

Subchapter C. CLASSIFICATION OF APPLICATIONS OR OTHER DOCUMENTS INITIATING A PROCEEDING

§22.32. Administrative Review.

- (a) **Applications qualified for administrative review.** An application, other than a major rate proceeding, may be approved by an administrative law judge without a hearing or action by the commission, under the following conditions:
- (1) the commission has referred the application to SOAH for processing;
 - (2) at least 30 days have passed since the completion of all notice requirements;
 - (3) the matter has been fully stipulated so that there are no issues of fact or law disputed by any party; and
 - (4) the administrative law judge finds that no hearing or commission action is necessary and that administrative review is warranted.
- (b) **TWC applications without notice requirements.** An administrative law judge, without a hearing or action by the commission, may approve an application filed under the TWC that does not require a notice or hearing.
- (c) **Administrative law judge's order.** If an application qualifies for administrative review, the administrative law judge shall issue an order with proposed findings of fact and conclusions of law as soon as is reasonably practicable. The order shall be served upon each commissioner and all parties.
- (d) **Finality of order.** At the request of any commissioner or the administrative law judge, the order shall be placed on the agenda to be considered in open meeting. On such request, the Commission Advising and Docket Management Division shall provide notice to the parties that the order will be considered by the commission at open meeting and the open meeting at which the order will be considered. The commission may approve the order of the administrative law judge, vacate the order of the administrative law judge and remand the docket for hearing or additional proceedings, or modify the order with the agreement of the parties. The order is deemed approved and becomes final 20 days after issuance by the administrative law judge unless before the 20th day the administrative law judge or a commissioner has requested that the order be considered by the commission at open meeting, in which case the order may become final only after action by the commission in open meeting.
- (e) **Notice requirements.** Nothing in this section shall be construed to alter any notice requirement imposed on any proceeding by statute, rule, or order.
- (f) **Time limits.** Nothing in this section shall be construed to alter any time limit imposed on any proceeding by a statute, rule, or order.
- (g) **Exceptions to administrative law judge's order.** Nothing in this section shall be construed to preclude any party from filing exceptions to the administrative law judge's order, provided such exceptions are filed with the commission within 15 days after the issuance of the administrative law judge's order.