CITY OF PLANO
COUNCIL AGENDA ITEM

CITY SECRETARY'S USE ONLY	
☐ Consent ☐ Regular ☐ Statutory	
Council Meeting Date:	May 13, 2013
Department:	Office of Policy and Government Relations
Department Head	Mark Israelson
Agenda Coordinator (include phone #):	**Nancy Rodriguez X7510**

CAPTION

A Resolution of the City Council of the City of Plano, Texas, authorizing continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten 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.

FINANCIAL SUMMARY

☐ NOT APPLICABLE ☒ OPERATING EXPENSE ☐ REVENUE ☐ CIP

FISCAL YEAR: **2012-13**	**Prior Year (CIP Only)**	**Current Year**	**Future Years**	**TOTALS**
Budget	0	26,350	0	**26,350**
Encumbered/Expended Amount	0	0	0	**0**
This Item	0	-25,984	0	**-25,984**
BALANCE	0	366	0	**366**

FUND(S): GENERAL FUND

COMMENTS: Funding for this item is included in the 2012-13 Non-Departmental Budget. The remaining balance will be used for other Association costs.

STRATEGIC PLAN GOAL: Participation in Utility Steering Committees and Coalitions relates to the City's Goal of Financially Strong City with Service Excellence.

SUMMARY OF ITEM

This Resolution renews the City of Plano's membership in the Oncor Cities Steering Committee.

List of Supporting Documents:	Other Departments, Boards, Commissions or Agencies
Memorandum, Resolution	

P.O. Box 860358 Plano, Texas 75086-0358
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Date: May 13, 2013

To: City Council

Through: Bruce Glasscock, City Manager

From: Mark Israelson, Director of Office of Policy and Government Relations

Subject: 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 150-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 Commitee.

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, LLC) 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, ERCOT, 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, LLC 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

Section I. The City is currently a member of the Steering Committee; this paragraph authorizes the continuation of the City's membership.

Section II. 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.

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

Section IV. This paragraph authorizes the Resolution to become effective immediately.

Payment of Assessment

A copy of the resolution should be mailed with payment of the fee to Jay Doegey, Chair, Steering Committee of Cities Served by Oncor, c/o City Attorney's Office, 101 South Mesquite Street, Third Floor, Arlington, TX 76010. Checks should be made payable to: *Steering Committee of Cities Served by Oncor*.

A Resolution of the City Council of the City of Plano, Texas, authorizing continued participation with the Steering Committee of Cities Served by Oncor; authorizing the payment of ten 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 and legislative activities, affecting transmission and distribution utility rates; and

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

WHEREAS, the City Council authorized participation with the Steering Committee of Cities Served by Oncor on June 25, 2012, by Resolution No. 2012-6-8(R) and on June 27, 2011, by Resolution No. 2011-6-16(R); 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; and

WHEREAS, the City Council finds that it is in the best interest of the City of Plano to continue participation in the Steering Committee of Cities Served by Oncor.

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 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 2013 assessment to the Steering Committee of 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 “Steering Committee of Cities Served by Oncor” shall be sent to Jay Doegey, Chair, Steering Committee of Cities Served by Oncor, c/o City Attorney’s Office, 101 South Mesquite Street, Third Floor, Arlington, Texas 76010.

Section IV. This Resolution shall become effective immediately.

DULY PASSED AND APPROVED this the 13th day of May, 2013.

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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