

RESOLUTION NO. 1990-04

A RESOLUTION AUTHORIZING THE STEERING COMMITTEE OF TU ELECTRIC SERVICE AREA CITIES TO RETAIN LEGAL COUNSEL AND RATE CASE CONSULTANTS; AUTHORIZING THE STEERING COMMITTEE TO INTERVENE ON BEHALF OF THE CITY OF DE LEON, TEXAS IN THE TEXAS PUBLIC UTILITY COMMISSION TEXAS UTILITIES ELECTRIC COMPANY RATE CASE, RURAL RATE CASE, PUC DOCKET NO. 9220 (PRUDENCY INQUIRY) AND RELATED DOCKETS; SUSPENDING THE PROPOSED TARIFF AND SCHEDULE OF RATES OF TEXAS UTILITIES ELECTRIC COMPANY

- WHEREAS, Texas Utilities Electric Company (TUEC) has filed with individual cities and the Texas Public Utility Commission (PUC Docket 9300) ("Rural Case") for an increase in rates, with such new rates to have a proposed effective date of February 20, 1990; and
- WHEREAS, TUEC has under construction a two unit nuclear plant project known as the Comanche Peak Nuclear Generating Station ("Comanche Peak"), which project cost is expected to be approximately \$10 billion and potentially a major component of such rate request; and
- WHEREAS, on December 22, 1989, the Office of Public Utility Counsel filed a petition of inquiry (PUC Docket 9220) with the Public Utility Commission of Texas inquiring into the prudence, efficiency and management of Comanche Peak; and
- WHEREAS, the City of De Leon, Texas, ("City") is a regulatory authority having a statutory duty to participate in such proceedings and whose citizens will be substantially affected by the rates established as a result of such proceedings; and
- WHEREAS, the economic development potential and competitiveness of the electric service area will be profoundly affected by the rates established;
- WHEREAS, the City is entitled to be reimbursed for its reasonable expenses pursuant to Section 24(a) of the Texas Public Utility Regulatory Act; and
- WHEREAS, the Steering Committee of TU Electric Service Area Cities has been formed to facilitate and coordinate the participation of Cities in the service area of TUEC in these rate proceedings; and
- WHEREAS, the Steering Committee is currently negotiating with TUEC for the periodic reimbursement of the Cities joint rate case expenses; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS:

## I.

That the City authorizes the Steering Committee of TU Electric Service Area Cities of which the City is a participating member, to retain legal counsel and engage rate case consultants, and intervene on behalf of the City in PUC Docket No. 9220, filed by the Office of Public Utility Counsel, and PUC Docket No. 9300 (TUEC Rural Case) filed by TUEC, and related dockets.

## II.

The City authorizes payment to the Steering Committee of TU Electric Service Area Cities of ten cents (10¢) per capita based upon the latest Texas Municipal League population figures for the City.

## III.

In order to allow the City sufficient time to analyze and prepare for hearing and decision on any requested rate, the City Council of the City hereby suspends the operation of the proposed tariffs and schedules of rates which would otherwise go into effect for a period not to exceed ninety (90) days beyond the date on which the schedule of rates would otherwise go into effect, i.e., suspension until Midnight, May 21, 1990, and for such additional period of time as may be necessary and authorized by law. During such period of suspension, the rates in force shall be those rates in effect when the suspended schedule was first filed, and shall continue in force until finally approved, modified or denied by the City Council.

## IV.

The City Secretary shall cause copies of this resolution to be sent to the TUEC representative:

T. Michael Ozymy  
Vice President  
Texas Utilities Electric Company  
2001 Bryan Street, Suite 1900  
Dallas, Texas 75201

and the Chairman of the Steering Committee:

Jay Doegey  
City Attorney  
Post Office Box 231  
Arlington, Texas 76004-0231.

PRESENTED AND PASSED on this the 27th day of February, 1990, by a vote of 4 ayes and 0 nays at a regular meeting of the City Council of the City of De Leon Texas.

MAYOR, City of De Leon

C.S. Campbell  
C.S. Campbell

ATTEST:

Florence Wood  
City Secretary  
Florence Wood