

ORDINANCE NO. 2019-02

ORDINANCE OF THE CITY OF BEACH CITY, TEXAS, AUTHORIZING PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW IN PROCEEDINGS PERTAINING TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC STATEMENT OF INTENT AND APPLICATION FOR AUTHORITY TO CHANGE RATES PENDING AS PUC DOCKET NO. 49421 AND RELATED PROCEEDINGS.

WHEREAS, on April 5th, 2019, CenterPoint Energy Houston Electric, LLC. ("CenterPoint") filed a Statement of Intent and Application for Authority to Change Rates ("Statement of Intent") within the City of Beach City, Texas ("City"), requesting a rate increase, riders, and tariff changes (collectively "New Rates"); and

WHEREAS, CenterPoint has simultaneously requested the New Rates at the Public Utility Commission of Texas ("PUC") for customers receiving service in unincorporated areas ("environs"); and

WHEREAS, the PUC hears appeals from the ordinances of local regulatory authorities to determine just and reasonable rates; and

WHEREAS, City has exclusive original jurisdiction as a local regulatory authority over the rates, operations and services of an electric utility for customers within the city pursuant to the Public Utility Regulatory Act ("PURA"); and

WHEREAS, PURA requires a local regulatory authority to make a reasonable determination of rate base, expenses, investment and rate of return and to retain the necessary personnel to determine reasonable rates; and

WHEREAS, the City desires to exercise its original jurisdiction over the request for the Statement of Intent to the fullest extent allowed by law; and

WHEREAS, the City desires to participate in all proceedings affecting the rates, operations and services of CenterPoint for customers within the city, through the Coalition of Cities; and

WHEREAS, the City Council finds that City's participation in the Coalition of Cities will achieve coordinated efforts among similarly situated affected municipalities in order to maximize the efficient use of resources and expertise in reviewing analyzing, and investigating the CenterPoint rate filings; and

WHEREAS, the City Council finds the Coalition of Cities will bring together CenterPoint service area municipalities to coordinate the hiring and direction of counsel and consultants working on behalf of the Coalition of Cities and the City; and

WHEREAS, the Coalition of Cities shall be led by the City of Houston, which shall direct the selection of legal counsel and consultants on behalf of the Coalition of Cities.

WHEREAS, interested parties must seek party status to comply with the intervention deadline to be set in the proceedings; and

WHEREAS, the City Council finds that the participation of the City of Beach City in the Coalition of Cities will achieve coordinated efforts among similarly situated affected municipalities in order to maximize the efficient use of resources and expertise in reviewing, analyzing, and investigating CenterPoint's Statement of Intent; and

WHEREAS, City Council has determined that it is in the best interest of the City that the City participates with the Coalition of Cities in the proceedings; **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH CITY, TEXAS**:

Section 1: That the statements and findings recited in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That the City is hereby authorized to join with other municipalities as part of the Coalition of Cities and to participate to the fullest extent permitted by law in proceedings affecting the rates, operations and services of CenterPoint for customers within the City of Beach City, Texas and in particular regarding the Statement of Intent.

Section 3. That the City is hereby authorized to intervene in the proceedings as a member of the Coalition of Cities.

Section 4. The City authorizes the Coalition of Cities to represent the City in proceedings affecting the rates, operations and services of CenterPoint for customers within the City of Beach City and in particular regarding the Statement of Intent.

Section 5. That such outside counsel that the City of Houston may select, shall represent the City in all of the proceedings and are hereby authorized to take all legal and other actions necessary to forward the interests of the City in the proceedings and all matters related to such proceedings, including without limitation any hearings, conferences, negotiations and related Proceedings.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 7. That this Ordinance shall take effect immediately upon its passage and approval in the manner required by the City Charter and ordinances.

PASSED AND ADOPTED this 23rd day of April, 2019

APPROVED this this 23rd day of April, 2019



Mayor of the City of Beach City, Texas



City Secretary

