

Subchapter P. EMERGENCY ORDERS FOR WATER AND SEWER UTILITIES.

§22.295. Request for Emergency Order.

- (a) A person seeking an emergency order under this subchapter shall submit a written request to the commission.
- (b) For a requesting person other than commission staff, the request must:
 - (1) be sworn;
 - (2) state whether the requesting person is also seeking or has obtained an emergency order from the TCEQ;
 - (3) state the name, address, and telephone number of the requesting person, the person submitting the request on the requesting person's behalf, and the person signing the request on the requesting person's behalf;
 - (4) state the name of the retail public utility, its corresponding certificate of public convenience and necessity number(s), and its corresponding TCEQ-issued public water system name(s) and identification number(s) and wastewater discharge permit name and identification number(s), if applicable;
 - (5) contain information sufficient to identify the facility(ies) and location(s) to be affected by the order;
 - (6) describe the condition(s) of emergency or other condition(s) justifying the issuance of the order;
 - (7) allege facts to support any findings required under this subchapter;
 - (8) estimate the dates on which the proposed order should begin and end and the dates on which the activity proposed to be allowed, mandated, or prohibited should begin and end;
 - (9) describe the action sought and the activity proposed to be allowed, mandated, or prohibited;
 - (10) include any other statement or information required by this subchapter; and
 - (11) shall be signed as follows:
 - (A) For a corporation, the request shall be signed by an executive officer or by a corporate official who has been delegated appropriate authority by an executive officer.
 - (B) For a partnership or sole proprietorship, the request shall be signed by a general partner or the proprietor, respectively.
 - (C) For a municipality, state, federal, or other public agency, the request shall be signed by a person authorized to make the representation(s) contained in the request on behalf of the municipality or agency.
 - (D) A person signing a request shall make the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the retail water or sewer system(s) or the retail public utility, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- (c) For a request by commission staff, the request must:
 - (1) contain the items specified in subsection (b)(2) - (10) of this section; and
 - (2) be signed by commission staff.