

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, SUPPORTING THE LEGISLATIVE ACTIVITY AND GOALS OF THE ALLIANCE OF ONCOR CITIES (“AOC”) BEFORE THE TEXAS LEGISLATURE AS THEY RELATE TO THE SETTING OF ELECTRIC UTILITY RATES; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas, hereinafter referred to as “City,” is a member of the Alliance of Oncor Cities (“AOC”); and,

WHEREAS, AOC and its predecessor, the Alliance of TXU/Oncor Cities, has participated in numerous gas utility ratemaking proceedings before the Public Utility Commission of Texas (“PUC”); and,

WHEREAS, during the 82nd Regular Session of the Texas Legislature the Public Utility Commission, which sets electric utility rates on appeal from decisions made by municipalities, is up for sunset review; and,

WHEREAS, during sunset review the Legislature may consider amending, altering or eliminating laws which affect electric utility ratemaking; and,

WHEREAS, it is believed that legislation will be introduced to adversely affect the participation of municipalities in the electric utility ratemaking process at the PUC.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:

Section 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City directs AOC to oppose legislation which allows for:

- Annual rate increases based upon a formula or pre-set criteria.
- The elimination or reduction in the ability of incorporated municipalities to exercise original jurisdiction to set rates.
- The imposition of taxes on ratepayers which are not paid by the gas utility to the Internal Revenue Service or the Texas Comptroller of Accounts;
- The setting of rates which unfairly burden low use customers.
- The reasonable rate cases expenses by municipalities to be reimbursed by the utility requesting an increase in rates.

Section 3. The City authorizes the AOC Steering Committee to hire and direct legislative advocates to act on its behalf during the 82nd Regular Session of the Texas Legislature.

Section 4. The City will support the legislative effort by the AOC Steering Committee in an amount not to exceed \$2,000.

.. **Section 5.** That a copy of this resolution shall be sent to Mr. Jim Boyle, Herrera & Boyle, PLLC, 816 Congress Avenue, Suite 1250, Austin, Texas 78701.

Section 6. That the meeting at which the aforesaid resolution was adopted was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

Section 7. That this resolution shall become effective from and after its passage.

PASSED AND APPROVED this _____ day of _____, 2011.

Mayor
Jeff Coleman

ATTEST:

City Secretary
Karen Thompson