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TEXAS REGISTER

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TEXAS DOCUMENTS

In This Issue...

Rules concerning labor agencies proposed by the Texas Department of Labor and Standards

Substantive rules proposed by the Public Utility Commission

Cedar Creek Reservoir sewage facility regulations proposed by the Texas Water Quality Board

Local land and water conservation fund projects rules adopted by the Texas Parks and Wildlife Department

Pages 937 974
Volume 1, Number 30, April 16, 1976
Office of the Secretary of State

NOTES ON THE ISSUE

938

The Public Utility Commission of Texas is proposing rules which outline in detail the technical standards which must be met by utilities within its jurisdiction. Among the requirements are that utilities maintain adequate staff and equipment to provide efficient service. For instance, a telephone utility would be required to answer directory assistance calls witnin five seconds on an average monthly basis. This is the last of three installments of substantive rules proposed by the Public Utility Commission to be published in the *Register*.

In another action, the Public Utility Commission has adopted emergency rules which establish certification requirements for utilities. All utilities, with some exceptions, are required by the Public Utility Regulatory Act to receive certificates of public convenience and necessity from the commission by September 1, 1976, to provide service. The commission will begin certification hearings on April 26, 1976.

The State Department of Public Welfare has extended the effectiveness of its emergency rules on licensing requirements for day care and 24-hour care facilities. The rules will continue in effect on an emergency basis until August 28, 1976.

DPW has also proposed new rules which would establish requirements for education leave for its employees. The rules outline the assistance an employee would receive from the department while pursuing graduate studies in areas approved by the department, as well as the obligations of the employee and the department in such instances.

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

Artwork: Gary Thornton

TEXAS REGISTER

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Secretary of State

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Requests for Opinions

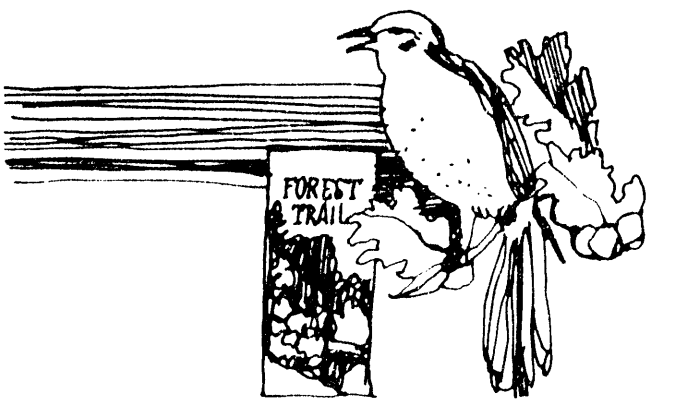
Summary of Request for Opinion RQ-1359

Request for opinion sent to Attorney General's Opinion Committee by Ron Clower, State Senator, Austin.

Summary of Request: May a city require a regulated utility to furnish information to it relating to the company's profits and losses outside the municipality's regulatory jurisdiction?

Filed: April 9, 1976, 9:42 a.m.

Doc. No. 761914



Summary of Request for Opinion RQ-1360

Request for opinion sent to Attorney General's Opinion Committee by Ron Jackson, Executive Director, Texas Youth Council, Austin.

Summary of Request:

(1) May the Texas Youth Council limit or restrict in any way the voting privileges of the presiding officer which has been selected by the board?

(2) Did the Texas Youth Council in its election of a presiding officer, namely Mrs. Robert M. Ayres, on November 20, 1975, elect that officer for a specific term of years where no reference was made to a specific term of years at the time of her election?

(3) In the event that your answer to (2) is that such term is for a specific term of years more than one year, may the Texas Youth Council Board by simple majority of a quorum alter the term of its presiding officer after the election of such presiding officer?

(4) May the Texas Youth Council at this time adopt rules or by-laws which have the effect of limiting the next chairman to a one year term with the qualification that such chairman may be reelected for an additional one year term and that an individual serving as chairman may not serve more than two successive one year terms?

Filed: April 9, 1976, 9:43 a.m.

Doc. No. 761915

Summary of Request for Opinion RQ-1361

Request for opinion sent to Attorney General's Opinion Committee by Bill Clayton, Speaker of the House of Representatives, Austin.

Summary of Request: May the legislature constitutionally provide that no agency rule is effective until approved by a majority vote of a committee of each house of the legislature?

Filed: April 9, 1976, 11:15 a.m.

Doc. No. 761916

Summary of Request for Opinion RQ-1362

Request for opinion sent to Attorney General's Opinion Committee by Kenneth D. Gaver, M.D., Commissioner, Texas Department of Mental Health and Mental Retardation, Austin.

Summary of Request: Under the provisions of the current appropriations bill does the Texas Board of Mental Health and Mental Retardation have the authority to allocate funds from the reserve fund of the Texas Department of Mental Health and Mental Retardation to the central office of this department for emergency purposes and for equipment, repairs, replacements and/or new construction?

Filed: April 9, 1976, 9:43 a.m.

Doc. No. 761917

Summary of Request for Opinion RQ-1363

Request for opinion sent to Attorney General's Opinion Committee by Barry Read, J. D., Executive Secretary, Texas State Board of Examiners of Psychologists, Austin.

Summary of Request:

(1) Would it now be impossible for a psychologist who was certified under the grandfather clause with a master's degree, and who has never received a doctorate, to be licensed under the Psychologists Certification and Licensing Act, Article 4512c, Vernon's Texas Civil Statutes, since the requirement of one year of postdoctoral experience could not be met? Or would the terms of the act at the time of certification control the qualifications necessary of licensure?

(2) Should a psychologist who was certified and licensed under the grandfather clause with a master's degree allow his certification to lapse for failure to renew under Section 17, would it be possible for him to regain his licensure without meeting the requirements of the act as presently amended? Or, again, would the provisions of the act at the time of licensure control the qualifications for reactivation of a lapsed license?

Issued in Austin, Texas, on April 8, 1976.

Doc. No. 761918 C. Robert Heath
Opinion Committee Chairman
Attorney General's Office

Filed: April 9, 1976, 9:45 a.m.

For further information, please call (512) 475-5445.

Opinions

Summary of Opinion H-806

Request for opinion sent to Attorney General's Opinion Committee by Wiley L. Cheatham, District Attorney, Cuero, concerning a judgment and probation order specifying indeterminate term of punishment.

Summary of Opinion: Where probation is utilized under Article 42.12, Code of Criminal Procedure, the judgment in a felony case should reflect a punishment fixed at a definite number of years and an order of probation should reflect a probationary period for a definite period of time.

Issued in Austin, Texas, on April 5, 1976.

Doc. No. 761878 C. Robert Heath
Opinion Committee Chairman
Attorney General's Office

Filed: April 8, 1976, 9:36 a.m.

For further information, please call (512) 475-5445.

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 are 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.

Numbering System-- Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the category of rules to which the rule belongs. The third unit (two digits) indicates the subcategory of rules, if any, within the category. The fourth unit (three digits) indicates the individual rule.

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

Department of Public Welfare

Day Care Licensing

The Department of Public Welfare has renewed the effectiveness of the following rules. Listed below are the subcategory titles, rule numbers, and docket numbers of the rules:

Standards for Child-Placing Agencies (Day Care Only)
326.90.01.001 .011
761891

Standards for Family Day Homes
326.90.02.001-.031
761892

Standards for Kindergartens and Nursery Schools
326.90.03.001-.034
761893

Standards for Schools, Kindergarten and Above
326.90.04.001-.033
761894

Standards for Day Care Centers
326.90.05.001-.035
761895

Standards for Registered Family Homes
326.90.06.001-.021
761896

Standards for Group Day Care Homes
326.90.07.001-.034
761897

Required Immunizations
326.90.08.001
761898

Forms and Tables
326.90.09.001-.002
761899

24 Hour Care Licensing

Standards for Child-Placing Agencies (24-Hour Care and Adoption)
326.91.01.001-.024
761900

Standards for Agency Homes
326.91.02.001-.008
761901

Standards for Foster Family Homes
326.91.03.001-.019
761902

Standards for Foster Group Homes
326.91.04.001-.026
761903

Standards for Halfway Houses
326.91.05.001-.029
761904

Standards for Institutions Serving Mentally Retarded Children
326.91.06.001-.031
761905

Standards for Institutions Providing Basic Child Care
326.91.07.001-.029
761906

Standards for Therapeutic Camps
326.91.08.001-.028
761907

Standards for Residential Treatment Centers
326.91.09.001-.030
761908

Standards for Emergency Shelters
326.91.10.001-.024
761909

Procedural Guide for Pharmaceutical Services in the Child-Caring Institution
326.91.12.001
761910

Daily Food Guide
326.91.13.001
761911

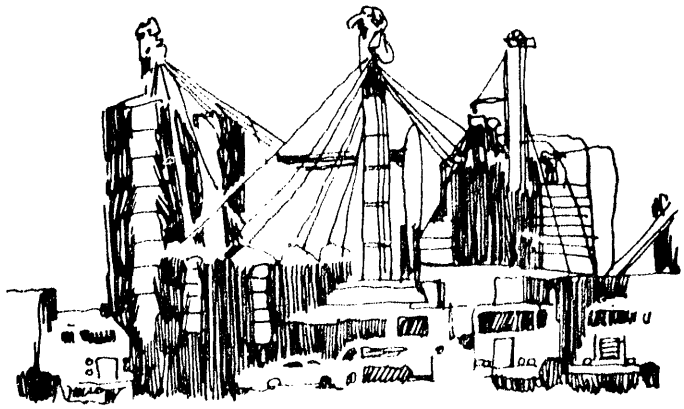
Issued in Austin, Texas, on April 8, 1976.

Doc. No. 761891

Raymond W. Vowell
Commissioner
State Department of Public Welfare

Effective Date: April 30, 1976
Expiration Date: August 28, 1976

For further information, please call (512) 475-4601.



Public Utility Commission

Substantive Rules

Certification 052.02.05

Because the commission will begin certification hearings on April 26, 1976, and must complete them by September 1, 1976, according to the Public Utility Regulatory Act, Article 1446c, Vernon's Annotated Civil Statutes, and because there are at least 3,000 utilities subject to the commission's certification jurisdiction, it is necessary that this emergency rule be enacted so that utilities subject to certification jurisdiction may prepare for the upcoming certification hearings as rapidly as possible and the commission may set and hold hearings more rapidly. Failure to enact this rule may cause the certification process to last beyond September 1, 1976, and this is forbidden by the Public Utility Regulatory Act, Section 50, Article 1446c.

This rule is promulgated under authority of Article 1446c, Vernon's Annotated Civil Statutes.

.056. Certification.

(a) Definitions. For purposes of this rule, the following definitions shall apply:

(1) Transmission lines: those lines which are used for bulk transmission of water, electricity, or sewage which are not normally used for serving the end user. For electric utilities, this includes all lines operated at 40,000 volts or above, when measured phase-to-phase.

(2) Interoffice trunks: those communication circuits which connect central offices.

(3) Distribution lines: those lines from which the end user may be provided direct service.

(b) Certificates for existing service area. For purposes of granting certificates of convenience and necessity for those facilities and areas in which a utility was providing service on September 1, 1975, or actively engaged in the construction, installation, extension, improvement of, or addition to any facility or system actually used or to be used in providing public utility service on September 1, 1975, unless found by the commission to be otherwise, the following rules shall prevail in determining the area boundaries for certification purposes:

(1) The water purification, storage, and pumping facilities and service area boundaries of a utility with such facilities in place or under construction as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and real property on which such facilities were actually located, dedicated, and used, or were under construction as of September 1, 1975.

(2) The sewage treatment, disposal, storage, and pumping facilities and service area boundaries of a utility with such facilities in place or under construction as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and real property on which such facilities were actually located, dedicated, and used, or were under construction as of September 1, 1975.

(3) The electrical generation or telephone central office facilities and service area boundaries of a utility with such facilities in place or under construction as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and real property on which the facilities were actually located, dedicated, and used, or were under construction as of September 1, 1975.

(4) The transmission or interoffice trunk facilities and service area boundaries of a utility with such facilities in place or under construction as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and a corridor extending 100 feet on either side of said transmission or interoffice trunk

facilities in place or under construction as of September 1, 1975.

(5) The facilities and service area boundaries of a radio-telephone utility shall be the facilities and real property on which the facilities were actually located, dedicated, and used, or in the process of construction, and the service area licensed by the appropriate regulatory authority on September 1, 1975.

(6) The facilities and service area boundaries for the following types of utilities providing distribution or collection service to any area, or in the process of being constructed or extended into an area, as of September 1, 1975, shall be limited, unless otherwise found by the commission, to the facilities and the area which lie within:

(A) two hundred feet of any point along a local service distribution and service drop line for telephone utilities;

(B) two hundred feet of any point along a distribution line, which is specifically deemed to include service drop lines, for electrical utilities;

(C) two hundred feet of any point along a distribution line for utilities furnishing potable water; and

(D) two hundred feet of any point along a collection line for utilities engaged in the collection, transportation, treatment, or disposal of sewage.

(c) Certificates for new service areas. Except for certificates granted under Section (b) herein, the commission may grant applications and issue certificates only after finding that the certificate is necessary for the service, accommodation, convenience, or safety of the public. The commission may issue the certificate as applied for, or refuse to issue it, or issue it for the construction of a portion only of the contemplated system or facility or extension thereof, or for the partial exercise only of the right or privilege. The commission may amend or revoke any certificate issued under this section upon a finding of fact that the public convenience and necessity requires such amendment or revocation. A certificate of convenience and necessity is not required for a contiguous extension of those facilities described in Section 51 of the Public Utility Regulatory Act, or the upgrading or construction of additional facilities within the certificated area of the utility; however, any such extension, upgrading, or construction involving an expenditure in excess of $25,000 must be reported to the commission, and the commission may require additional facts or call a public hearing thereon. A contiguous extension of the type mentioned in Section 51(a) of the act is an extension which does not cross the service area boundaries of another utility, either as set out in Section (b) of this rule or as granted by this commission on the basis of public convenience and necessity. A certificate of convenience and necessity is required for all other extensions of distribution facilities and for any extension of the following facilities into areas for which they have not been certificated for that purpose:

(1) new electric generating units;

(2) new electric transmission lines;

(3) telephone central offices;

(4) new telephone interoffice trunks;

(5) new water purification, storage, and pumping facilities, excluding water wells;

(6) new sewage treatment, disposal, storage, and pumping facilities;

(7) new water or sewer transmission lines.

(d) Transferability of certificates. Any certificate granted under this rule is not transferable without approval of the commission and shall continue in force until further order of the commission.

(e) Exclusiveness of certificate. Any certificate granted under this rule shall not be construed to vest exclusive service or property rights in and to the area certificated. The commission may grant, upon finding that the public convenience and necessity requires additional certification to another utility or utilities, additional certification to any other utility or utilities to all or any part of the area heretofore certificated hereunder.

(f) Certification forms. The commission shall adopt a form or forms which will facilitate the granting of certificates of convenience and necessity so that the granting of certificates, both contested and uncontested, will be expedited.

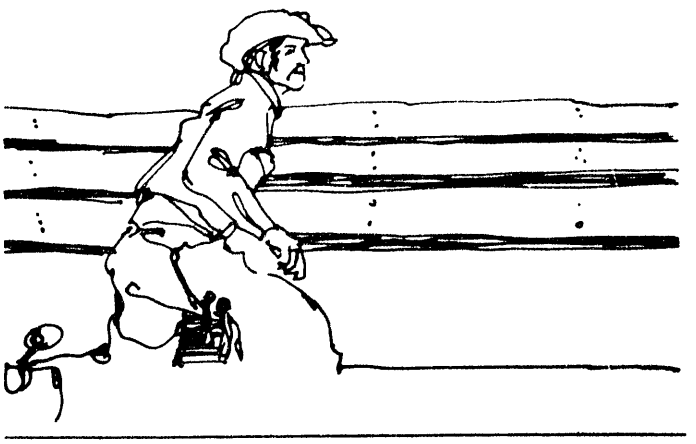
Issued in Austin, Texas, on April 2, 1976.

Doc. No. 761912

Roy J. Henderson
Director of Hearings
Public Utility Commission of Texas

Effective Date: April 9, 1976
Expiration Date: August 8, 1976

For further information, please call (512) 475-7901.



An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

Numbering System-- Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the category of rules to which the rule belongs. The third unit (two digits) indicates the subcategory of rules, if any, within the category. The fourth unit (three digits) indicates the individual rule.

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Texas Department of Labor and Standards

Employment Agency Division Rules

Rules Concerning Labor Agencies 063.22.10

The Texas Department of Labor and Standards is proposing to adopt Rules 063.22.10.001-.014 which set down requirements for the operation of a "labor agency" in the State of Texas.

It is our purpose in proposing Rules 063.22.10.001-.014 to set down standards for those persons licensed under Article 5221a-5, Texas Civil Statutes, which will facilitate our duty in carrying out the provisions of the statute and to provide a reference for the people of Texas to insure equal treatment for all under this law.

Public comment on proposed Rules 063.22.10.001-.014 is invited. Persons should submit their comments in writing to Larry E. Kosta, P.O. Box 12157, Capitol Station, Austin, Texas 78711.

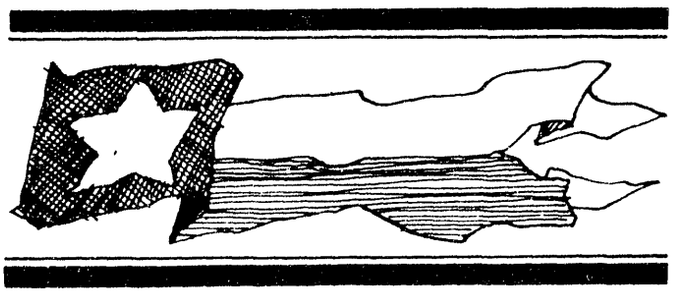
The purpose of Rule .001 is to expedite communication. The best method of this obviously is to contact the department directly in Austin. If this is not possible, the best alternative is to contact the department's local office. Rule .002 establishes a mailing list to insure that all interested persons are kept abreast of matters concerning Article 5221a-5, Texas Civil Statutes. Rule .003 apprises applicants that improperly completed forms will delay the licensing process, and Rule .004 establishes a uniform method for the public to make written complaints.

Rule .005 concerns the granting and procedure of hearings. The department feels that there may very well be circumstances when a hearing is in the best interest of justice for all parties concerned. At the same time, there may be no legal requirements to grant a hearing, yet the department should have the discretion to hold one if it feels it is necessary. The commissioner must, however, reserve the right to grant or deny such a hearing; otherwise, the department could end up having to hold more hearings than would be administratively possible. Additionally, the department needs to set forth the manner in which hearings will be held.

The purpose of Rule .006 is to clarify a matter of law to better advise those persons covered by the statute. The purpose of Rule .007 is to comply with the statutory intent to protect the citizens of Texas. In order to do this, labor agents who reside outside Texas and who are subject to all the laws of Texas when they operate in our state must be available for service of process in legal proceedings. To effectuate this purpose and intent, the out-of-state labor agent should be required to designate the commissioner as his agent for service of process, just as any individual from out of state designates the attorney general as his agent for service when he drives his automobile across the state line into Texas. Additionally, effort would always be made under this rule to give the out-of-state labor agent actual notice of legal process against him. This would be accomplished by forwarding the papers to the agent by registered mail. Under this rule, however, the out-of-state labor agent who did not maintain a current address with the department, as required by other rules, would nonetheless be legally and constitutionally put on notice of legal action against him by process being served on the commissioner.

The purpose of Rule .008 is simply to clarify Section 7, Article 5221a-5, Texas Civil Statutes, and to restate it for emphasis. Rule .009 is to help the department enforce the intent and purpose of the statute. The very nature of this regulated area would seem to make it mandatory that the department be constantly aware of the office locations of labor agents. Past developments have indicated that labor agents who have violated state laws have been extremely difficult or impossible to track down. The purpose of Rule .010 is to assist the department in the regulation of the act.

Rule .011 is to clarify Subsections (f) and (g), Section 7A, Article 5221a-5, Texas Civil Statutes, and Rule .012 is to clarify to those persons wishing to obtain a labor agency license the process for taking the examination.



Section 10, Article 5221a-5, Texas Civil Statutes, requires the display of a labor agent's license to all persons with whom he deals. The purpose of Rule .013 is to explain additional licenses and who is required to carry them. Subsection (e), Section 7A, Article 5221a-5, Texas Civil Statutes, requires a labor agent to carry insurance against liability for damage to persons or property arising out of the licensee's operation or ownership of vehicles used to transport workers in an amount satisfactory to the commissioner. The purpose of Rule .014 is to establish those amounts of liability insurance.

These rules are promulgated under the authority of Section 12A, Article 5221a-5, Texas Civil Statutes.

.001. Communication and Correspondence. All communication and correspondence regarding this law should be addressed to the Division of Employment Agencies, Texas Department of Labor and Standards, P.O. Box 12157, Capitol Station, Austin, Texas 78711. If this is inconvenient, the individual should go through the local office of the Texas Department of Labor and Standards.

.002. Notice List for Public Hearings. The department will notify all persons affected by such hearings in accordance with law. Any person wishing to receive a mailed notice of public hearings should contact the department in writing in order that they can be placed on a mailing list.

.003. Forms.

(a) Any forms or applications necessary for the issuance of a labor agency license which are improperly completed will be returned for the applicant's completion. Failure to satisfactorily complete all required forms will necessarily delay final action on a license application.

(b) The requirements for application, bonding, and occupation tax are described specifically in Section 3 and Section 4 of the Labor Agency Law, and applicants should consult these sections for requirements for licensing.

(c) If facts arise during investigation for licensure which raise doubt as to the applicant's eligibility for a license under the Labor Agency Law, the department will attempt to contact each applicant in order to further ascertain such facts so that a preliminary administrative decision in regard to licensure may be reached.

.004. Complaints. Under Section 5 of the Labor Agency Law, complaints concerning licensed or unlicensed labor agents should be filed with the commissioner of the Texas Department of Labor and Standards on forms to be provided on request. Such complaints must be sworn to before a notary public by the complainant.

.005. Hearings.

(a) At any time where the department is not required by law to provide administrative hearings to an applicant or a licensee, such individual may, on his or her own initiative, request a hearing before the department. This rule will only apply in uncontested cases and the granting of such a hearing will be at the sole discretion of the commissioner.

(b) When, after a written complaint as described in Section 5 of the Labor Agency Law is filed and a preliminary administrative determination is made by the department that a hearing should be held to cancel the license of a labor agent, or at any other time when the department is required by law to provide an administrative hearing, such hearing will be held in compliance with the hearing procedures in the Labor Agency Law and the Administrative Procedure and Texas Register Act.

.006. Prerequisite to Judicial Appeal. The administrative remedies as provided in the Labor Agency Law must be exhausted as a prerequisite to judicial appeal from any determination made by the department.

.007. Consent to Service. Labor agents who are not available for service of process within the State of Texas will designate the commissioner of the Texas Department of Labor and Standards as his or her agent for such service of process or pleadings. When such process is served, duplicate copies shall be filed in the office of the commissioner and the other immediately forwarded by registered mail to the labor agent's address of record for which the process or pleadings are directed. No default in proceedings or action shall be taken against any party under this rule unless it shall be made to appear by affidavit of the commissioner that a copy of the process or pleadings was mailed to the respondent as herein required.

.008. Subagents. Each labor agent must provide a complete list of all employees who assist that labor agent in any of the activities covered by the Labor Agency Law. This list must be revised on a monthly basis as to any terminations or new hires and such information may be filed with the nearest local office of the Texas Department of Labor and Standards.

.009. Transfer of Registered Office. Each labor agent should notify the department at least 24 hours before he changes the address of his registered office.

.010. Transportation of Workers Out of State. Each time a labor agent transports more then 20 common or agricultural workers out of the State of Texas in a common conveyance such as a bus or truck, he should notify the nearest office of the department at least 48 hours before departure of such vehicle. Such notice should include the time and place of departure, worksite destination of the vehicle, and license plate number of the vehicle.

.011. Vehicles Used for Transporting Workers.

(a) In every vehicle used for the transportation of employees, there must be conspicuously displayed a sign or poster listing the rate of compensation for the work to be performed by the transportees. This notice must be printed in both English and Spanish and the sign may be no less than 8-1/2 by 11 inches, or standard letter size, and the lettering will be no smaller than one-quarter inch. This notice must be displayed in the area of the vehicle where the workers ride and it must contain wage rates for all the types of work to be performed on the job and all necessary information regarding overtime pay.

(b) The wage rate notice as described must be posted in the transporting vehicle upon or before inception of the transporting trip to the job site. Any posting or notification of such information after the transportation has begun shall not be considered as being in compliance with this rule.

(c) All transporting vehicles as described in Subsection (g), Section 7A of the act, shall have prominently displayed at the entrance of the vehicle the name of the labor agent and the number of his labor agency license. The department defines "entrance" to mean the outside door of the vehicle by which the driver enters. The department requires that letters and numbers used must be at least two inches in height and of a size which is clearly discernible from a vehicle traveling parallel to the transporting vehicle.

.012. Examinations.

(a) Examinations pursuant to Subsection (c), Section 3 of this act, shall be given to the applicant in any office of the department within 96 hours after he has given written notice to the Austin office of the department that he is ready to take the examination.

(b) The fee for such examination shall be $25 per person per examination. An applicant may take the examination until he achieves a satisfactory score, but each retest will require a separate examination for which a $25 fee will be charged. Successful completion of this examination is a prerequisite of the issuance of a license under this statute.

.013. Duplicate License. Section 10(b) of the act requires the display of a duplicate license by labor agents. The department will furnish to each licensed labor agent a pocket size card for this purpose, and the card will contain the agent's photograph. Every subagent employed by the labor agent who carries out for his or her employer the duties of a labor agent as described in the act must carry a duplicate of such pocket card identifying his or her labor agent employer.

.014. Liability Insurance.

(a) Liability insurance as described in Subsection (e), Section 7A, must provide coverage for the licensee in not less than the following amounts:

All vehicles regardless of amount of passengers carried: Bodily injury to or death of one person-- $100,000; coverage for loss or damage in any one accident to property of others "excluding cargo"-- $50,000.

Operation of vehicle or vehicles designed for transportation of 12 or less passengers: Minimum limit for bodily injuries to or death of all persons injured or killed in any one accident-- $300,000.

Operation of vehicle or vehicles designed for transportation of more than 12 passengers: Minimum limit for bodily injuries to or death of all persons injured or killed in any one accident-- $500,000.

(b) Liability insurance as described in Subsection (e), Section 7A of the act, and above, may be purchased from any insurance carrier authorized to do business in the State of Texas.

(c) Since Section 7A(e) requires insurance coverage for vehicles operated or owned by a licensee for the transportation of workers, the department stresses that the insurance requirements apply to both owned and non-owned vehicles.

(d) Satisfactory evidence of insurance in force shall be filed with the department in connection with any license application or renewal.

(e) Satisfactory evidence that other insurance is in force which satisfied in whole or part the insurance coverage requirements will be accepted as showing compliance with the insurance requirement to the extent of such coverage. (Example: Licensees with existing workman's compensation insurance may meet part of the liability requirements of this act.)

Issued in Austin, Texas, on April 1, 1976.

Doc. No. 761933

Jackie W. St. Clair
Commissioner
Texas Department of Labor
and Standards

Proposed Date of Adoption: Indefinite

For further information, please call (512) 475-7026.

Public Utility Commission

Substantive Rules

Special Rules 052.02.05

Rules 052.02.00.051-.056 establish technical standards for telephone, radio-telephone, electric, water and sewage utilities, and establish criteria for certificates of convenience and necessity. Telephone directories shall be published annually and distributed to all main stations. Emergency information, as specified by the rules, must appear in the front of directories. Telephone utilities are expected to have an emergency reserve of power, and shall perform regular tests and inspections to meet service standards established by the commission. Electric utilities must meet voltage and frequency standards. Electric and water utilities have to meet technical standards on meter testing. Water and sewer services shall conform to standards established by other state agencies. A utility providing service to an area on September 1, 1975, is certificated for the facilities and areas which lie within 200 feet of the described facilities. Transmission or interoffice trunk facilities shall be certificated for an area extending 100 feet on either side of the line. Other service facilities shall be certificated for the facilities and the areas upon which the facilities are located. Requirements for obtaining certification for areas not receiving utility services are established. No certificate of convenience and necessity shall be construed as vesting exclusive service rights, nor shall it be transferred without the approval of the commission.

Comment on the proposed rules may be submitted in writing to Roy Henderson, Secretary, Public Utility Commission of Texas, P.O. Box 12577, Austin, Texas 78711.

These rules are proposed under the authority of the Public Utility Regulatory Act, Article 1446c, Vernon's Annotated Civil Statutes.

.051. Telephone Utilities.

(a) Definitions. For purposes of these rules, the following definitions shall apply to telephone utilities:

(1) Base rate area. A specific area within an exchange service area as set forth in the telephone utilities' tariffs, maps, or descriptions. Local exchange service within this area is furnished at uniform rates without extra mileage charges.

(2) Business service. A telecommunications service provided a customer where the use is primarily of a business, professional, institutional, or otherwise occupational nature.

(3) Busy hour. The two consecutive half-hours each day during which the greatest volume of traffic is handled in the office.

(4) Busy season. That period of the year during which the greatest volume of traffic is handled in the office.

(5) Central office. A switching unit in a telecommunications system which provides service to the general public, having the necessary equipment and operating arrangements for terminating and interconnecting customer lines and trunks or trunks only.

(6) Class of service. A description of telecommunications service furnished a customer which denotes such characteristics as nature of use (business or residence) or type of rate (flat rate or message rate). Classes of service are usually subdivided in "grades," such as individual or multi-party line.

(7) Customer trouble report. Any oral or written report from a customer or user of telecommunications service received by any utility relating to a physical defect or to difficulty or dissatisfaction with the service provided by the utility's facilities. One report shall be counted for each oral or written report received even though it may duplicate a previous report or merely involve an inquiry concerning progress on a previous report. Also, a separate report shall be counted for each telephone or PBX switchboard position reported in trouble when several items are reported by one customer at the same time, unless the group of troubles so reported is clearly related to a common cause.

(8) Exchange. A unit established by a telephone utility for the administration of telecommunications service in a specified area for which a separate local rate schedule is provided. It may consist of one or more central offices together with associated plant facilities used in furnishing telecommunications services in that area.

(9) Exchange service area. The geographical territory served by an exchange, usually embracing a city, town, or village and its environs.

(10) Grade of service. The number of parties (main stations) served on a telephone circuit such as individual or multi-party line.

(11) Intercept service. A service arrangement provided by the utility whereby calls placed to a disconnected or discontinued telephone number are intercepted and the calling party is informed by an operator or by a recording that the called telephone number has been disconnected, or discontinued, or changed to another number, or that calls are being received by another telephone, etc.

(12) Line. A circuit or channel extending from a central office to the customer's location to provide local exchange service. One line may serve one individual line customer, or all customers served by a multi-party line.

(13) Local calling area. The area within which telecommunications service is furnished customers under a specific schedule of exchange rates. A local calling area may include one or more exchange service

areas.

(14) Local exchange service. Telecommunications service provided within local exchange service areas in accordance with the tariffs. It includes the use of exchange facilities required to establish connections between stations within the exchange and between stations and the toll facilities serving the exchange.

(15) Local message. A completed call between stations located within the same local calling area.

(16) Local message charge. The charge that applies for a completed telephone call that is made when the calling station and the station to which the connection is established are both within the same local calling area, and a local message charge is applicable.

(17) Local service charge. The charge for furnishing facilities to enable a customer to send or receive telecommunications within the local service area. This local service calling area may include one or more exchange service areas.

(18) Long distance telecommunications service. That part of the total communication service rendered by a utility which is furnished between customers in different local service areas in accordance with the rates and regulations specified in the utility's tariff.

(19) Main station. A working central office or centrex telephone number that is assigned to a customer.

(20) Message. A completed customer telephone call.

(21) Message rate service. A form of exchange service under which all originated local messages are measured and charged for in accordance with the tariff.

(22) Primary service. That portion of the facilities necessary to communicate with a customer including central office equipment, circuit equipment, and one station, and excluding such items as extension stations, auxiliary gongs, bells, lights, and buzzers, etc.

(23) Private line. A circuit provided to furnish communication only between the two or more telephones or other terminal devices directly connected to it, and not having connection with either central office or PBX switching apparatus.

(24) Public telephone service. An individual line customer service equipped with a coin collecting telephone instrument installed for use of the general public in locations where the general public has access to these telephones.

(25) Regrade. An application for a different class and/or grade of service.

(26) Service line. Those facilities owned and maintained by a customer or group of customers, which lines are connected with the facilities of a telephone utility for communication service.

(27) Station. A telephone instrument or other terminal device.

(28) Trunk. A circuit facility connecting two central offices.

(29) Toll station. A telephone connected to a toll line or directly to a toll board.

(b) Directories.

(1) Telephone directories shall be published annually, listing the names, addresses, and telephone numbers of all customers, except public telephones and telephone services unlisted at customers' requests.

(2) Upon issuance, a copy of each directory shall be distributed for all main stations served by that directory and, if requested, one copy per station. A copy of each directory shall be furnished to the commission.

(3) The name of the telephone utility, an indication of the area included in the directory and the month and the year of issue shall appear on the front cover. Information pertaining to emergency calls such as for the police and fire departments shall appear conspicuously in the front part of the directory pages.

(4) The directory shall contain instructions concerning placing local and long distance calls, calls to repair and directory assistance services, and locations and telephone numbers of telephone company business offices as may be appropriate to the area served by the directory.

(5) Each telephone utility shall list each customer with directory assistance within 24 hours after service connection (except those numbers not listed at the customer's request) in order that the directory assistance operators can provide the requested telephone numbers based on customer names and addresses.

(6) All nonassigned telephone numbers in central offices serving more than 300 main stations shall be intercepted. Machine recordings, if used, shall include in the recorded message the exchange and central office prefix of the number reached.

(7) Disconnected residence telephone numbers shall not be reassigned for 30 days and disconnected business numbers shall not be reassigned for 30 days or the life of the directory, whichever is longer unless no other numbers are available to provide service to new customers.

(8) If a customer's number is incorrectly listed in the directory and if the incorrect number is a working number and if the customer to whom the incorrect number is assigned requests it, the number shall be changed at no charge.

(9) When additions or changes in plant or changes to any other utility operations necessitate changing telephone numbers to a group of customers, at least 30 days notice shall be given to all customers so affected even though the addition or changes may be coincident with a directory issue.

(c) Emergency operation.

(1) Each utility's central office shall contain as a minimum four hours of battery reserve without voltage falling below the level required for proper operation of all equipment. It is also essential that all

central offices have adequate provision for emergency power. In offices without installed emergency power facilities, there shall be a mobile power unit available which can be delivered and connected on short notice.

(2) In exchanges exceeding 5,000 lines, a permanent auxiliary power unit shall be installed.

(d) Inspections and tests.

(1) Telephone utilities shall adopt a program of periodic tests, inspections, and preventive maintenance aimed at achieving efficient operation of its system and rendition of safe, adequate, and continuous service.

(2) Each telephone utility shall maintain or have access to test facilities enabling it to determine the operating and transmission capabilities of all equipment and facilities. The actual transmission performance of the network shall be monitored in order to determine if the service objectives herein are met. This monitoring function shall include but not be limited to circuit order tests prior to placing trunks in service, routine periodic trunk maintenance tests, tests of actual switched trunk connections, periodic noise tests of a sample of customer loops in each exchange, and special transmission surveys of the network.

(3) Each central office serving more than 300 main stations shall be equipped with a 1,000 cycles per second, one milli-watt test signal generator and a 900 ohm termination wired to telephone numbers so that they may be accessed for dial test purposes. The commission shall be kept informed of the numbers assigned for these test terminations.

(e) Service objectives. These rules establish service objectives which should be provided by a telephone utility. The objective service levels are based on monthly averages, except for dial service and transmission requirements, which are based on specific samples. It is the objective of this commission that each telephone utility should make all reasonable efforts to meet the service requirements of each customer. Achieving the average service objectives stated herein does not relieve the telephone utility of the responsibility to strive to provide quality service at all times to all customers. It is recognized that there will be rare occasions where service objectives will not be met due to reasons completely beyond the control of the utility. It is expected, however, that utility management will exercise diligence and utilize all available technology and resources to provide high quality dependable service. Telephone utilities shall make measurements to determine the level of service for each item included in these rules. Each utility shall provide the commission with the measurements and summaries thereof for any of the items included herein on request of the commission. Records of these measurements and summaries shall be retained by the utility as specified by the commission.

(1) On rural lines, where multi-party service is provided, no more than eight main stations shall be connected to any one circuit, unless such action is approved by the commission. The telephone utility may regroup main stations in such a way as may be necessary to carry out provisions of this rule. Upon completion or delay in the meeting of this requirement, a report to that effect shall be filed with the commission.

(2) Installation of service.

(A) Ninety percent of the utility's regular service order installations shall be completed within seven days. Ninety-five percent of the utility's primary service orders shall be completed within seven days. The completion date shall be seven days from the date of application, the date on which service was requested, or the date the applicant qualifies for services, whichever is later.

(B) A held regrade order is one not filled within 30 days after the customer has made application for a different grade of service except where the customer requests a later date. In the event of the utility's inability to so fill such an order, the customer will be advised and furnished the date when it will be available. The number of held regrade orders shall not exceed one percent of the total number of stations served.

(C) Ninety percent of the utility's commitments to customers as to the date of installation of regular service orders shall be met excepting customer caused delays.

(3) Operator handled calls.

(A) Telephone utilities shall maintain adequate personnel to provide an average operator answering performance as follows on a monthly basis:

i. Ninety percent of toll and assistance operator calls answered within ten seconds, or average answer time shall not exceed three seconds.

ii. Ninety percent of repair service calls, calls to the business office and other calls shall be answered within 20 seconds (equivalent measurements may be used).

iii. Eighty-five percent of directory assistance calls shall be answered within 10 seconds or the average answer time shall not exceed five seconds.

(B) An "answer" shall mean that the operator or representative is ready to render assistance and/or ready to accept information necessary to process the call. An acknowledgement that the customer is waiting on the line shall not constitute an "answer."

(4) Local dial service. Sufficient central office capacity and equipment shall be provided to meet the following requirements during the busy season:

(A) Dial tone within three seconds on 98 percent of calls.

(B) Completion of 99 percent of intraoffice calls (those calls originating and terminating within the same central office building) without encountering an equipment busy condition (blockage) or equipment failure.

(5) Local interoffice dial service. Local interoffice trunks shall be provided and maintained so that 98 percent of the interoffice local calls are completed without encountering equipment busy conditions or equipment failures.

(6) Direct distance dial service. Engineering and maintenance of the trunk and related switching components in the toll network shall be such as to permit 95 percent completion on properly dialed calls, without encountering blockages or equipment irregularities.

(7) Customer trouble report.

(A) Service shall be maintained in such a manner that the average monthly rate of all customer trouble reports per month per 100 stations does not exceed 10 in exchanges serving fewer than 300 main stations, eight in exchanges serving between 300 and 2,000 main stations, and six in exchanges serving over 2,000 main stations.

(B) Out of service reports. An out of service report is an initial customer report in which there is complete interruption of incoming and/or outgoing service. On multiple line services a failure of one central office line or a failure in common equipment affecting all lines is considered out of service. If an extension failure in a residence does not result in the complete inability to receive or initiate calls at the residence, the report is not considered out of service. At least 90 percent of out of service trouble reports shall be cleared within 24 hours.

(8) Transmission requirements. All trunk facilities shall conform to accepted transmission design factors and shall be maintained to meet the following objectives when measured from line terminals of the originating central office to the line terminals of the terminating central office:

(A) Interoffice local calls. All measurements should have from two to 10 decibels loss and no more than 30 decibels above reference noise level ("C" message weighting).

(B) Direct distance dialing. All transmission measurements should have from three to 12 decibels loss and no more than 33 decibels above reference noise level ("C" message weighting).

(f) Service observing. Before any business telephone customer utilizes service observing equipment to monitor calls originated by or received at the business telephones, the customer must agree in writing to inform all employees that calls over the business telephones are subject to being monitored.

.052. Electric Utilities.

(a) Location of meters. Meters and service switches in conjunction with the meter shall be installed in accordance with the latest revision of American National Standards Institute, Incorporated, standard C12 (American National Code for Electricity Metering) or other standards as may be prescribed by the commission, and will be readily accessible for reading, testing, and inspection, and where such activities will cause minimum interference and inconvenience to the customer. Customer shall provide, without cost to the utility, at a suitable and easily accessible location, sufficient and proper space for installation of meters and other apparatus of utility, together with meter board or socket, meter loop and safety service switches when required. All meters installed after the effective date of these rules shall be located as set forth herein, provided that, where installations are made to replace meters removed from service, this section shall not operate to require any change in meter locations which were established prior to the effective date of these rules, unless the utility finds that the old location is no longer suitable or proper, or the customer desires that the location be changed. Where the meter location on the customer's premises is changed at the request of the customer, or due to alterations on customer's premises, the customer shall provide and have installed at his expense, all wiring and equipment necessary for relocating the meter.

(b) Meter testing facilities and equipment.

(1) Laboratory equipment. Each utility furnishing metered electric service shall, either with its own facilities or an independent service company, provide such meter laboratory, standard meters, instruments, and other equipment and facilities as may be necessary to make the meter tests required by these rules. Such equipment and facilities shall generally conform to American National Standards Institute, Incorporated, standard C12 unless otherwise prescribed by the commission, and shall be acceptable to the commission and shall be available at all reasonable times for the inspection by its authorized representatives.

(2) Portable standards. Each utility furnishing metered electric service shall, unless specifically excused by the commission, provide such portable test instruments for testing billing meters.

(3) Reference standards. Each utility, either with its own facilities or those of an outside service company, shall provide suitable indicating electrical instruments as reference standards for insuring the accuracy of shop and portable instruments used for testing billing meters.

(4) Testing of reference standards. Reference standards of all kinds shall be submitted at least once each year to a standardizing laboratory of recognized standing, for the purpose of test and adjustment.

(5) Calibration of test equipment. All shop and portable instruments used for testing billing meters shall be calibrated by comparing them with a reference standard at least every 60 days during the time such test instruments are being regularly used. Test equipment shall at all times be accompanied by a certified

calibration card signed by the proper authority, giving the date when it was last certified and adjusted. Records of certifications and calibrations shall be kept on file in the office of the utility.

(c) Accuracy requirements for meters.

(1) Calibration limits. No watt-hour meter that has an error in registration of more than plus or minus one and one-half percent of full scale, or demand meter that has an error of plus or minus two percent of full scale, shall be placed or left in service. Whenever on installation, periodic or other tests, a meter is found to exceed these limits, it shall be adjusted.

(2) Adjustments. Meters shall be adjusted as closely as practicable to the condition of zero error. The tolerances are specified only to allow for necessary variations.

(d) Meter tests prior to installation. No meter shall be placed in service unless its accuracy has been established. If any meter shall have been removed from actual service and replaced by another meter for any purpose whatsoever, it shall be properly tested and adjusted before being placed in service again.

(e) Testing of meters in service. Meter test periods for all types of meters shall conform to the latest edition of American National Standards Institute, Incorporated, standard C12 unless specified otherwise by the commission. If the statistical sampling method is used for testing self-contained single-phase watt-hour meters, the method of sampling, the results of the tests, and any corrective action planned by the utility shall be reported annually to the commission.

(f) Voltage variation.

(1) Standard voltage to be adopted. Each utility shall adopt a standard nominal voltage or standard nominal voltages (as may be required by its distribution system) for its entire constant voltage service or for each of the several districts into which the system may be divided. The standard voltage or voltages shall be stated in the rules and regulations of each utility, and shall be measured at the customer's service entrance.

(2) Nominal voltage limitations. Each utility shall so far as practicable maintain its standard voltage within the following limits:

(A) Residential and commercial. For residential and commercial service, the voltage shall be plus or minus five percent of the standard adopted.

(B) Power service. For service rendered primarily for power purposes, the voltage variation shall be plus or minus ten percent of the standard adopted.

(C) Greater variations permitted. A greater variation of voltage than above specified may be allowed in the case of emergency service, or where provided for in contract, or in a limited or extended area where customers are widely scattered and the business does not justify the above voltage regulations. In such cases, the best voltage regulation shall be provided that is practicable under the circumstances. Variations in voltage in excess of those specified caused by action of the elements, operation of power apparatus on customers' premises which necessarily require large starting currents, and infrequent and unavoidable fluctuations of short duration due to station or system operation shall not be considered violations of this rule.

(g) Frequency variation. Each utility supplying alternating current shall adopt a standard frequency of 60 cycles per second. This frequency shall be maintained at all times within one-tenth cycle per second above and below the standard, except that infrequent and unavoidable fluctuations shall not be considered a violation of this rule. Necessary adjustments due to frequency deviation will be made such that electric clocks on the system will remain accurate.

(h) Voltmeters and voltage surveys.

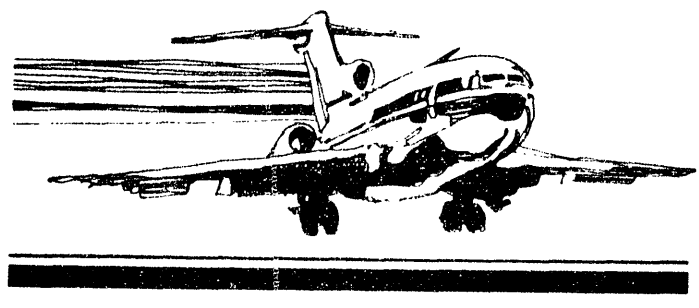
(1) Voltmeters. Each utility shall provide, maintain, and use portable voltmeters for testing voltage regulation, and utilities serving more than 250 meters shall provide, maintain, and use one or more portable recording voltmeters. These instruments shall be of a type and capacity suited to the voltage supplied.

(2) Voltage surveys. Each utility shall make a sufficient number of voltage surveys to adequately measure the character of service furnished its customers and to satisfy the commission of its compliance with the voltage requirements. Utilities having recording voltmeters shall keep at least one of these voltmeters in continuous service for the same purpose.

(i) Station meters, instruments, and records.

(1) Station meters. Each utility shall maintain such instruments and meters at each generating station as may be necessary to obtain a record of the output as required, and to show the character of service being rendered therefrom. Each utility purchasing electric energy shall maintain such instruments and meters as may be necessary to obtain full information as to purchases, unless this information is metered and furnished by the utility supplying the energy.

(2) Record of station output and purchases of energy. Each utility shall keep a daily record of the load and a monthly record of the output of its plants.



.053. Water Utilities.

(a) Definitions. For purposes of these rules, the following definitions shall apply to water utilities:

(1) Main. A water pipe, owned, operated, and maintained by a utility, which is used for the purpose of transmission or distribution of water, but is not a water service pipe.

(2) Service pipe. A pipe connecting the main and the customer's place of consumption.

(b) Quality of product. Each utility shall furnish water which conforms to the standards for drinking water as established by the State of Texas.

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

(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 approved agency equipped to test meters in compliance with these rules.

(3) The utility's meter test shop shall insofar as practicable simulate the actual service conditions of temperature, inlet pressure, and outlet pressure. It shall be provided with the necessary fittings, including a quick action valve for controlling the starting and stopping of the test and a device for regulating the flow of water through the meter under test within the requirement of these rules.

(4) The overall accuracy of the test equipment and test procedures shall be sufficient to enable test of service meters within the requirements of these rules. In any event, the inherent overall accuracy of the equipment shall permit test with an overall error not to exceed three-tenths of one percent.

(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) When basic standards are used for meter test, they shall be of a capacity sufficient to insure accurate determination of accuracy and shall be subject to the approval of the commission.

(3) By special permission of the commission 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 60 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 it overregisters more than one and one-half percent at any test flow.

(g) Service connections.

(1) Ownership of service pipe.

(A) The utility shall furnish and install, for the purpose of connecting its distribition 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.

.054. Sewer Utilities.

(a) Definitions. For purposes of these rules, the following definitions shall apply to sewer utilities:

(1) Main. A sewerage pipe, owned, operated, or maintained by a sewer utility, used to transport sewage, and is not a service pipe.

(2) Service pipe. A pipe connecting the customer's premises to the main, and which receives sewage from the customer's premises.

(3) Sewage. Ground garbage, human and animal, and all other domestic type waste normally disposed of through the sanitary drainage system.

(b) Adequacy of service. The utility's facilities for the collection, treatment, and disposal of sewage must be sufficiently sized to meet all normal demands for service and provide a reasonable reserve for emergencies.

(c) Service pipe maintenance.

(1) Utility maintenance. The utility shall maintain its collection system and appurtenances to prevent blockages.

(2) Customer maintenance. The service pipe and appurtenances shall be constructed in accordance with the laws and regulations of the State of Texas, local plumbing codes, or, in the absence of such local codes, the National Plumbing Code, or other standards as prescribed by the commission. It shall be the customer's responsibility to maintain the service pipe and appurtenances in good operating condition.

(d) Charges for sewage service. It is not a requirement for the utility to use meters to measure the quantity of sewage disposed by individual customers. When a sewer utility is operated in conjunction with a water utility which serves the same customers, the charge for sewage disposal service may be based on the consumption of water as registered on the customer's water meter. Where measurement of water consumption is not available, the utility shall use the best means available for determining the quantity of sewage disposal service used. A method of separating customers by class shall be adopted so as to apply rates which will accurately reflect the cost of service to each class of customer.

(e) Adequacy of treatment. Each utility shall maintain and operate a treatment facility of adequate size and properly equipped to treat sewage and discharge the effluent at the degree of purity required by the laws and regulations of the State of Texas.

(f) 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 departments of health, local ordinances, and all other regulatory agencies having jurisdiction over such matters.

.055. Radio-Telephone Utilities. Radio-telephone utilities shall adopt and file with the commission service rules which are consistent, nondiscriminatory, and subject to the approval of the commission.

.056. Certification.

(a) Definitions. For purposes of this rule, the following definitions shall apply:

(1) Transmission lines. Those lines which are used for bulk transmission of water, electricity, or sewage which are not normally used for serving the end user. For electric utilities, this includes all lines operated at 40,000 volts or above, when measured phase-to-phase.

(2) Interoffice trunks. Those communication circuits which connect central offices.

(3) Distribution lines. Those lines from which the end user may be provided direct service.

(b) Certificates for existing service area. For purposes of granting certificates of convenience and necessity for those facilities and areas in which a utility was providing service on September 1, 1975, or actively engaged in the construction, installation, extension, improvement of, or addition to, any facility or system actually used or to be used in providing public utility service on September 1, 1975, unless found by the commission to be otherwise, the following rules shall prevail in determining the area boundaries for certification purposes:

(1) The facilities and service area boundary of utility with water purification storage and pumping facilities in place or under construction as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and real property on which such facilities were actually located, dedicated, and used as of September 1, 1975.

(2) The facilities and service area boundary of a utility with sewage treatment, disposal, storage, and pumping facilities in place or under construction as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and real property on which such facilities were actually located, dedicated, and used as of September 1, 1975.

(3) The facilities and service area boundary of a utility with electrical generation or telephone central office facilities in place or under construction as of September 1, 1975, shall be limited, unless otherwise provided, to the facilities and real property on which the facilities are actually located, dedicated, and used as of September 1, 1975.

(4) The facilities and service area boundary of a utility with transmission or interoffice trunk facilities in place or under construction as of September 1, 1975, shall be, unless otherwise provided, the facilities and a corridor extending 100 feet on either side of said transmission or interoffice trunk facilities in place or under construction as of September 1, 1975.

(5) The facilities and service area boundary of a radio-telephone utility shall be the facilities and real property on which the facilities are actually located, dedicated, and used or in the process of construction and the service area licensed by the appropriate regulatory authority on September 1, 1975.

(6) The facilities and service area boundary for the following types of utilities providing distribution or collection service to any area, or in the process of constructing or extending into an area, as of September 1, 1975, shall be, unless otherwise found by the commission, the facilities and the area which lie within:

(A) Two hundred feet of any point along a local service distribution and service drop line for telephone utilities;

(B) Two hundred feet of any point along a distribution line, which is specifically deemed to include service drop lines, for electrical utilities;

(C) Two hundred feet of any point along a distribution line for utilities furnishing potable water; and

(D) Two hundred feet of any point along a collection line for utilities engaged in the collection, transportation, treatment, or disposal of sewage.

(c) Certificates for new service areas. Except for certificates granted under Section (b) herein, the commission may grant applications and issue certificates only after finding that the certificate is necessary for the service, accommodation, convenience, or safety of the public. The commission may issue the certificate as applied for, or refuse to issue it, or issue it for the construction of a portion only of the contemplated system or facility or extension thereof, or for the partial exercise only of the right of privilege. The commission may amend or revoke any certificate issued under this section upon a finding of fact that the public convenience and necessity requires such amendment or revocation. A certificate of convenience and necessity is not required for a contiguous extension of those facilities described in Section 51 of the Public Utility Regulatory Act, or the upgrading or construction of additional facilities within the certificated area of the utility; however, any such extension, upgrading, or construction must be reported to the commission, and the commission may require additional facts or call a public hearing thereon. A contiguous extension of the type mentioned in Section 51(a) of the act is an extension which does not cross the service area boundaries of another utility, either as set out in Section (b) of this rule, or as granted by this commission on the basis of public convenience and necessity. A certificate of convenience and necessity is required for all other extensions of distribution facilities and for any extension of the following facilities into areas for which they have not been certificated for that purpose:

(1) New electric generating units;

(2) New electric transmission lines;

(3) Telephone central offices;

(4) New telephone interoffice trunks;

(5) New water purification, storage, and pumping facilities excluding water wells;

(6) New sewage treatment, disposal, storage, and pumping facilities;

(7) New water or sewer transmission lines.

(d) Transferability of certificates. Any certificate granted under this rule is not transferable without approval of the commission and shall continue in force until further order of the commission.

(e) Exclusiveness of certificate. Any certificate granted under this rule shall not be construed to vest exclusive service or property rights in and to the area certificated. The commission may, upon finding that the public convenience and necessity requires additional certification to another utility or utilities, grant additional certification to any other utility or utilities to all or any part of the area heretofore certificated hereunder.

(f) Certification forms. The commission shall adopt a form or forms which will facilitate the granting of certificates of convenience and necessity so that the granting of certificates, both contested and uncontested, will be expedited.

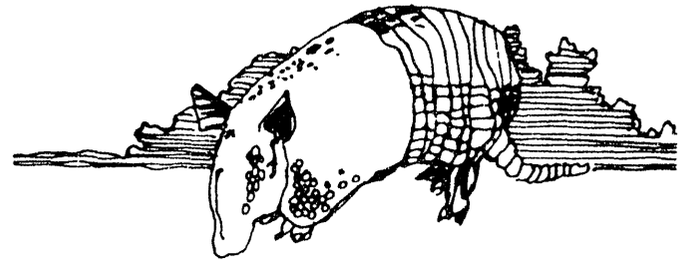
Issued in Austin, Texas, on April 2, 1976.

Doc. No. 761800

Roy J. Henderson
Director of Hearings
Public Utility Commission of Texas

Proposed Date of Adoption: May 16, 1976

For further information, please call (512) 475-7901.



State Department of Public Welfare

General Information

Temporary Adoptions

326.01.01.001

The Department of Public Welfare proposes to amend its rule which adopts by reference the *Aid to Families with Dependent Children (AFDC) Handbook* to reflect the proposed addition of Section 4110.

The new section outlines the procedures for an eligibility worker to follow in obtaining verification of the 20 percent social security benefit increase of October, 1972, when processing a Type Program 03 application. Type Program 03 is a medical benefits only program which allows applicants a special deduction if they received both public assistance and social security benefits in October, 1972. The verification procedure

stresses the use of existing departmental information resources, for reasons of efficiency and validity.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 194, State Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701, within 30 days of the publication of this *Register*.

This amendment is proposed under the authority of Article 695c, Texas Civil Statutes.

.001. AFDC Handbook. The Department of Public Welfare adopts by reference the rules contained in the policy and procedure narrative sections of the *AFDC Handbook* ***as amended in April, 1976.***

Issued in Austin, Texas, on April 9, 1976.

Doc. No. 761930

Raymond W. Vowell
Commissioner
State Department of Public Welfare

Proposed Date of Adoption: May 16, 1976

For further information, please call (512) 475-4601.

326.01.01.006

The Department of Public Welfare proposes to amend its rules adopting by reference the *Medicaid Eligibility Handbook* to reflect revision to one section and the addition of another.

Section 3432 defines fixed income, and the revision occurs in the part describing social security benefits. The medicare premium, mentioned for the eligibility worker's information, is changed from $6.70 to $7.20 to coincide with the actual change being enacted by the Social Security Administration (SSA) effective July 1, 1976.

Proposed Section 5312, SSI Payment Placed in Suspense, instructs medical eligibility workers how to determine the status of a Supplemental Security Income (SSI) case which has been placed in suspense and also directs that individual recipient inquiries should be referred to the Social Security Administration. The worker's ability to provide accurate information and referral facilitates the reinstatement of benefits to the recipient. The placement and numbering of this new section would result in some renumbering of the sections immediately following it.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 204/214, Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701, within 30 days of the publication of this *Register*.

This amendment is proposed under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.006. Medicaid Eligibility Handbook. The Department of Public Welfare adopts by reference the rules contained in the policy and procedures narrative sections of the *Medicaid Eligibility Handbook* ***as amended in April, 1976.***

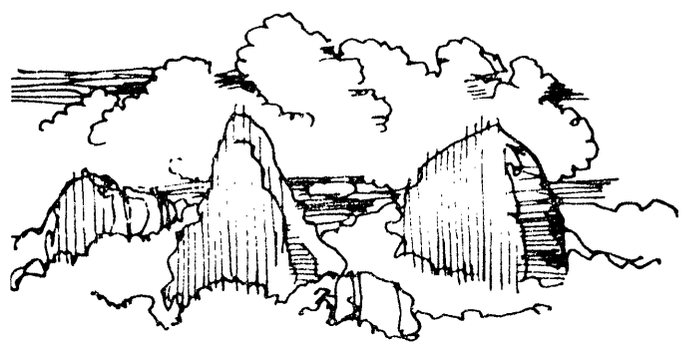
Issued in Austin, Texas, on April 9, 1976.

Doc. No. 761931

Raymond W. Vowell
Commissioner
State Department of Public Welfare

Proposed Date of Adoption: May 16, 1976

For further information, please call (512) 475-4601.



Texas Water Quality Board

Private Sewage Facility Regulations

Cedar Creek Reservoir 130.12.22

The Texas Water Quality Board is proposing to adopt regulations regarding the installation of private sewage facilities, including septic tanks, in the area surrounding and adjacent to Cedar Creek Reservoir in Kaufman and Henderson Counties, Texas. The proposed regulations will require all new private sewage facilities to be licensed, and to reasonably conform to the minimum standards as set out in *A Guide to the Disposal of Household Sewage*, published by the Texas Department of Health Resources.

Cedar Creek Reservoir is located approximately two miles south of the City of Kemp, near the Trinity River in Kaufman and Henderson Counties. The lake is used for a water supply by the City of Fort Worth and other communities and for recreation. These purposes require maintenance of the water quality in the lake equal to or in excess of the Water Quality Standards of this portion of the Trinity River as adopted by the Texas Water Quality Board. Among the potential sources of water pollution which must be controlled in order to maintain these standards of water quality is the disposal of sewage from individual dwellings, motels, marinas, and other such developments surrounding the reservoir.

Sewage discharged into organized waste collection, treatment, and disposal systems is regulated through the permit system of the board. The regulation of sewage discharged in the private sewage facilities is the special concern of this proposed order because the area surrounding Cedar Creek Reservoir is experiencing an increase in population density. This regulation and control is needed to protect the quality of the waters of Cedar Creek Reservoir.

A public hearing will be held on Wednesday, May 5, 1976, 2 p.m., at the Municipal Building (City Hall) at Seven Points in Henderson County (center of town adjacent to Highway 85).

Any comments concerning this matter may be sent to Joe O'Neal, Attorney, Texas Water Quality Board, P.O. Box 13246, Capitol Station, Austin, Texas 78711, or by telephoning (512) 475-7851.

These rules are proposed by the Texas Water Quality Board under the authority of Section 21.083 of the Texas Water Code.

.001. Definitions.

(a) "District" means the Tarrant County Water Control and Improvement District No. 1.

(b) "Board" means the Texas Water Quality Board.

(c) "Executive Director" means the executive director of the Texas Water Quality Board.

(d) "Cedar Creek Reservoir" means the lake near the Trinity River in Kaufman and Henderson Counties, approximately two miles south of the City of Kemp.

(e) "Sewage" means waterborne human or other domestic waste.

(f) "Organized disposal system" means any public or private system for the collection, treatment, and disposal of sewage operated in accordance with the terms and conditions of a permit from the Texas Water Quality Board.

(g) "Private sewage facility" means all facilities, systems, and methods used for the disposal of sewage, other than disposal systems operated under a permit issued by the board.

(h) "Holding tank" means a vented, watertight tank designed for temporary holding of sewage and so constructed as to prevent the removal of the sewage except by pumping therefrom for delivery to an approved sewage disposal system.

(i) "Subdivision" means

(1) a subdivision which has been platted and recorded with the county clerk of the county or counties in which the land lies, or which is required by statute to be so platted and recorded; or

(2) any four or more adjoining lots or tracts, each of which is less than two acres in size.

(j) "msl" is an abbreviation for mean sea level.

.002. Regulated Area. The regulated area is the area for which this regulation applies. This area is defined as all the area in Cedar Creek Reservoir Watershed bounded by a line with all points on that line being a distance of 2,000 feet from the nearest point on the 325' msl contour line, measured horizontally away from the reservoir. The regulated area also includes all the area of the lake bed to the 325' msl contour line, and all islands.

.003. Regulations Controlling the Discharge of Sewage Within the Regulated Area. All sewage disposal within the regulated area shall be in accordance with one of the following types of authorization:

(a) sewage discharged into an organized waste disposal system or other facility operating under a valid permit issued by the board;

(b) sewage discharged into a private sewage facility licensed in accordance with the regulations contained in this order, or sewage discharged into an alternate type of private sewage facility which meets the standards of the Texas Department of Health Resources and licensed by the district; or

(c) sewage discharged into a private sewage facility registered in accordance with the terms and conditions of this order.

.004. Licensing Functions. The Tarrant County Water Control and Improvement District No. 1 is designated by the board to perform all licensing functions of this order.

The district shall have the following powers:

(1) to make reasonable inspections of all private sewage facilities located or to be located within the area covered by this order; and

(2) to perform all duties necessary to meet the requirements of this order.

.005. Licensing Requirements for New Private Sewage Facilities.

(a) Private sewage facilities installed after the effective date of this order within the boundaries of the regulated area must meet the following requirements:

(1) A license must be obtained for the use of these facilities from the district.

(2) The lot or tract which the private sewage facilities will serve must be at least 15,000 square feet in size, except that any lot or tract platted and recorded prior to October 1, 1975, must contain at least 4,000 square feet.

(b) All private sewage facilities to be installed or constructed after the effective date of this order should reasonably conform to the minimum standards as contained in the latest edition of *A Guide to the Disposal of Household Sewage*, published by the Texas Department of Health Resources, which is available from the Tarrant County Water Control and Improvement District No. 1 offices located in Fort Worth, or at Cedar Creek Reservoir.

(c) Septic tanks for nonresidential institutions (motels, tourist camps, tourist courts, hospitals, service stations, etc.) to be installed or constructed after the effective date of this order should reasonably conform to the standards contained in *Notes on the Design of Septic Tank Systems for Nonresidential Institutions*, which is an addendum to *A Guide to the Disposal of Household Sewage.*

(d) Terms for Licenses of New Private Sewage Facilities.

(1) Any license issued under the authority of this order will be transferred to a succeeding owner and such license will continue in existence, provided the new owner applies to the district and provided there is no significant change in the amount or quality of waste to be placed in the private sewage facility. The district will charge a transfer fee whenever a license is transferred to a succeeding owner.

(2) Application forms for licenses may be obtained from the district. In order to initiate an application, a completed application form together with the appropriate fee shall be filed with the district.

(3) The district will cause to be performed such inspections and tests as may be deemed necessary as soon as practicable.

(4) Upon a finding by the district that use of the private sewage facility will not cause pollution or injury to the public health and is not in conflict with the terms and regulations of this order, a license will be issued.

(5) Upon a finding by the district that the private sewage facility will not be licensed, the applicant shall be notified in writing of that finding and of the nature of the faults which prevent licensing.

.006. Approval of Subdivision Plans for Private Sewage Facilities.

(a) Any developer or other interested person desiring to create a subdivision using private sewage facilities must obtain approval from the district of his plan for sewage disposal. He must fulfill the following requirements:

(1) A plat of the proposed subdivision must be filed with, approved by, and recorded by the county commissioners court of the county in which it is located.

(2) An application for approval of the subdivision sewage disposal plan and appropriate filing fee shall be submitted to the district.

(3) The developer shall inform each prospective buyer that the subdivision is subject to all of the terms and conditions of this order, that a license will be required for any private sewage facility constructed in the subdivision, and that a sewage disposal plan has been filed for the subdivision and that the areas suitable for private sewage facilities have been defined.

(4) If investigation pursuant to this section reveals that a lot is not suitable for use of private sewage facilities, the prospective buyer shall be so notified.

(b) The district will cause to be performed the necessary tests (minimum of one percolation test per lot) and inspections to determine whether the subdivision can be served with private sewage facilities, such tests to be at the expense of the developer.

By direction of the district, all or part of the tests may be performed by an engineering firm or soils testing laboratory approved by the district. The district will notify the developer of the findings of its examination and will point out any deficiencies in the plan for sewage disposal. Specifically, the district will notifty the developer of any areas not suitable for use of private sewage facilities and whether the proposed developmental density is consistent with the use of private sewage facilities. Approval of a subdivision plan for sewage disposal does not constitute a license for a specific private sewage facility. An approved plan is, however, a prerequisite for obtaining a private sewage facility license in a subdivision.

.007. Existing Private Sewage Disposal Systems.

(a) Private sewage disposal facilities existing within the regulated area as of the date of adoption of this order are not required to be licensed provided the facility is not causing pollution or injury to public health.

(b) If a system in existence before the effective date of this order is found to be malfunctioning, the authority shall require correction and licensing as a new system in accordance with Rule .005.

(c) Private sewage disposal facilities existing within the regulated area as of the date of adoption of this order must be licensed as a new facility if the facility is substantially or materially altered.

.008. Connection of Private Sewage Facilities to Organized Waste Collection, Treatment, and Disposal Systems.

(a) In order to implement the stated policy of the

legislature and the board that the development and use by interested and affected parties of organized waste collection, treatment, and disposal systems to serve the waste disposal needs of the citizens of the state and to prevent pollution and maintain and enhance the quality of the water in the state should be encouraged, the board makes the following requirements:

(1) No license shall be issued for any private sewage facility when any part of the facility is closer than 300 feet in horizontal distance to an organized waste collection, treatment, and disposal sytem capable of serving in lieu thereof; rather, the facility shall be connected to the organized system.

(2) Whenever an organized system with service capability is developed within 300 feet in horizontal distance from any part of a private sewage facility, that facility shall be connected to the organized system.

.009. Terms and Conditions for Granting Exceptions. The board intends that the regulations contained in this order shall be enforced but realizes that certain individual situations may require the granting of an exception to the requirements contained in the order so that hardships may be avoided. Therefore, the following terms and conditions are established:

(a) Any person desiring an exception shall file an application with the district for its analyses of the situation.

(b) The district shall review the application and issue a statement either granting or denying the application. When an application is denied, the statement shall set out the reasons for the district's decision, and may also set out what corrective measures, if any, could be undertaken to obtain licensure.

.010. Terms and Conditions for Appeal to the Executive Director and the Board. Any person aggrieved by an action or decision of the district may appeal to the executive director and then to the board if the following terms and conditions are met:

(a) All of the appropriate steps required by the aggrieved person by the terms and conditions of this order have been met.

(b) The aggrieved person has made a conscientious effort to resolve his problem with the district.

.011. Effective Date. This order shall become effective upon the execution by the district and the board of a cooperative agreement pursuant to Chapter 21 of the Texas Water Code providing for the performance by the district of the water quality management, inspection, and enforcement functions required to be performed by the district under this order.

.012. License Fees.

(a) The proposed fee schedule shall be as follows:

Application Fee for License-- $25
Percolation Test-- $50
Transfer Fee-- $10

(b) These fees shall be paid to and collected by the district so long as the district remains the designated agent of the Texas Water Quality Board for the purposes and functions specified in this order.

(c) The establishment of this fee schedule does not impair or prohibit the imposition of reasonable charges by the district for special services performed by the district at the request of the applicant in connection with presentation of an application and required data. Percolation tests and other examinations will be performed by the engineering firms or soils testing laboratories approved by the district.

.013. Enforcement of this Order.

(a) Criminal penalty (Section 21.5331, Texas Water Code).

(1) A person who violates any provision of this order is guilty of a misdemeanor and on conviction is punishable by a fine of not less than $10 nor more than $200. Each day that a violation occurs constitutes a separate offense.

(2) Jurisdiction for prosecution of a suit under this section is in the justice of the peace courts.

(3) Venue for prosecution of a suit under this section is in the justice of the peace precinct in which the violation is alleged to have occurred.

(b) Civil penalty. A person who violates any provision of this order is subject to an injunction by court order and to a civil penalty for each act of violation and for each day of violation, to be recovered as provided in Chapter 21 of the Texas Water Code.

.014. Severability Clause. If any provision of this order or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the order and of the application of such provision to other persons and circumstances shall not be affected thereby.

Issued in Austin, Texas, on April 5, 1976.

Doc. No. 761874

James Showen, Director
Hearings Division
Texas Water Quality Board

Proposed Date of Adoption: May 16, 1976

For further information, please call (512) 475-7851.

An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

Numbering System-- Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the category of rules to which the rule belongs. The third unit (two digits) indicates the subcategory of rules, if any, within the category. The fourth unit (three digits) indicates the individual rule.

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

Texas Parks and Wildlife Department

Engineering

Guidelines for Administration of Local Land and Water Conservation Fund Projects 127.50.08

The Texas Parks and Wildlife Commission has adopted Rule 127.50.08.001 with one change in the proposed text. That change permits the state liaison officer to increase funds allocated to an approved Bureau of Outdoor Recreation project in an amount not to exceed five percent or $20,000.

No comments were received regarding the adoption of Rule 127.50.08.001.

The Texas Parks and Wildlife Commission, by authority of Sections 13.302-13.312, Texas Parks and Wildlife Code, has adopted Rule 127.50.08.001 to read as follows:

.001. Policy. It is the commission's policy that the state liaison officer shall administer local projects in accord with the following guidelines, with interpretation of intent to be made to provide the greatest number of outdoor recreational opportunities for Texas in accord with priorities of the Texas Outdoor Recreation Plan:

(1) Local administrative costs shall not be considered as eligible local matching funds unless circumstances dictate that high priority public needs will not be met without the full or partial benefit of such in-kind contribution.

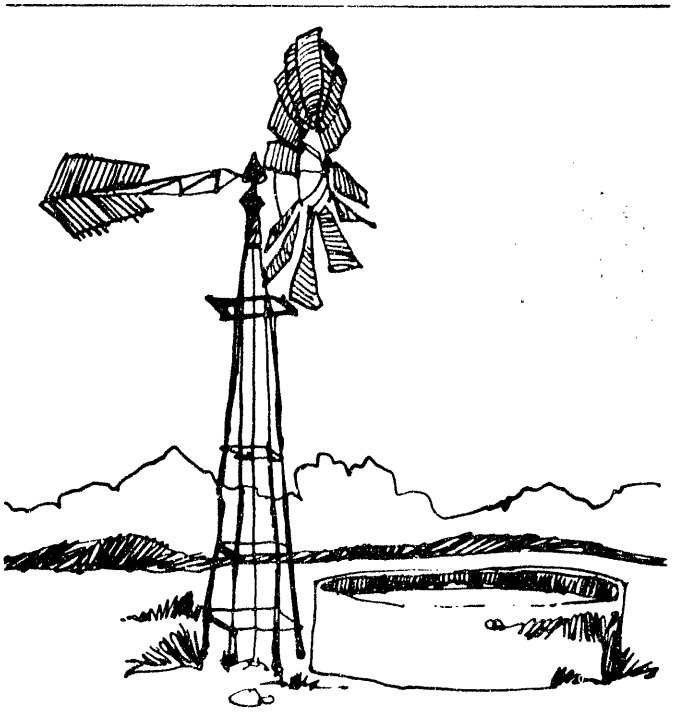
(2) A staged project, when requested by the department with concurrence of the sponsor, will be funded in sequential states when sufficient federal funds are available and the sponsor requests activation of a subsequent stage.

(3) When sponsors request a project be staged due to lack of local committed funds, only that part of the project which the sponsor certifies funds available will be supported. Subsequent stages will be submitted for funding as a new project.

(4) Approved projects shall be pursued in a timely manner by the sponsor, unless due to extraordinary circumstances beyond the sponsor's control. Failure to meet the following time frames shall be grounds for the state liaison officer to initiate cancellation of the affected project in order to recommend reallocation of available funds to other projects:

(A) Acquisition Projects: *(i)* Appraisals shall be forwarded to the department no later than nine months after receipt of official notice of project approval; and *(ii)* after the sponsor has been notified that the appraisal has been approved, the acquisition shall be completed and reimbursement(s) shall be filed with the department no later than 12 months.

(B) Development Projects: *(i)* Construction plans and specifications shall be forwarded to the department no later than nine months after official notification of project approval; and *(ii)* on-the-ground



construction shall begin no later than six months after the department by official notification has approved project plans and specifications.

(5) Sponsors will provide the state liaison officer with a report no less frequently than 90 days, setting forth the physical and monetary progress of a project as correlated to the sponsor's approved application.

(6) The state liaison officer may make a fiscal adjustment to an approved project not to exceed five percent or $20,000. In those instances where the amount of monetary adjustment is large enough to significantly reduce the funds which could be utilized to support a higher priority project, the state liaison officer shall consider the priority of the adjustment as compared to other pending projects.

(7) Any official notification to project sponsors shall be made by certified mail.

(8) Any provision of this policy shall be automatically amended should the federal government issue a regulation in conflict with this policy, provided that the state liaison officer shall submit to the commission for consideration any federal action in conflict with this policy.

Issued in Austin, Texas, on April 8, 1976.

Doc. No. 761936

Perry V. Spalding
Administrative Assistant
Texas Parks and Wildlife
Department

Effective Date: April 29, 1976

For further information, please call (512) 475-4497.

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 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.

Texas Animal Health Commission

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Texas Animal Health Commission held on Thursday, April 15, 1976, 9:30 a.m., at the Trinity Room, Downtowner Motor Hotel, Austin. The commission reconvened in executive session for consideration and discussion of pending litigation in Castro County, including conflict in law and personal liability.

Additional information may be obtained from Renee Hanna, 1020 Sam Houston Building, Austin, Texas 78701, telephone (512) 475-4111.

Filed: April 8, 1976, 2:11 p.m.

Doc. No. 761887

State Banking Board

Meeting

A meeting of the State Banking Board will be held on Thursday, April 22, 1976, 10 a.m., at 2601 North Lamar, Austin. The following matters are scheduled for consideration and ruling: charter application of the proposed Woodforest Bank, Houston; charter application of the proposed Farmers and Ranchers Bank, Hondo; domicile change for Buckholts State Bank, Buckholts; domicile change for Union Bank of Fort Worth, Fort Worth.

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

Filed: April 12, 1976, 10:55 a.m.

Doc. No. 761969

Coordinating Board, Texas College and University System

Meeting

A meeting of the Financial Planning Committee of the Coordinating Board, Texas College and University System, will be held on Thursday, April 22, 1976, 9:30 a.m., in Room 2-102, Joe C. Thompson Conference Center, 26th and Red River Streets, Austin. The agenda includes consideration of the revised Coordinating Board operating budget; procedures for allocation of contingency appropriations to junior colleges; and revision to the public junior college financial reporting system.

Additional information may be obtained from Dr. Kenneth Ashworth, Commissioner, P.O. Box 12788, Capitol Station, Austin, Texas 78711, telephone (512) 475-4361.

Filed: April 12, 1976, 10:47 a.m.

Doc. No. 761964

Meeting

A meeting of the Facilities Planning Committee of the Coordinating Board, Texas College and University System, will be held on Thursday, April 22, 1976, 10:30 a.m., in Room 2-102, Joe C. Thompson Conference Center, 26th and Red River Streets, Austin. The agenda includes consideration of requests for endorsement of construction and rehabilitation projects and requests for endorsement of acquisition of real property.

Additional information may be obtained from Dr. Kenneth H. Ashworth, Commissioner, P.O. Box 12788, Capitol Station, Austin, Texas 78711, telephone (512) 475-4361.

Filed: April 12, 1976, 10:47 a.m.

Doc. No. 761965

Meeting

A meeting of the Community Junior College Committee of the Coordinating Board, Texas College and University System, will be held on Thursday, April 22, 1976, 11:30 a.m., in Room 2-102, Joe C. Thompson Conference Center, 26th and Red River Streets, Austin. The agenda includes consideration of the Regional Higher Education Council's recommended out-of-district and off-campus lower division annual plan for course offerings for the period September 1, 1976, through August 31, 1977.

Additional information may be obtained from Dr. Kenneth H. Ashworth, Commissioner, P.O. Box 12788, Capitol Station, Austin, Texas 78711, telephone (512) 475-4361.

Filed: April 12, 1976, 10:47 a.m.

Doc. No. 761966

Meeting

A meeting of the Program Development Committee of the Coordinating Board, Texas College and University System, will be held on Thursday, April 22, 1976, 1 p.m., in Room 2-102, Joe C. Thompson Conference Center, 26th and Red River Streets, Austin. The agenda includes consideration of revised rules on off-campus courses, new proposed programs, and administrative changes; and hearing on appeals of off-campus courses disapproved by the commissioner.

Additional information may be obtained from Dr. Kenneth H. Ashworth, Commissioner, P.O. Box 12788, Capitol Station, Austin, Texas 78711, telephone (512) 475-4361.

Filed: April 12, 1976, 10:48 a.m.

Doc. No. 761967

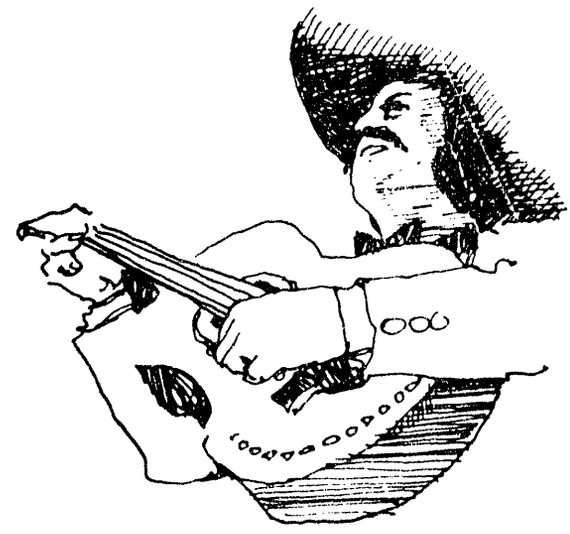
Meeting

A meeting of the Coordinating Board, Texas College and University System, will be held on Friday, April 23, 1976, 9:30 a.m., in Room 2-102, Joe C. Thompson Conference Center, 26th and Red River Streets, Austin. The agenda includes matters relating to the Division of Program Development, the Division of Administration, the Division of Financial Planning, and the Division of Campus Planning and Physical Facilities Development. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Dr. Kenneth H. Ashworth, Commissioner, P.O. Box 12788, Capitol Station, Austin, Texas 78711, telephone (512) 475-4361.

Filed: April 12, 1976, 10:48 a.m.

Doc. No. 761968



Governor's Energy Advisory Council

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the representatives of the Governor's Energy Advisory Council held on Wednesday, April 14, 1976, 10 a.m., in Room 413, 7701 North Lamar Boulevard, Austin. The addition was made to include consideration of a contract with the Railroad Commission of Texas for computer services; a contract with Office of State-Federal Relations for Washington-based personnel, and a proposal of an energy program for Dallas-Fort Worth area by University of Texas at Arlington and North Central Texas Council of Governments.

Additional information may be obtained from Jean C. McElreath, 7703 North Lamar Boulevard, Austin, Texas 78752, telephone (512) 475-5588.

Filed: April 12, 1976, 11:30 a.m.

Doc. No. 761955

Commission on Fire Protection Personnel Standards and Education

Emergency Addition to Agenda

An emergency addition has been made to the agenda of a meeting of the Commission on Fire Protection Personnel to be held on Wednesday, April 21, 1976, 9 a.m., at 1622 Festival Beach, Austin. The addition is being made to include discussions of the role of the commission in participation with the National Fire Academy Assistance Programs as related to a National Grant Application, if submitted, and to reaffirm action and authority in the resolution of March 25, 1976.

Additional information may be obtained from Garland W. Fulbright, Suite 122, 8330 Burnet Road, Austin, Texas 78756, telephone (512) 459-8701.

Filed: April 12, 1976, 10:05 a.m.

Doc. No. 761957

Office of the Governor

Emergency Addition to Agenda

An emergency addition was made to the agenda of the meeting of the Federal Committee of the Water Task Force, Office of the Governor, held on Tuesday, April 13, 1976, 7:30 p.m., at the Travelodge Motel, 100 Villita Street, San Antonio. The addition was made to include implementation of the Federal Safe Water Act and discussion of National Commission on Water Quality final report.

Additional information may be obtained from Ben Turner, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-2411.

Filed: April 12, 1976, 10:01 a.m.

Doc. No. 761953

Meeting

The Governor's Office of Traffic Safety will meet Friday, April 16, 1976, 9 a.m., at 803-B, 411 West 13th Street, Austin, for a regular weekly meeting to consider project applications, contract changes, and general business.

Further information may be obtained from Byron Hinderer, 44 West 13th Street, Austin, Texas 78701, telephone (512) 475-6581.

Filed: April 9, 1976, 9:44 a.m.

Doc. No. 761925

Meeting

A meeting of the Texas Coordinating Commission on State Health and Welfare Services of the Budget and Planning Office, Office of the Governor, will be held on Monday, April 19, 1976, 10 a.m., in the Old Supreme Court Room, State Capitol, Austin, to review health systems agency applications on which the Department of Health, Education, and Welfare has deferred its decision pending the accomplishment of recommended modifications.

Additional information may be obtained from Randy Duke, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-6981.

Filed: April 12, 1976, 11:29 a.m.

Doc. No 761954

Meeting

A meeting of the Interagency Transportation Council of the Budget and Planning Office, Office of the Governor, will be held on Monday, April 26, 1976, 9 a.m., in Room 402, 411 West 13th Street, Austin, to review and discuss a questionnaire regarding the work program on transportation funding.

Additional information may be obtained from Don Harley or Ray Spies, 411 West 13th Street, Austin, Texas 78701, telephone (512) 475-2411.

Filed: April 9, 1976, 9:40 a.m.

Doc. No 761920

Texas Department of Health Resources

Emergency Addition to Agenda

An emergency addition to the agenda of a meeting of the State Board of Examiners in Social Psychotherapy of the Texas Department of Health Resources held on Saturday, April 10, 1976, 9 a.m., at 4902 Grover Street, Austin, was made to include consideration of the employment of an executive secretary. This item was inadvertently left off of the notice of the meeting and it is imperative that the board have an executive secretary before it can conduct its business.

Additional information may be obtained from Dan Boone, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 475-3781, extension 381.

Filed: April 8, 1976, 4:21 p.m.

Doc. No. 761889

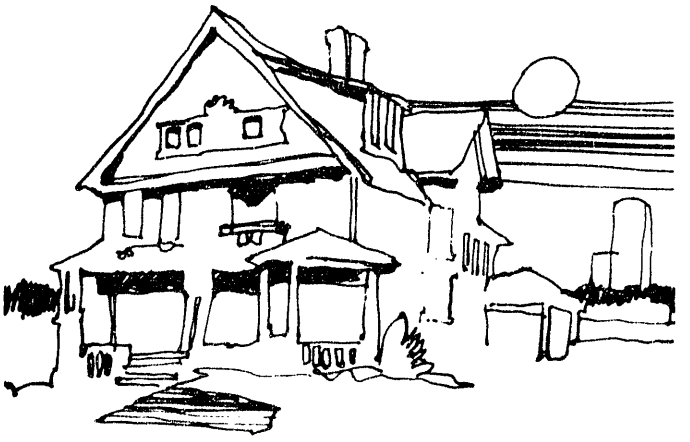
Meeting

A meeting of the Texas Advisory Board of Athletic Trainers of the Texas Department of Health Resources will be held on Saturday, April 24, 1976, 2 p.m., at Hines Gym, Southwest Texas State University, San Marcos, to discuss the present status of athletic trainers, and to consider curriculum requirements for licensure of athletic trainers, special consideration procedures for female applicants, athletic trainers practicing without a license, and code of ethics and proposed rules of athletic trainers.

Additional information may be obtained from Daniel Boone, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 475-3781, extension 531.

Filed: April 8, 1976, 4:21 p.m.

Doc. No. 761890



Texas Historical Commission

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Texas Review Board of the Texas Historical Commission held on Tuesday, April 13, 1976, 10 a.m., at 1511 Colorado, Austin. The item added was the Bexar County Courthouse, San Antonio.

Additional information may be obtained from Joe Williams, P.O. Box 12276, Capitol Station, Austin, Texas 78711, telephone (512) 475-3092.

Filed: April 9, 1976, 4 p.m.

Doc. No. 761949

State Board of Insurance

Meeting

A meeting of the State Board of Insurance will be held on Tuesday, April 20, 1976, 2 p.m., in Room 408, 1110 San Jacinto, Austin, to discuss the commissioner's report; decisions on hearings and meetings previously held; organization of State Fire Marshal's Office; and other items of business. The complete agenda is posted in the East Wing of the State Capitol.

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

Filed: April 12, 1976, 10:57 a.m.

Doc. No. 761959

Meeting

A meeting of the State Board of Insurance will be held on Thursday, April 22, 1976, 10 a.m., in Room 408, 1110 San Jacinto, Austin, to consider a decision on fire hearing agenda items; a decision on request of workman's compensation assigned risk pool for revision of surcharge formula; a decision on appeal of Transport Insurance Company; the organization of State Fire Marshal's Office; a decision on request for separation of multi-peril policy coverage; and a decision on appeal of Hurlbut, Hovater and Bengal.

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

Filed: April 12, 1976, 10:58 a.m.

Doc. No. 761960

Meeting

A meeting of the State Board of Insurance will be held on Friday, April 23, 1976, 10 a.m., in Room 408, 1110 San Jacinto, Austin, to continue consideration of items from the agenda of the April 22 meeting.

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

Filed: April 12, 1976, 10:59 a.m.

Doc. No. 761961

Merit System Council

Hearing

A hearing of the Merit System Council will be held on Monday, April 19, 1976, 1:30 p.m., at 507 Brown Building, Austin, to hear an appeal.

Additional information may be obtained from Leo F. Brockmann, P.O. Box 1389, Austin, Texas 78767, telephone (512) 475-9665.

Filed: April 9, 1976, 9:39 a.m.

Doc. No. 761923

State Board of Morticians

Emergency Addition to Agenda

An emergency addition to the agenda of a meeting of the State Board of Morticians held on Friday, April 9, 1976, 9 a.m., at 1513 South Interstate 35, Austin, was made to include consideration of the application of Oliver Ainsworth for a reciprocal license from the State of Oklahoma.

Additional information may be obtained from James W. McCammon, 1513 South Interstate 35, Austin, Texas 78741, telephone (512) 475-6721.

Filed: April 8, 1976, 11:35 a.m.

Doc. No. 761885

Texas Motor Vehicle Commission

Meeting

A meeting of the Texas Motor Vehicle Commission will be held on Sunday, April 25, 1976, 10 a.m., at the O'Henry Room, Dallas Sheraton Hotel, Dallas, to consider the financial report; approval of Order of Dismissal of Proceeding 63, Intercontinental Motors and Star Motor Cars; review of seven proceedings pending before the commission; and discussion of proposed advertising rules.

Additional information may be obtained from Russell Harding, P.O. Box 13287, Capitol Station, Austin, Texas 78711, telephone (512) 476-3587.

Filed: April 9, 1976, 9:39 a.m.

Doc. No. 761922

Pan American University

Meeting

A meeting of the Board of Regents of Pan American University was held on Wednesday, April 14, 1976, 5 p.m., in the Conference Room, Administration Building, Edinburg, to discuss reorganization of the board, leaves of absence, and salaries for student association officers.

Additional information may be obtained from Dr. Ralph F. Schilling, Pan American University, Edinburg, Texas 78539, telephone (512) 381-2101.

Filed: April 12, 1976, 11:19 a.m.

Doc. No. 761956

Board of Pardons and Paroles

Meeting

A meeting of the Board of Pardons and Paroles will be held on Monday, Tuesday, and Friday, April 19, 20, and 23, 9 a.m. each day, at 711 Stephen F. Austin Building, Austin, to review cases of inmates for parole consideration, to act on emergency reprieve requests and other acts of executive clemency, and to review reports regarding persons on parole.

Additional information may be obtained from Ken Casner, Room 711, Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3363.

Filed: April 12, 1976, 10:56 a.m.

Doc. No. 761962

Meeting

A meeting of the Board of Pardons and Paroles will be held on Thursday, April 22, 1976, 9 a.m., at the Diagnostic Unit, TDC, Huntsville, to conduct parole violation hearings.

Additional information may be obtained from Ken Casner, Room 711, Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3363.

Filed: April 12, 1976, 10:56 a.m.

Doc. No. 761963

Texas Parks and Wildlife Department

Meeting

A meeting of the Parks and Wildlife Commission of the Texas Parks and Wildlife Department will be held on Thursday, April 22, 1976, 9 a.m., at Room 105, John H. Reagan Building, 15th and Congress, Austin, to consider proposed hunting, fishing, and trapping regulations for 1976-77; grazing lease, Caprock Canyons State Park; Fiscal Year 1976 boat ramp program amendment; McKinney Falls State Office Building; Galveston Island State Park design development; San Jacinto Battleground State Historical Park design development; San Jose Mission State Historical Site theater lighting; Huntsville State Park sewerage treatment plant and collection system; and Lake Livingston State Recreational Area subdivision county access road.

Additional information may be obtained from Perry Spalding, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-3074.

Filed: April 9, 1976, 11:49 a.m.

Doc. No. 761934

Meeting

A meeting of the Parks and Wildlife Commission of the Texas Parks and Wildlife Department will be held on Friday, April 23, 1976, 9 a.m., in Room 105, John H. Reagan Building, 15th and Congress, Austin, to consider proposed hunting, fishing, and trapping regulations for 1976-77; uncut hay sale contract awarding, Gene Howe Wildlife Management Area; Fiscal Year 1976 boat ramp program amendment; closed gulf shrimp season; importation, sale, transport, or release of noxious aquatic plants, proposed Proclamation 1; rules for administration of scientific and zoological permits; resolution commemorating the late George A. Hill III, San Jacinto Monument State Historical Park; Galveston Island State Park proposed pooling of oil and gas leases; Stephen F. Austin log cabin budget; awarding concession contract, McKinney Falls State Park; lease agreement between the County of Anderson, the City of Palestine, and the Texas Parks and Wildlife Department; acceptance of the Colonel James Stinson House, Governor Hogg Shrine State Historical Park; Fort Lancaster State Historic Site preservation plan, program, and budget; interpretive developments for General Ignacio Zaragoza's birthplace, Goliad State Historical Park; proposed archeological investigation of newly discovered site at Lyndon B. Johnson State Park; and acquisition project, San Jose Mission State Historic Site.

Additional information may be obtained from Perry Spalding, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-3074.

Filed: April 9, 1976, 11:49 a.m.

Doc. No. 761935

Texas State Board of Plumbing Examiners

Meeting

A meeting of the Texas State Board of Plumbing Examiners will be held on Thursday, April 22, 1976, 10 a.m., at Room 346, Saint Anthony Hotel, 300 East Travis, San Antonio, to consider a review of general operations; examinations and their administration; and a financial review.

Additional information may be obtained from Lynn Brown, 204 John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-9221.

Filed: April 9, 1976, 4:36 p.m.

Doc. No. 761950

Texas State Board of Public Accountancy

Meeting

A meeting of the Texas State Board of Public Accountancy will be held on Monday and Tuesday, April 19 and 20, 1976, 9 a.m. each day, at 940 American Bank Tower, 221 West 6th Street, Austin, to consider financial reports and the review of budget; approval of applications by ratification; hearings; sick leave regulations; fee to be charged for list of exam candidates; bank signature authorization; approval of applications for the CPA examination and the CPA certificate by the board or by ratification; the revised CPA certificate; a proposal for a NASBA-sponsored CPA examination performance critique; and security procedures for issuing the CPA certificate. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Pauline Thomas, 940 American Bank Tower, 221 West 6th Street, Austin, Texas 78701, telephone (512) 476-6971.

Filed: April 9, 1976, 8:21 a.m.

Doc. No. 761913

Public Utility Commission

Meeting

A meeting of the Public Utility Commission of Texas will be held on Wednesday, April 29, 1976, 10 a.m., at 7800 Shoal Creek Boulevard, Austin, to consider applications of Morrison Radio Relay, Radio Phone of Houston, Mobile Telecommunications, Houston Mobilfone, Radio Dispatch, Houston Radiophone Service, Airsignal International, Radio Paging, and Aircall New York for certificates of convenience and necessity in Harris, Fort Bend, Brazoria, Matagorda, and Liberty Counties shown in the map filings made by each of these radio-telephone utilities.

Additional information may be obtained from Roy J. Henderson, 7800 Shoal Creek Boulevard, Austin, Texas 78757, telephone (512) 475-7921.

Filed: April 8, 1976, 12:05 p.m.

Doc. No. 761886

State Department of Public Welfare

Meeting

A meeting of the State Advisory Committee on Child Care Facilities of the State Department of Public Welfare will be held on Monday, Tuesday, and Wednesday, April 19-21, 1976, 1 p.m. Monday and 9 a.m. Tuesday and Wednesday, at the Joe C. Thompson Center, Austin, for final review of five sets of standards; review and modification of remaining 12 sets of standards; and consideration of related issues. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Jean English, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-7041.

Filed: April 9, 1976, 11:48 a.m.

Doc. No. 761929

Railroad Commission of Texas

Emergency Meeting

An emergency meeting of the Gas Utilities Division of the Railroad Commission of Texas was held on Monday, April 12, 1976, 9 a.m., at the E. O. Thompson Building, 10th and Colorado, Austin, to consider the application of Lo-Voca Gathering Company to review and revise existing contracts the company has with its customers on its system and providing for gas cost adjustments therein. This emergency notice is required because the continual rise in utility costs is a matter of urgent public necessity requiring consideration of a final order in this matter.

Additional information may be obtained from Frank Youngblood, P.O. Drawer 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-2747.

Filed: April 9, 1976, 3:42 p.m.

Doc. No. 761952

Emergency Addition to Agenda

The following items were added to the agenda of a meeting of the Oil and Gas Division of the Railroad Commission of Texas held on Monday, April 12, 1976, 9 a.m., at the E. O. Thompson Building, 10th and Colorado, Austin: leaking well, S. A. Lease, Well 1, Brown County; leaking wells, Nannie Weida Knox Lease, Wells 1 and 2, Wildcat Field, Coleman County; and adoption of temporary field rules, Yucca Butte, West (Ellenburger) Field, Pecos County.

Additional information may be obtained from Phil Russell, P.O. Drawer 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-4639.

Filed: April 9, 1976, 2:05 p.m.

Doc. No. 761941 and 761942

Meeting

A meeting of the Transportation Division of the Railroad Commission of Texas will be held on Monday, April 19, 1976, 9 a.m., at the Ernest O. Thompson Building, 10th and Colorado, Austin, to consider contested and uncontested public convenience and necessity applications; contested and uncontested rate applications; voluntary suspensions; fee reinstatements; requested cancellations; exempt commodity authority; insurance cancellations; I.C.C. authority; and miscellaneous items. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Meiling Newman, P.O. Box 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-3207.

Filed: April 9, 1976, 2:07 p.m.

Doc. No. 761945

Meeting

A meeting of the Gas Utilities Division of the Railroad Commission of Texas will be held on Tuesday, April 20, 1976, 9 a.m., at the Ernest O. Thompson Building, 10th and Colorado, Austin, to consider a motion for interim relief filed by Southern Union Gas Company requesting that it be allowed to increase its rates in Galveston to recover the increase in its gas cost; and Eastern Pipeline Company's questionable gross receipts tax.

Additional information may be obtained from John W. Camp, P.O. Drawer 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-2747.

Filed: April 9, 1976, 2:04 p.m.

Doc. No. 761943

Meeting

A meeting of the Oil and Gas Division of the Railroad Commission of Texas will be held on Monday, April 26, 1976, 9 a.m., at the E. O. Thompson Building, 10th and Colorado, Austin, to consider 96 applications. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from A. H. Barbeck, P.O. Drawer 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-3003.

Filed: April 9, 1976, 2:06 p.m.

Doc. No. 761944

Texas Rehabilitation Commission

Meeting

A meeting of the Board of the Texas Rehabilitation Commission will be held on Friday, April 23, 1976, 9:30 a.m., in Suite 202, 7745 Chevy Chase Drive, Austin, to consider approval of the extension of Fiscal Year 1976 State Plan to cover the interim period of July 1, 1976, to September 30, 1976; approval of revised FY 1976 operating budget; review of proposed commission rule relating to petitions by interested persons; review of pending or contemplated litigation involving the commission (executive session); review of matters pertaining to the employment, evaluation, reassignment, duties, discipline, and dismissal of employees (executive session); review of Equal Employment Opportunity complaints; and review of methods and practices for policy development consultation.

Additional information may be obtained from Herbert A. Underwood, 7745 Chevy Chase Drive, Austin, Texas 78752, telephone (512) 452-8192.

Filed: April 9, 1976, 9:38 a.m.

Doc. No. 761924

State Securities Board

Meeting

A meeting of the State Securities Board will be held on Friday, April 16, 1976, 2 p.m., in Room 709, LBJ Building, 17th and Brazos, Austin, to consider staff proposals for adoption of rules and amendments to rules; proposed rules and rule amendments recommended by the staff to be published for comment; report on requests for attorney general's opinions; current enforcement matters; current litigation; preliminary discussion of budget request for 1978-79 biennium; regulation of investment advisors (S.B. 2849); waiver requests; withdrawals/denials since last board meeting; and personnel matters (executive session).

Additional information may be obtained from Roy Mouer, 17th and Brazos, Austin, Texas 78701, telephone (512) 475-4561.

Filed: April 8, 1976, 3.44 p.m.

Doc. No. 761888

Texas A&M University

Meeting

A meeting of the Executive Committee of the Board of Regents of The Texas A&M University System was held on Wednesday, April 14, 1976, 10 a.m., in Room 441, Marina Hotel, Dallas-Fort Worth Airport, to consider matters relating to the budgets for the various parts of The Texas A&M University System for Fiscal Year 1976-77.

Additional information may be obtained from Robert G. Cherry, Texas A&M University, College Station, Texas 77843, telephone (713) 845-4334.

Filed: April 12, 1976, 11:49 a.m.

Doc. No. 761971

Texas Eastern University

Meeting

A meeting of the Board of Regents of Texas Eastern University was held on Wednesday, April 14, 1976, 2 p.m., at 100 East Berta, Tyler, to consider reports from standing committees, including the election of board of regents' officers; appointment of president; reappointment of vice president for academic affairs and vice president for fiscal affairs; election of TEU Educational Foundation, Inc., Board of Directors; Phase I construction and contract change; Phase I health and physical education facilities; alleged survey error relative to Phase I; release of two facilities leased by the university; president's report and recommendations; and other business.

Additional information may be obtained from Dr. James H. Stewart, Jr., 100 East Berta, Tyler, Texas 75701, telephone (214) 595-0711.

Filed: April 9, 1976, 9:40 a.m.

Doc. No. 761921

Texas State Technical Institute

Meeting

A meeting of the Board of Regents of the Texas State Technical Institute will be held on Sunday and Monday, April 25 and 26, 1976, 2:30 p.m. Sunday and 9 a.m. Monday, at the Rio Grande Campus, Harlingen, to hold policy committee meetings; to review operations; and to hear reports by the Rio Grande Campus and standing policy committees. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Theodore A. Talbot, Texas State Technical Institute, Waco, Texas 76705, telephone (817) 799-3611.

Filed: April 9, 1976, 10:50 a.m.

Doc No 761928

Veterans Land Board

Meeting

A meeting of the Veterans Land Board of the General Land Office will be held on Monday, April 19, 1976, 2 p.m., at the Stephen F. Austin Building, 1700 North Congress, Austin, to hear the report of the executive secretary to the board; and to discuss the subdivision rule and pending applications.

Additional information may be obtained from Richard Keahey, Stephen F. Austin Building, Austin, Texas 78701, telephone (512) 475-3766.

Filed: April 9, 1976, 3:30 p.m.

Doc No 761947

Texas Water Rights Commission

Meeting

A meeting of the Texas Water Rights Commission will be held on Wednesday, May 5, 1976, 9:30 a.m., at 1700 North Congress, Austin, to consider Application 2545 for a temporary permit by H. B. Zachry Company.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13207, Austin, Texas 78711, telephone (512) 475-4514.

Filed: Apr 9, 1976, 3:31 p.m.

Doc. No. 761946

Quasi-State Agencies

Meetings Filed April 9, 1976

The Middle Rio Grande Development Council, Criminal Justice Advisory Committee, will meet in the County Courthouse, Brackettville, on April 20, 1976, at 4:30 p.m. For further information, contact Dee Dee Schueler, Box 1461, Del Rio, Texas 78840, telephone (512) 775-1581.

The Permian Basin Regional Planning Commission, Board of Directors, met in the Conference Room, Air Terminal Office Building, Midland, on April 14, 1976, at 1:30 p.m. For further information, contact Ernie Crawford, P.O. Box 6391, Midland, Texas 79701, telephone (915) 563-1061.

The Nortex Regional Planning Commission, Executive Committee, met at the Archer City Country Club, Archer City, on April 15, 1976, at 7 p.m. For further information, contact Edwin B. Daniel, 1914 Kemp Boulevard, Wichita Falls, Texas 76309, telephone (817) 322-5281.

The Central Texas Council of Governments, Regional Drug Abuse Advisory Committee, met at the Central Counties Center for MH/MR, 1005 Gray, Killeen, on April 13, 1976, at 7 p.m. For further information, contact Dennis D. Kelley, P.O. Box 729, Belton, Texas 76513, telephone (817) 939-1801.

The Coastal Bend Council of Governments, Crime Prevention Advisory Council, met at the Round Table Inn, 1418 South 14th Street, Kingsville, on April 15, 1976, at 10:30 a.m. For further information, contact Paul Kinstley, P.O. Box 6609, Corpus Christi, Texas 78411, telephone (512) 853-3081.

The Coastal Bend Council of Governments, Health Planning Council, will meet at the Driscoll Foundation Children's Hospital, Corpus Christi, on April 21, 1976, at 1:30 p.m. For further information, contact Richard Kull, P.O. Box 6609, Corpus Christi, Texas 78411, telephone (512) 854-3081.

The Guadalupe-Blanco River Authority, Board of Directors, met at the Victoria Bank and Trust, 120 South Main, Victoria, on April 15, 1976, at 10 a.m. For further information, contact John H. Specht, P.O. Box 271, Seguin, Texas, telephone (512) 379-5822.

The Alamo Area Council of Governments, Executive Committee, met in Room 532, Three Americas Building, San Antonio, on April 14, 1976, at 1:30 p.m. For further information, contact Al J. Notzon, 400 Three Americas Building, San Antonio, Texas, telephone (512) 225-5201.

The Nueces River Authority, Board of Directors, met at the La Quinta Royale Motor Inn, Corpus Christi, on April 15, 1976, at 10:30 a.m. For further information, contact John W. White, P.O. Box 349, Uvalde, Texas 78801, telephone (512) 278-6810.

Doc. No. 761927

Meetings Filed April 12, 1976

The Middle Rio Grande Development Council, Criminal Justice Advisory Committee, met at City Council Chambers, City Hall, Main Street, Uvalde, on April 13, 1976, at 4 p.m. Further information may be obtained from Dee Dee Schueler, P.O. Box 1461, Del Rio, Texas 78840, telephone (512) 775-1581.

The North Texas Municipal Water District, Board of Directors, will meet at the NTMWD Central Plant, Wylie, on April 22, 1976, at 4 p.m. Further information may be obtained from Carl W. Riehn, P.O. Drawer "C," Wylie, Texas 75098, telephone (214) 442-2217.

The Deep East Texas Council of Governments, Inter-Agency Council, met at the Lufkin Workshop and Opportunity Center, 1305 South Third, Lufkin, on April 15, 1976, at 1:30 p.m. Further information may be obtained from Mary Bodley, 210 Lufkin, Texas 75901, telephone (713) 632-4016.

The Brazos River Authority, Board of Directors, will meet at 4400 Cobbs Drive, Waco, on April 19, 1976, at 9 a.m. Further information may be obtained from Mike Bukala, P.O. Box 7555, Waco, Texas 76710, telephone (817) 776-1441.

The Education Service Center Region X, Board of Directors, will meet at the Region X Board Room, 400 East Spring Valley, Richardson, on April 21, 1976, at 1 p.m. Further information may be obtained from H. W. Goodgion, P.O. Box 1300, Richardson, Texas 75080, telephone (214) 231-6301.

The Education Service Center Region VII, Board of Directors, will meet at the Kilgore Community Inn, Highway 259, Kilgore, on April 19, 1976, at 6:30 p.m. Further information may be obtained from Von Rhea Beane, P.O. Box 1622, Kilgore, Texas 75662, telephone (214) 984-3071.

The Coastal Bend Council of Governments, Drug Abuse Advisory Committee, met at the YWCA, 401 North Carancahua, Corpus Christi, on April 14, 1976, at noon. Further information may be obtained from Kate Smith, P.O. Box 6609, Corpus Christi, Texas 78411, telephone (512) 854-3081.

The Coastal Bend Council of Governments, Environmental Quality Committee, met at the CBCOG Conference Room, 4600 Parkdale Drive, Corpus Christi, on April 13, 1976, at 1:30 p.m. Further information may be obtained from John Buckner, P.O. Box 6609, Corpus Christi, Texas 78411, telephone (512) 854-3081.

The Panhandle Regional Planning Commission, Aging Review and Comment Committee, will meet at 1311 South Tyler, Amarillo, on April 19, 1976, at 1 p.m.; and the Aging Advisory Council will meet at 1311 South Tyler, Amarillo, on April 19, 1976,at 2 p.m. Further information may be obtained from George Loudder, P.O. Box 9257, Amarillo, Texas 79105, telephone (806) 376-4238.

The Bryan-College Station Urban Transportation Study, Steering Committee, will meet at 1300 North Texas Avenue, Bryan, on April 23, 1976, at 9:30 a.m. Further information may be obtained from D. D. Williamson, P.O. Box 3249, Bryan, Texas 77801, telephone (713) 822-0151.

The Education Service Center Region One, Board of Directors, will meet at 1900 West Schunior, Edinburg, on April 20, 1976, at 6 p.m. Further information may be obtained from Charles W. Benson, 1900 West Schunior, Edinburg, Texas, telephone (512) 383-5611.

The Amarillo MH/MR Regional Center, Board of Trustees, met at the Quality Inn Motel, 2915 Interstate 40 East, Amarillo, on April 8, 1976, at 4 p.m. Further information may be obtained from Clark E. Wooldridge, P.O. Box 3250, Amarillo, Texas, telephone (806) 353-7235.

Doc. No. 761970

Texas Health Facilities Commission

Notice of Application

Notice is given by the Texas Health Facilities Commission of application (including a general project description) for a Declaratory Ruling received April 8, 1976.

Should any person wish to contest the application for a declaratory ruling, that person must file a notice of intent to contest the application with the chairman of the commission within 12 days after the enclosed listing is published. The first day for calculating this 12-day period is the first calendar day following the dating of the publishing. The 12th day will expire at 5 p.m. on the 12th consecutive day after said publishing if the 12th day is a working day. If the 12th day is a Saturday, Sunday, or state holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, or state holiday. When notice of intent to contest is mailed to the chairman of the commission, P.O. Box 15023, Austin, Texas 78761, it must be postmarked no later than the day prior to the last day allowed for filing notice of intent to contest.

The contents and form of a notice of intent to contest an application for a declaratory ruling must meet the minimum criteria set out in THFC-ERR 8, Section A(4). Failure of a contesting party to supply the minimum necessary information in the correct form by the 12th day will result in a defective notice of intent to contest, and such application will be considered uncontested.

The fact that an application is uncontested will not mean that it will be approved. Regardless of whether or not an application is formally contested, it will be approved only if the commission determines that it qualifies under the criteria of Sections 3.02, 3.03, or 6.02 of Article 4418(h), Vernon's Annotated Texas Statutes, and THFC-ERR 8 and 11.

In the following notice, the applicant is listed first, the file number second, and the relief sought and project description third. DR indicates declaratory ruling.

Pleasant Grove Medical Center, Dallas
AH75-0710-004D
DR-- Request finding that development prior to February 1, 1976, deadline on 6.02 EC to construct 172-bed general hospital in Dallas

Issued in Austin, Texas, on April 9, 1976.

Doc. No. 761937

Michael R. Sharp
General Counsel
Texas Health Facilities Commission

Filed: April 9, 1976, 11:51 a.m.

For further information, please call (512) 475-6940.

Texas A&M University

Meeting

The Texas Firemen's Training School Advisory Board, Texas Engineering Extension Service, of The Texas A&M University System will hold its spring meeting on April 23, 1976, at 2 p.m. at the Zachry Engineering Center, Texas A&M University, College Station, Texas. The purpose of the meeting is to review and discuss program plans for the annual Firemen's Training School scheduled at Texas A&M University in July and August, 1976.

Further information may be obtained from Henry D. Smith, Texas Firemen's Training School, Texas A&M University, College Station, Texas 77843, telephone (713) 845-2122.

Filed: April 9, 1976, 9:44 a.m.

Doc No. 761926