dr. Thomas Tope, Jr., 209 North Water, Corpus Christi, Texas 78401, telephone (512) 883-9288.

Doc. No. 804655

Meetings Filed June 17, 1980

The Angelina and Neches River Authority, Board of Directors, will meet at Petty's Restaurant, 1104 North Timberland, Lufkin, on June 30, 1980, at noon. Further information may be obtained from William A. Elmore, P.O. Box 387, Lufkin, Texas 75901, telephone (713) 632-7795.

The Austin-Travis County MH/IR Center, Finance and Control Committee, met in the east wing of Twin Towers, Austin, on June 18, 1980, at noon. Further information may be obtained from Mary Lou Serviss, 1430 Collier Street, Austin, Texas, telephone (512) 447-4141.

The Education Service Center, Region X, Board of Directors, will meet in the Region X board room, 400 East Spring Valley, Richardson, Texas, telephone (214) 231-6301.

The Education Service Center, Region XVII, Board of Directors, met in Room 606, Texas Commerce Bank Building, Lubbock, on June 17, 1980, at 9 a.m. Further information may be obtained from Ray Lanier, 700 Texas Commerce Bank Building, Lubbock, Texas, telephone (806) 763-4127.

Golden Crescent Council of Governments, Board of Directors, will meet in the Americana Room, American Bank of Commerce, 1980 North Laurent, Victoria, on June 25, 1980, at 5 p.m. Further information may be obtained from Robert W. Burr, P.O. Box 2028, Victoria, Texas 77901, telephone (512) 578-1587.

The Heart of Texas Region MH/IR Center, Board of Trustees, will meet in the second floor conference room, 110 South 12th Street, Waco, on June 24, 1980, at 3 p.m. Further information may be obtained from Sue Richardson, P.O. Box 1277, Waco, Texas 76703, telephone (817) 752-3451.

The Heart of Texas Council of Governments, Executive Committee, will meet at 320 Franklin Avenue, Waco, on June 26, 1980, at noon. Further information may be obtained from Marcia Ross, 320 Franklin Avenue, Waco, Texas 76701, telephone (817) 756-6631.

The Middle Rio Grande Development Council, Regional Manpower Advisory Committee, will meet at the Uvalde Civic Center, Uvalde, on June 26, 1980, at 1:30 p.m. The Board of Directors will hold a special meeting at the same location at 2:30 p.m. that same day. Further information may be obtained from Hector Jimenez and Elia G. Santos, respectively, P.O. Box 702, Carrizo Springs, Texas 78834, telephone (512) 876-3533.

The North Texas Multi-Region Processing Center, Management Committee, will meet in the board room, Region X Education Service Center, 400 East Spring Valley Road, on June 26, 1980, at 10 a.m. Further information may be obtained from H. W. Goodgion, P.O. Box 1300, Richardson, Texas 75080, telephone (214) 231-6301.

The Northeast Texas Health Systems Agency, Executive Committee, will meet at Marshall Civil Center, 2501 East End Boulevard, South, Marshall, on July 1, 1980, at 7 p.m. Further information may be obtained from Bayard S. Galbraith, Nethsa, Suite 201, 505 East Travis Street, Marshall, Texas 75670, telephone (214) 938-8331.

The Northeast Texas Municipal Water District, Board of Directors, met at 1003 Linda Drive, Daingerfield, on June 23, 1980, at 8 p.m. Further information may be obtained from Homer Tanner, P.O. Box 680, Daingerfield, Texas 75638, telephone (214) 655-2241.

The South Texas Development Council, Board of Directors, met in the conference room, Building S-1, 600 South Sandman, Laredo, on June 18, 1980, at 2 p.m. Further information may be obtained from Julie Saldana, P.O. Box 2187, Laredo, Texas 78041, telephone (512) 722-3995.

The South Texas Health Systems Agency, Board of Directors, met at the Ramada Inn, 2702 Houston Highway, Victoria, on June 21, 1980, at 1 p.m. Further information may be obtained from Mario L. Vasquez, Station 1, Box 2378, Kingsville, Texas 78363, telephone (512) 595-5545.

Trinity River Authority of Texas, Board of Directors, will meet in the conference room Central Regional Wastewater System, Grand Prairie, on June 25, 1980, at 10:30 a.m. The Basin Planning Committee met in the executive conference room, TRA General Office, 2723 Avenue E East, Arlington, Texas, on June 19, 1980, at 9 a.m. Further information may be obtained from Geri Elliott, P.O. Box 5768, Arlington, Texas 76011, telephone (817) 461-3151.

Doc. No. 804657

Meetings Filed June 18, 1980

The Amarillo MH/MR Regional Center, Executive Committee of the Board of Trustees, will meet at 7201 Evans Street, MH/MR conference room, Amarillo, on June 26, 1980, at 12:30 p.m. Further information may be obtained from Claire Rigler, P.O. Box 3250, Amarillo, Texas 79106, telephone (806) 353-7235.

The Amarillo MH/MR Regional Center, Board of Trustees, will meet at 7201 Evans Street, Psychiatric Pavilion Auditorium, Amarillo, on June 26, 1980, at 1 p.m. Further information may be obtained from Claire Rigler, P.O. Box 3250, Amarillo, Texas, telephone (806) 353-7235.

The Central Texas MH/MR Center, Board of Trustees, will meet at 308 Lakeway Drive, Brownwood, on June 24, 1980, at 4:30 p.m. Further information may be obtained from Janie Clements, 308 Lakeway Drive, Brownwood, Texas, telephone (915) 646-9574.

The Deep East Texas Council of Governments, Energy and Transportation Committee, will meet at the Texas Power and Light Building, 513 North Street, Nacogdoches, on June 26, 1980, at 10 a.m. Further information may be obtained from Ivy Mays, P.O. Drawer 1170, Jasper, Texas 75951, telephone (713) 384-5704.

The Deep East Texas Council of Governments, Applications Review Committee, will meet in the Banita Room, Fredonia Inn, 200 North Fredonia Street, Nacogdoches, on June 26, 1980, at 1:30 p.m. Further information may be obtained from Mae Ballard, P.O. Drawer 1170, Jasper, Texas 75951, telephone (713) 384-5704.

The Deep East Texas Council of Governments, Board of Directors, will meet in the Banita Room, Fredonia Inn, 200 North Fredonia Street, Nacogdoches, on June 26, 1980, at 2:30 p.m. Further information may be obtained from Billy D. Langford, P.O. Drawer 1170, Jasper, Texas 75951, telephone (713) 384-5704.

The Deep East Texas Council of Governments, Polk County Minority Organizations, will meet at Holiday Inn, Livingston, on July 15, 1980, at 6:30 p.m. Further information may be obtained from Louisa Kyles, P.O. Drawer 1170, Jasper, Texas 75951, telephone (713) 384-5704.

The Deep East Texas Council of Governments, Jasper Company Minority Organizations, will meet at First National Bank Meeting Room, Jasper, on July 17, 1980, at 6:30 p.m. Further information may be obtained from Louisa Kyles, P.O. Drawer 1170, Jasper, Texas 75951, telephone (713) 384-5704.

The Greater East Texas Health Systems Agency, Executive Committee, will meet at Dogwood Country Club, Highway 190, Woodville, on June 26, 1980, at 7:30 p.m. Further information may be obtained from Larry D. Lacy, 2900 North Suite 303, Beaumont, Texas, telephone (713) 892-6962.

The Lubbock Regional MH/MR Center will meet at 1210 Texas Avenue, Lubbock, on June 24, 1980, at 4:30 p.m. Further information may be obtained from Gene Menefee, 1210 Texas Avenue, Lubbock, Texas 79401, telephone (806) 763-4212.

The Metropolitan Hospital Authority, Board of Directors, will meet in Room 5E South, Dallas City Hall, Dallas, on June 23, 1980, at noon. Further information may be obtained from Thomas C. Unis, 1200 One Main Place, Dallas, Texas 75250, telephone (214) 658-1600.

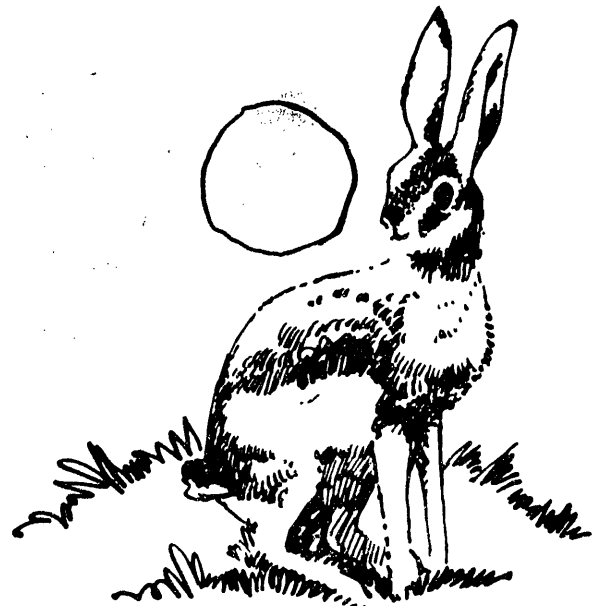
The Middle Rio Grande Development Council, Project Review Committee, will meet at City Council Chambers, City Hall, Uvalde, on June 25, 1980, at 2 p.m. Further information may be obtained from Charles M. Trost, P.O. Box 1461, Del Rio, Texas 78840, telephone (512) 775-1581.

The Region V Education Service Center, Board of Directors, will meet at 2295 Delaware Street, Beaumont, on June 26, 1980, at 1:15 p.m. Further information may be obtained from Dr. Fred Waddell, 2295 Delaware Street, Beaumont, Texas 77703, telephone (713) 835-5212.

The Upper Leon River Municipal Water District, Board of Directors, will meet at General Office of the Filter Plant, Proctor Lake, Comanche, on June 26, 1980, at 7 p.m. Further information may be obtained from Lowell G. Pittman, Box 67, Comanche, Texas, telephone (817) 879-2258.

The West Central Texas Council of Governments, Executive Committee, will meet at 1025 East North 10th Street, Abilene, on June 25, 1980, at 12:45 p.m. Further information may be obtained from Bobbie T. Gallagher, P.O. Box 3195, Abilene, Texas 79604, telephone (915) 672-8544.

Doc. No. 804691



Texas Department of Community Affairs

Notice of Contract Award

Pursuant to Texas Revised Civil Statutes Annotated, Article 6252-11c, Section 6(b), the Texas Department of Community Affairs announces that Touche Ross and Company has been awarded a contract for the period of June 3, 1980, through August 31, 1980, for the purposes of developing two instructive manuals targeted to communities with populations under 25,000. The manuals will address the topic of achieving local community and economic development programs with local resources. Touche Ross and Company is located at 221 West 6th, in Austin.

The total cost of the consulting services to be performed under this contract is \$13,960. Touche Ross and Company shall perform the following:

- (1) conduct a review of relevant current literature;
- (2) review community requests for planning and technical assistance in community and economic development areas;
- (3) develop an instructive manual focusing on the means by which stimulation of economic and community development activity is achieved through the use of available resources;
- (4) develop an instructive manual focusing on the use of leveraging in local economic and community development projects; and
- (5) prepare a glossary for each manual.

The two manuals will be provided to the department no later than August 31, 1980.

Issued in Austin, Texas, on June 12, 1980.

Doc. No. 804624 Jeanne Marcus, Director
 Legal Division
 Texas Department of Community Affairs

Filed: June 13, 1980, 4:13 p.m.
 For further information, please call (512) 475-0250.

Texas Education Agency

Notice of Availability: State Plan for the Use of Title IV, ESEA Funds

The Texas Education Agency makes available to the public the State Plan for the Use of Title IV, ESEA Funds, by the State of Texas for educational improvement, instructional and library resources, and guidance support in the local education agencies of the state. The state plan is available for review by interested persons within the State of Texas for a period of 60 days. Copies of the state plan are available upon request by writing the associate commissioner of general education, Texas Education Agency, 201 East 11th Street, Austin, Texas 78701. Public comments will be received in writing at the same address until July 1, 1979, pursuant to Section 435(b)(7)(B) of the General Education Provisions Act as amended by Public Law 95-561.

Issued in Austin, Texas, on June 17, 1980.

Doc. No. 804656 A. O. Bowen
 Commissioner of Education

Filed: June 17, 1980, 8:50 a.m.
 For further information, please call (512) 475-2581.



TAC Titles Affected in This Issue

The following is a list of the chapters of each title of the *Texas Administrative Code* affected by documents published in this issue of the *Register*. The listings are arranged in the same order as the table of contents of the *Texas Administrative Code*.

TITLE 16. ECONOMIC REGULATION

Part II. Public Utility Commission of Texas

Noncodified (052.01.00.012, .017, .035, .039, .043, .051, .067, .079, .094, .104)	2535
Noncodified (052.01.00.021, .022, .024)	2537
Noncodified (052.02.02.021, .022)	2538
Noncodified (052.02.02.024)	2538
Noncodified (052.02.03.031, .033, .034)	2538
Noncodified (052.02.04.044-.046)	2539
Noncodified (052.02.05.053)	2540

TITLE 22. EXAMINING BOARDS

Part V. Texas State Board of Dental Examiners

22 TAC §109.203 (382.19.20.003)	2531
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TITLE 34. PUBLIC FINANCE

Part VII. State Property Tax Board

34 TAC §§163.1-163.3 (237.06.00.001-.003)	2534
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TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Noncodified (326.25.23.004)	2535
Noncodified (326.25.34.005)	2532
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TITLE 4. AGRICULTURE
TITLE 7. BANKING AND SECURITIES
TITLE 10. COMMUNITY DEVELOPMENT
TITLE 13. CULTURAL RESOURCES
TITLE 16. ECONOMIC REGULATION
TITLE 19. EDUCATION
TITLE 22. EXAMINING BOARDS
TITLE 25. HEALTH SERVICES
TITLE 28. INSURANCE
TITLE 31. NATURAL RESOURCES AND CONSERVATION
TITLE 34. PUBLIC FINANCE
TITLE 37. PUBLIC SAFETY AND CORRECTIONS
TITLE 40. SOCIAL SERVICES AND ASSISTANCE
TITLE 43. TRANSPORTATION