

# **PUBLIC UTILITY COMMISSION OF TEXAS**

## **CITATION GUIDE**

# PUC CITATION GUIDE

**This guide is not comprehensive. It serves as a reference tool to provide a consistent style for citation forms commonly used at the P.U.C. When in doubt, check the *Bluebook* (17th ed.) or the *Texas Rules of Form* (9th ed.). Another good reference is the *Texas Law Review Manual on Usage Style and Editing* (9th ed.).**

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# I. Statutes

## *Generally:*

- All Vernon's Texas Statutes should be cited in "small caps" in the footnote of the document.
- Citations should always be included in a footnote, never in the text.
- Shorthand references are appropriate only after giving the full citation and indicating the shorthand reference within a parenthetical.
- When citing consecutive sections or subsections, give inclusive numbers—do not use "et seq."

## **I-1: PURA (Current Version)**

### *In general:*

- *Portions codified:*
  - Public Utility Regulatory Act, TEX. UTIL. CODE ANN. §§ 11.001-66.017 (Vernon 1998 & Supp. 2005) (PURA).
- *Portions in S.B. 7 not codified:*
  - S.B. 7, Sections 62, 63, 64 & 65 were not included in the codified version of PURA. To cite one of these sections, you must cite to the session law. For example, Section 62 would be cited as follows:
    - Act of May 27, 1999, 76<sup>th</sup> Leg., R.S., ch. 405, § 62, 1999 TEX. SESS. LAW 2543.

### *Citing a specific section:*

- Public Utility Regulatory Act, TEX. UTIL. CODE ANN. § 53.110 (Vernon 1998 & Supp. 2005) (PURA).
- After citing in full, you may use the following shorthand citation:
  - PURA § 53.110.

## **I-2: PURA95**

### *In general:*

- There were many bills that comprised PURA95. Therefore, it is necessary to refer to each individual bill enacted. For example, H.B. 2128 would be cited as follows:
  - Act of May 12, 1995, 74<sup>th</sup> Leg., R.S., ch. 231, 1995 Tex. Gen. Laws 2017 *repealed by* Act of May 8, 1997, 75<sup>th</sup> Leg., R.S., ch. 166, § 9, 1997 Tex. Gen. Laws 1018 (PURA95).
- After citing in full, you may use the following shorthand citation:
  - PURA95 § 3.217 (repealed).

## **I-3: PURA75**

### *In general:*

- Public Utility Regulatory Act, 64<sup>th</sup> Leg., R.S., ch. 721, 1975 Tex. Gen. Laws 2327, *repealed by* Act of April 5, 1995, 74<sup>th</sup> Leg., R.S., ch. 9, § 2(a), 1995 Tex. Gen. Laws 88 (PURA75).
- Subsequent amendments to PURA75 are not included in this example; those amendments should refer to the appropriate Texas General Laws for the year in which the amendment was adopted.
- After citing in full, you may use the following shorthand citation:
  - PURA75 § 40 (repealed).

**I-4: FTA**

***In general:***

- Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (codified as amended in scattered sections of 15 and 47 U.S.C.) (FTA).
- Note: When referring to the FTA in text, “Federal” is capitalized.

***Citing a specific section:***

- For example, Section 252 would be cited as follows: Telecommunications Act of 1996 § 3, 47 U.S.C.A. § 252 (West 2001 & Supp. 2002) (FTA § 252).

**I-5: PUHCA**

***In general:***

- Public Utility Holding Company Act of 1935, 15 U.S.C.A. §§ 79-79z-6 (West 1997 & Supp. 2002) (PUHCA).

**I-6: PURPA**

***In general:***

- Public Utility Regulatory Policies Act of 1978, Pub. L. No. 95-617, 92 Stat. 3117 (codified as amended in scattered sections of 15, 16, 42, and 43 U.S.C.) (PURPA).

**I-7: EPAct**

***In general:***

- Energy Policy Act of 1992, Pub. L. No. 102-486, 106 Stat. 2776 (codified as amended in scattered sections of 2, 11, 15, 16, 25, 26, 30, 31, 33, 38, 40, and 42 U.S.C.) (EPAct).

**I-8: APA**

***In general:***

- Administrative Procedure Act, TEX. GOV'T CODE ANN. §§ 2001.001-.902 (Vernon 2000 & Supp. 2005) (APA).

***Citing a specific section:***

- Administrative Procedure Act, TEX. GOV'T CODE ANN. § 2001.051 (Vernon 2000 & Supp. 2005).

***Note:***

- Former TEX. GOV'T CODE ANN. § 2003.047 (relating to the interaction of the Commission and SOAH), was renumbered to § 2003.049 during the 75th Legislature.

**I-9: Open Records**

***In general:***

- This act does not have an official short title, but it is commonly referred to as the Texas Public Information Act:
  - TEX. GOV'T CODE ANN. § 552.111-.353 (Vernon 1994 & Supp. 2003).

## **I-10: Open Meetings**

### ***In general:***

- This act does not have an official short title, but it is commonly referred to as the Open Meetings Act:
  - TEX. GOV'T CODE ANN. § 551.001-.144(Vernon 1994 & Supp. 2003).

## **I-11: Texas Register**

### ***In general:***

- Be sure to include a reference to the specific date of publication to facilitate the reader locating the publication:
  - 21 Tex. Reg. 1397 (Feb. 20, 1996).
  - When referenced in the text, *Texas Register* should be italicized and should not be abbreviated.

## **II. Rules**

### **II-1: P.U.C. Rules**

- There is no § sign used when citing Commission rules (see below).
- Do not provide the citation to the Texas Administrative Code when citing Commission rules.

#### ***Substantive***

- P.U.C. SUBST. R. 25.101.
- *When citing more than one rule:*
  - P.U.C. SUBST. R. 26.417 and 26.418.

#### ***Procedural***

- P.U.C. PROC. R. 22.142.

#### ***Appendices***

- P.U.C. SUBST. R. 25.214(d), Appendix IV, Tariff for Retail Delivery Service.

#### ***Figures***

- P.U.C. SUBST. R. 25.43(f)(1)(A), Figure: part 4a.

### **II-2: State Rules**

#### ***Texas Rules of Civil Procedure***

- TEX. R. CIV. PROC. 166(b).

#### ***Texas Rules of Civil Evidence***

- TEX. R. CIV. EVID. 801(a).

## **III. P.U.C. Filings**

### ***Generally:***

- The style of the docket or project is italicized.
- The style of the docket or project is placed before the docket or project number.
- Do not include the SOAH Docket No. in any citation.
- You may refer to the docket number as a shorthand in the text only after it is cited in full in a footnote.

- The Commission stopped publication of the P.U.C. BULLETIN with the August 1996 edition. As a result, there is no need to state “not yet published” for dockets closed after September 1, 1996.

### III-1: Dockets

#### ***Closed Docket Published in Full:***

- *Application of XYZ Utility Company to Change Rates*, Docket No. 0000, 11 P.U.C. BULL. 111 (date).

#### ***Closed Docket Published as a Memorandum Decision:***

- *Petition of PQR Electric Cooperative for Good Cause Exemption to P.U.C. Subst. R. 23.999*, Docket No. 1000, 33 P.U.C. BULL. 66 (date) (mem.).

#### ***Closed Docket Not Published After Two Years of Issuance Date (closed prior to September 1, 1996):***

- *Complaint of DEF Against GHI Utility*, Docket No. 999 (date) (not published).

#### ***Closed Docket Issued After September 1, 1996:***

- *Application for Service Provider Certificate of Operating Authority*, Docket No. 555 (date).

#### ***Pending Docket:***

- *Application of ABC Electric Cooperative for Certificate of Convenience and Necessity*, Docket No. 9999 (pending).
- When citing to a pleading previously filed in the docket in which the order is being issued, it is not necessary to include the “pending” notation. (See III-4: Pleadings, *infra*.)

#### ***Consolidated Dockets Without a Single Style:***

- *Petition of Office of Public Utility Counsel for Inquiry into the Rates of UVW Telephone Company and Petition of General Counsel to Investigate Rates of UVW Telephone Company*, Consolidated Docket Nos. 4444 and 4445, 66 P.U.C. BULL. 55 (date).

### III-2: Orders

#### ***Generally:***

- If the Order is published, give the appropriate P.U.C. BULL. citation. If the order was issued prior to September 1, 1996 and it is not published, indicate “not published” following the date. If the order was issued after September 1, 1996, do not include a reference indicating “not published”; simply end the citation with the date the final order was issued.
- Short citations are appropriate **only after the docket has been cited in full**:
  - *Application of XYZ to Change Rates*, Docket No. 888, Order on Appeal (date). *Becomes:*
    - Docket No. 888, Order on Appeal at 7 (date).
  - When you are preparing a document for the same docket as the cited material, it is not necessary to reference the docket number in the short citation:
    - Order on Appeal at 7 (date).
- **Cite to the date upon which the order is filed if it is different from the signature date.** When citing to a Commission order that incorporates, in whole or in part, a PFD or interim order, cite the date of the Commission order. If the Commission

issues more than one “final” order in a docket (e.g., an order on rehearing), employ the date of the most recent order in the citation, unless specifically referencing a provision or statement in an earlier “final order” that was not ultimately adopted and/or incorporated by the order issued last in time.

***Preliminary Order:***

- *Request by City of GHI for Declaratory Relief*, Docket No. 888, Preliminary Order (date).
- Note: Preliminary Orders are not published in the P.U.C. Bulletin. Therefore, it is not necessary to indicate “\_\_\_P.U.C. BULL. \_\_\_” or “not published.”

***Interim Order:***

- *Complaint of PQR Consumer for Refund*, Docket No. 123, Order No. 2 (date).

***Commission Order on Appeal of an Interim Order:***

- *Application of KLM Utility*, Docket No. 333, Order on Appeal, 55 P.U.C. BULL. 444 (date).

***Interim Order and Commission Order on Appeal of an Interim Order:***

- *Application of 123 Utilities Company for Tariff Approval*, Docket No. 4444, Order No. 32 and Order on Appeal, 1111 P.U.C. BULL. 300 (date).
- Note: Use this citation only when referring to the underlying interim order.

***Commission Order on Certified Issue(s):***

- *Petition of TUV Power Marketing Association*, Docket No. 11111, Order on Certified Issues, 66 P.U.C. BULL. 200 (date).

***Order Issued After September 1, 1996:***

- *Application of EDF Utilities for Authority to Change Rates*, Docket No. 12121 (date).

**III-3: Proposal for Decision**

***Not Published:***

- *Application for Approval of a Discounted Rate*, Docket No. 6667, Proposal for Decision at 70 (date).

***Published:***

- *Application for Approval of a Discounted Rate*, Docket No. 6655, 23 P.U.C. BULL. 1124, 1131 (date).

***Finding of Fact/Conclusion of Law:***

- *Petition of X for Declaratory Relief*, Docket No. 99, Finding of Fact No. 6, 22 P.U.C. BULL. 5, 11 (date).

**III-4: Pleadings**

***Generally:***

- When citing to a pleading previously filed in the docket in which the underlying order is being issued, it is not necessary to reference the full docket.
- A full citation is necessary when referring to a pleading from another docket:

- *Application of YYZ Utility Company for Discounted Tariff*, Docket No. 2112, YYZ's Response to Request for Briefing at 5 (date).
- A full citation to the pleading is required the first time it is referenced; a shorthand footnote citation may then be used for all subsequent references:
  - Comments of Southwestern Bell Telephone Company at 3 (date). ⇒ SWBT Comments at 5.
  - Environmental Defense Fund's Brief on Threshold Issues at 6 (date). ⇒ EDF Brief at 8.
  - Office of Public Utility Council's Response to ABC Utility Company's Motion for Rehearing at 7 (date). ⇒ OPC Response at 6.
- Pleadings are not italicized or underlined; use regular font.

### **III-5: Transcripts**

#### ***Hearing on the Merits:***

- Tr. at 5 (date).

#### ***Prehearing Conference Transcript:***

- Prehearing Conference Tr. at 12 (date).

#### ***Open Meeting Transcript:***

- Open Meeting Tr. at 3 (date).

#### ***Note:***

- A full citation is required when you are referring to a transcript in another docket.

### **III-6: Projects/Rulemakings**

- *Investigation into Customer Satisfaction*, Project No. 33333, Staff Data Request (date).

### **III-7: Citing Evidence**

- Direct Testimony of Jane Doe, ABC Ex. 1 at 5.

## **IV. Case Law**

### ***Generally:***

- Spell out all case names in full, even though the *Bluebook* dictates otherwise.

### **IV-1: Texas Supreme Court**

- *Public Utility Commission of Texas v. AT&T Communications of the Southwest*, 777 S.W.2d 363 (Tex. 1989).

### **IV-2: Texas Courts of Appeal**

#### ***Post-1981:***

- *Amtel Communications v. Public Utility Commission of Texas*, 687 S.W.2d 95 (Tex. App.—Austin 1985, no writ).

#### ***Pre-1981 (Courts of Civil Appeals):***

- *Public Utility Commission of Texas v. City of Corpus Christi*, 555 S.W.2d 509 (Tex. Civ. App.—Waco 1977, writ ref'd n.r.e).

#### **IV-3: Texas District Courts**

- *Houston Lighting & Power Co. v. Public Utility Commission of Texas*, No. 97-02885 (250th Dist. Ct., Travis County, Tex., Jan. 1, 1997).

#### **IV-4: Federal Courts**

- Refer to the *Bluebook* for thorough guidance in citing opinions issued by federal courts.
- An example of a Supreme Court case often cited at the P.U.C.:
  - *Iowa Utilities Board v. Federal Communications Commission*, 525 U.S. 1133 (1999).

## **V. Federal Regulations and Dockets**

#### **V-1: Code of Federal Regulations (CFR)**

- 47 C.F.R. § 1.399 (1996).

#### **V-2: Federal Register**

- The Wireless Communications Service (“WCS”), 62 Fed. Reg. 16,493 (1997) (to be codified at 47 C.F.R. pt. 27).

#### **V-3: FCC Dockets**

- There is no simple format for citing FCC dockets. For the sake of consistency, attempt to cite these dockets as you would a P.U.C. docket:
  - *Style of Docket*, Docket No., Type of Order, (FCC Record cite, if available) (date released). Example:
    - *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, First Report and Order, 11 FCC Record 15499 (rel. Aug. 8, 1996).

#### **V-4: FERC Dockets**

- As with the FCC, there is no single citation format due to multiple FERC publications; therefore, utilize the following examples:
  - *Style of Docket*, Order No., FERC ¶ cite (year). Examples:
    - *Northwest Pipeline Corporation*, 56 FERC ¶ 61,300 (1991).
    - *Promoting Wholesale Competition Through Open Access, Non-discriminatory Transmission Services by Public Utilities; Recovery of Stranded Costs by Public Utilities and Transmitting Utilities*, Order No. 888, FERC Stats. & Regs., Regulations Preambles 1992-1996 ¶ 31,036 (1996); Order No. 888-A, III FERC Stats. & Regs. ¶ 31,048 (1997).

## **VI. Miscellaneous Publications**

#### **VI-1: Dictionaries**

- BLACK’S LAW DICTIONARY 712 (6th Ed. 1990).

#### **VI-2: Newspaper Articles**

- Vikas Bajaj, *MCI to Add Long-Distance Fee in Texas*, DALLAS MORNING NEWS, Aug. 6, 2001, at D6.

### **VI-3: Journal Articles**

- Ron Beal, *Issuing a Proposal for Decision: An Analysis of the Power of an Administrative Law Judge in Rendering Proposed Findings in a Contested Case Proceeding*, 2 TEX. TECH J. OF TEX. ADMIN. LAW 209, 219-225 (2001).

### **VI-4: Books**

- J. MYRON JACOBSTEIN & ROY M. MERSKY, *FUNDAMENTALS OF LEGAL RESEARCH*, 15-19 (1990).

## **VII. Stylistic Rules**

### **VII-1: Spacing**

- There is one space between abutting parentheticals: (1997) (FTA)
- There are no spaces between dashes or hyphens.
- There is one space after a semicolon.
- There are two spaces after a colon.

### **VII-2: Abbreviations**

- Abbreviate the month in the citation, when possible:  
Jan. Feb. Mar. Apr. May Jun. Jul. Aug. Sept. Oct. Nov. Dec.
- Abbreviate Number to No. and Numbers to Nos. as may be appropriate.
- You may abbreviate Findings of Fact (FoFs) and Conclusions of Law (CoLs).
- Write out the full date in the text: April 17, 1997; not 4/17/97; not 17 April 1997.

### **VII-3: Acronyms**

- Southwestern Bell should be abbreviated as “SWBT.”
- Only use “Commission” when referring to our agency within the text of a document. But, in pleadings addressed to federal agencies such as the FCC or FERC, you should refer to those agencies as the “Commission” and our agency as “Public Utility Commission of Texas (PUCT).”
- Note that, for example, RFIs and LECs are not possessive—no apostrophe is necessary.
- The “s” following all-caps acronyms should be lower-case.

### **VII-4: Page numbers**

- When following correct citation form, the first page that the docket or case appears on will be cited. If you are referring to a particular statement that happens to be on the first page, repeat the page number again:
  - 15 P.U.C. BULL. 385, 385.
- Cite all other page numbers specifically referred to:
  - 15 P.U.C. BULL. 385, 388.
- When citing to multiple page numbers, retain only the last two digits:
  - 15 P.U.C. BULL. 385, 388-89.
- If the cite incorporates non-consecutive page numbers, cite them in their entirety:
  - 15 P.U.C. BULL. 385, 388, 391.
- When referring to a document that is not published, use the “at \_\_\_\_” format to refer to a specific page or pages.

### **VII-5: Capitalization**

- Capitalize nouns referring to people or groups only when they identify specific persons, groups, government offices, etc.

- “Act” is capitalized only when referring to the specific act.
- “Order” is capitalized only when referring to the specific order, i.e. “this Order.”
- Capitalize “administrative law judge” only when referring to such judge by name.
- “Commission” is capitalized in documents; it is not capitalized in rules.
- Generally, there is no need to capitalize what appears in the text; rather, such capitalization should appear in the footnote. For example:
  - A textual reference may be: “The preliminary order issued in this docket addressed several concerns.” The accompanying footnote would be: “Preliminary Order at \_\_\_ (date).”
- The phrase “open meeting” is not capitalized.
- “Legislature” is capitalized only when making specific, not general references:
  - state action/legislative action
  - the State acted/the Legislature acted
- Do not capitalize the following in the style of a docket, unless they are the first word:
  - Articles (the, a, an)
  - Coordinate conjunctions (and, for, or, nor)
  - Prepositions fewer than four letters
  - The “to” in infinitives

#### **VII-6: Italics**

- *Id.* is always italicized.
- The style of the cited docket should be italicized in the text and the footnote.
- Explanatory phrases (e.g., *amended by*, *aff’d*) are italicized. (See Bluebook table T:9 for a complete list.)
- Introductory signals (e.g., *See*, *c.f.*) are italicized.

#### **VII-7: Quotations**

- Quotations of 50 words or more should be indented on both sides and single-spaced in a block quote. Do not use quotation marks. If the first word in the quotation is not the beginning of a sentence, it is not necessary to use an ellipsis: a lowercase letter simply indicates that fact:

the policy of this state [is to] to promote diversity of providers . . . and to encourage a fully competitive communications marketplace while protecting and maintaining the wide availability of high quality, interoperable, standards-based communications services at affordable rates. These goals are best achieved by legislation that brings telecommunications services into the modern era . . . .

- Block quotations should not be italicized.

#### **VII-8: Punctuation**

- Periods and commas are placed inside quotation marks.
- All punctuation, with the exception of colons and semicolons, are placed inside of the quotation marks.
- There is no comma between the month and the year: January 2002
- A comma should follow the year only when the grammatical construction of the sentence warrants. Example:
  - On December 25, 2001, the Commission held an open meeting.
  - The Commission’s December 25, 2002 open meeting was short.
- The possessive of a singular noun, including those that end in *s* is by adding an apostrophe and *s*. Example:
  - The State of Texas’s brief was lengthy.

### **VII-9: Ellipses**

- An ellipsis is a mark indicating the intentional omission of words. To indicate the omission of words, place three periods separated by spaces and set off by a space before and after the last period: (. . .)
- Ellipses are never used to begin a quotation (*See VII-7: Quotations, supra*).
- When a sentence ends with an omission, use the three periods, as well as an ending period: (. . .)
- If an omission is made just after the end of a sentence that omits the beginning of the next sentence, retain the punctuation at the end of the sentence and insert an ellipsis before the remainder of the quotation:
  - “standards-based communications services at affordable rates. . . are best achieved by legislation . . .”

### **VII-10: Miscellaneous symbols**

- Write out “section” only when it is the first word of a sentence.
- There should be a space between the section sign and the number:
  - § 47
- This also applies when using multiple section signs:
  - §§ 47 and 48
- In order to avoid dangling section signs at the end of a line, you must place a space separator between the section sign and the number, by entering control+shift+space bar.
- The correct § sign to use can be found under Insert/Symbol/Normal in the Times New Roman font. Shortcut key is Alt + 21. Shortcut key for ¶ is Alt + 20.
- Also place a space between the ¶ symbol and the accompanying number.
- When placed at the beginning of a sentence, a symbol should be spelled-out in full.
- Dollar (\$) and percent (%) symbols should be used wherever numerals are used, and the words used wherever numbers are spelled out.
- When using numbers in text, spell out numbers one through ten; use numerals for 11 and greater. However, always spell out numbers that begin a sentence.
- Do not hyphenate adjectival phrases where the adverb ends in *-ly*.

### **VII-11: Footnotes**

- Footnotes should be in 10 point font.
- The footnote superscript is placed after punctuation.
- There should be at least six-point spacing between each footnote.
- Footnote text should be justified.
- Place a tab before the superscript number in the footnote section.
- Place two spaces between the superscript number and the first word.
- Generally, substantive information should not be included in a footnote.

## VIII: Pleading/Order Formatting

### VII-1: Margins:

- Use the default margins as set forth:
  - Top: 1"
  - Bottom: 1"
  - Left: 1"
  - Right: 1"
  - Header: .5" from edge
  - Footer: .5" from edge

### VII-2: Line Spacing:

- Line Spacing should be 1.5, justified text.

### VIII-3: Font:

- 12-point, Times New Roman.

### VIII-4: Header/Footer:

- Text in the header or footer should be in 10 pt. font, bold, regular case.
- The header should include a page number as follows: **Page 2 of 5**.

### VIII-5: Findings of Fact and Conclusions of Law:

- FoFs and CoLs should be numbered separately.
- The text should be placed in hanging indent format (Control + t)
- Use bold, italicized, underlined, unnumbered headings to differentiate findings, e.g., ***Procedural History*** or ***Applicant's Request***

### VIII-6: Headings:

- Headings should always be in bold.
- Place a tab between the heading number and the title.
- Headings should only be used in multiples. For example, I. should not be used if it is the only heading.
- Use the following format:

**I.      Heading**

**A.      Heading**

**1.      Heading**

**a.      Heading**

**i.      Heading**

# **IX: Report Formatting**

## **IX-1: Margins:**

- Use the default margins as set forth:
  - Top: 1"
  - Bottom: 1"
  - Left: 1"
  - Right: 1"
  - Header: .5" from edge
  - Footer: .5" from edge

## **IX-2: Line Spacing:**

- Line Spacing should be single, justified text.

## **IX-3: Font:**

- 12-point, Times New Roman.

## **IX-4: Header:**

- Text in the header or footer should be in 10 pt. font, bold, regular case.
- The header should include a page number as follows: **5**.
- The left-hand page header should state the title of the report; the right-hand page header should state the chapter.

## **IX-5: PUC References**

- The PUC should be referred to as the "Commission" in reports. Other agencies (state or federal) should be referred to by full name/acronym.

## **IX-6: Headings:**

- Headings should always be in bold.
- Place a tab between the heading number and the title.
- Headings should only be used in multiples. For example, **I**. should not be used if it is the only heading.
- Text should not be indented in the same manner as the headings; instead, it should remain left justified.
- Use the following format:

### **Chapter I. Heading**

#### **A. Heading**

##### **1. Heading**

##### **b. Heading**

##### **i. Heading**