

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

May 26, 2023

IN RE:)	
)	
RULEMAKING TO AMEND TENN. R. & REGS. 1220-)	DOCKET NO.
04-11 ET SEQ. TO INCORPORATE REFERENCES)	23-00030
FOR UNSOLICITED TEXT MESSAGES IN)	
ACCORDANCE WITH PUBLIC CHAPTER 126 (2023))	

**ORDER OPENING A RULEMAKING PROCEEDING
TO PROMULGATE RULES TO INCORPORATE REFERENCES FOR
UNSOLICITED TEXT MESSAGES**

This matter came before the Tennessee Public Utility Commission with all Commissioners voting, during a regularly scheduled Commission Conference held on May 8, 2023, to consider opening a rulemaking proceeding to promulgate rules to incorporate references for unsolicited text messages.¹

On April 4, 2023, Governor Lee signed into law Public Chapter 126, which, effective July 1, 2023, amends Tenn. Code Ann. § 65-4-401 prohibiting unsolicited telephone calls to include and incorporate similar prohibitions for unsolicited text messages. The provisions for unsolicited text messages do not alter existing law related to unsolicited telephone calls, but simply expands the law to include text messages under the regulatory scheme in this area. As the law has changed, it is incumbent upon the agency to update its rules to conform with the newly expanded law. During the Commission Conference, the Commissioners voted unanimously to initiate a

¹ Commissioner Kenneth C. Hill was absent from this Conference and did not vote in this matter.

rulemaking proceeding to incorporate references for unsolicited text messages and directed staff to prepare and submit the necessary rulemaking notices.

FOR THE TENNESSEE PUBLIC UTILITY COMMISSION:

**Chairman Herbert H. Hilliard,
Vice Chairman David F. Jones,
Commissioner Robin L. Morrison,
Commissioner Clay R. Good,
Commissioner David Crowell, and
Commissioner John Hie concurring.**

None dissenting.

ATTEST:

A handwritten signature in cursive script, appearing to read "Earl Taylor".

Earl R. Taylor, Executive Director