



**CITY OF PLANO  
COUNCIL AGENDA ITEM**

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		June 14, 2010		
Department:		Customer and Utility Services		
Department Head		Mark Israelson		
Agenda Coordinator (include phone #): <b>Nancy Rodriguez X7510</b>				
<b>CAPTION</b>				
A Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery Company, LLC, and providing an effective date.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input checked="" type="checkbox"/> OPERATING EXPENSE <input type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR: <b>09/10</b>	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Budget	0	120,948	0	<b>120,948</b>
Encumbered/Expended Amount	0	-90,288	0	<b>-90,288</b>
This Item	0	-26,748	0	<b>-26,748</b>
BALANCE	0	3,912	0	<b>3,912</b>
<b>FUND(S):     GENERAL FUND (01.215)</b>				
<b>COMMENTS:</b> Funding for this item is included in the 2009-10 Non-Departmental Operating Budget.				
<b>STRATEGIC PLAN GOAL:</b> Participation in Utility Steering Committees and Coalitions relates to the City's Goal of "Financially Strong City with Service Excellence".				
<b>SUMMARY OF ITEM</b>				
This Resolution authorizes payment for the annual per capita assessment for membership for the Steering Committee of Cities Served by Oncor.				
List of Supporting Documents: Memorandum			Other Departments, Boards, Commissions or Agencies	

# MEMORANDUM

**TO:** Plano City Council

**THROUGH:** Thomas H. Muehlenbeck, City Manager

**FROM:** Mark D. Israelson, Assistant City Manager

**DATE:** June 14, 2010

## **STAFF REPORT ON ASSESSMENT RESOLUTION FOR STEERING COMMITTEE OF CITIES SERVED BY ONCOR**

### **Purpose of the Resolution**

The City of Plano is a member of a 146-member city coalition known as the Steering Committee of Cities Served by Oncor. The resolution approves the assessment of a ten cent (\$0.10) *per capita* fee to fund the activities of the Steering Committee.

### **Why this Resolution is Necessary**

The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric transmission and distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by TXU (since renamed as Oncor Electric Delivery Company) gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by *per capita* assessments, the Steering Committee has been the primary public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for nearly two decades.

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery Company within the City. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

### **Explanation of “Be It Resolved” Paragraphs**

1. The City is currently a member of the Steering Committee; this paragraph authorizes the continuation of the City’s membership.

2. This paragraph authorizes payment of the City's assessment to the Steering Committee in the amount of ten cents (\$0.10) per capita, based on the population figure for the City as shown in the latest TML Directory of City Officials.

3. This paragraph requires notification to the Chair of the Steering Committee, Jay Doegey, that the City has adopted the Resolution.

**Payment of Assessment**

A copy of the resolution should be mailed with payment of the fee to Jay Doegey, Chair, Oncor Cities Steering Committee, c/o City Attorney's Office, Mail Stop 63-0300, P. O. Box 90231, Arlington, Texas 76004-3231. Checks should be made payable to: *Oncor Cities Steering Committee*.

**A Resolution authorizing continued participation with the Steering Committee of Cities served by Oncor; authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery Company, LLC, and providing an effective date.**

**WHEREAS**, the City of Plano is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company LLC (Oncor) within the municipal boundaries of the city; and

**WHEREAS**, the Steering Committee has historically intervened in Oncor (formerly known as TXU) rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries; and

**WHEREAS**, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, affecting transmission and distribution utility rates; and

**WHEREAS**, the City is a member of the Steering Committee of Cities Served by Oncor; and

**WHEREAS**, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs;

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

**SECTION I.** That the City is authorized to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Plano and protect the interests of the customers of Oncor Electric Delivery Company LLC residing and conducting business within the City limits.

**SECTION II.** The City is further authorized to pay its assessment to the Steering Committee ten cents (\$0.10) per capita based on the population figures for the City shown in the latest TML Directory of City Officials.

**SECTION III.** A copy of this Resolution and the assessment payment check made payable to "Oncor Cities Steering Committee" shall be sent to Jay Doegey, Chair, Oncor Cities Steering Committee, c/o City Attorney's Office, Mail Stop 63-0300, P. O. Box 90231, Arlington, Texas 76004-3231.

**SECTION IV.** This Resolution shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ON THIS THE 14<sup>TH</sup> DAY OF JUNE, 2010.**

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Phil Dyer, MAYOR

**ATTEST:**

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Diane Zucco, CITY SECRETARY

**APPROVED AS TO FORM:**

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Diane C. Wetherbee, CITY ATTORNEY