

RULE NO.: R161-20.02

ADOPTION DATE: March 25th, 2020

NOTICE OF RULE ADOPTION

By: Jackie A. Sargent, General Manager, Austin Energy Department

The General Manager of the Department of Austin Energy has adopted the following rule. Notice of the proposed rule was posted on February 3rd, 2020. Public comment on the proposed rule was solicited in the February 3rd, 2020 notice. This notice is issued under Chapter 1-2 of the City Code. The adoption of a rule may be appealed to the City Manager in accordance with Section 1-2-10 of the City Code as explained below.

A copy of the complete text of the adopted rule is available for public inspection and copying at the following locations. Copies may be purchased at the locations at a cost of ten cents per page:

Department of Austin Energy located at St. Elmo Service Center 4411-B
Meinardus Dr., Austin, Texas 78744-1145; or

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, Texas.

EFFECTIVE DATE OF ADOPTED RULE

A rule adopted by this notice is effective on March 25th, 2020.

TEXT OF ADOPTED RULE

R16-20.02: Notice of Adoption to Section 1 of the Utilities Criteria Manual contains no changes from the proposed rule.

Add Transmission, District Cooling, and Application Requirements for AE Land Development
Clearance Increase from Overhead Lines
Content Consolidation
Update References
Grammar and Format corrections
Spreadsheet "Summary of Changes" attached.

SUMMARY OF COMMENTS

The Department of Austin Energy did not receive comments regarding Rule R161-20.02.

AUTHORITY FOR ADOPTION OF RULE

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate construction is established in Chapter 15-9 of the City Code.

APPEAL OF ADOPTED RULE TO CITY MANAGER

A person may appeal the adoption of a rule to the City Manager. **AN APPEAL MUST BE FILED WITH THE CITY CLERK NOT LATER THAN THE 30TH DAY AFTER THE DATE THIS NOTICE OF RULE ADOPTION IS POSTED. THE POSTING DATE IS NOTED ON THE FIRST PAGE OF THIS NOTICE.** If the 30th day is a Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An adopted rule may be appealed by filing a written statement with the City Clerk. A person who appeals a rule must (1) provide the person's name, mailing address, and telephone number; (2) identify the rule being appealed; and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

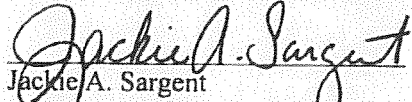
Notice that an appeal was filed will be posted by the city clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager's decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act on an appeal on or before the 60th day after the date the notice of rule adoption is posted, the rule is withdrawn. Notice of the City Manager's decision on an appeal will be posted by the city clerk and provided to the City Council.

On or before the 16th day after the city clerk posts notice of the City Manager's decision, the City Manager may reconsider the decision on an appeal. Not later than the 31st day after giving written notice of an intent to reconsider, the City manager shall make a decision.

CERTIFICATION BY CITY ATTORNEY

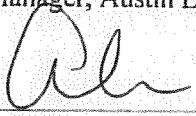
By signing this Notice of Rule Adoption R161-20.02, the City Attorney certifies that the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

REVIEWED AND APPROVED


Jackie A. Sargent

General Manager, Austin Energy Department

Date: 2-28-2020



Anne L. Morgan
City Attorney

Date: 3/2/2020