

City of Beach City, Texas Ordinance No. 2019-03

AN ORDINANCE RELATING TO THE RETAIL ELECTRIC RATES OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC WITHIN THE CITY OF BEACH CITY, TEXAS; SUSPENDING FOR NINETY DAYS THE EFFECTIVE DATE OF NEW RATES; MAINTAINING CURRENT RATES IN EFFECT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY.

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

WHEREAS, the City, as a local regulatory authority, exercises original jurisdiction over the rates, operations and services of CenterPoint for customers located within the City under Section 33.001 of the Public Utility Regulatory Act (“PURA”) in the Texas Utilities Code; and

WHEREAS, the City is a member of the Coalition of Cities (“Coalition”) in this CenterPoint electric base rate proceeding, as approved by Ordinance 2019-02 by City Council on April 23rd, 2019.

WHEREAS, the New Rates would affect rates, operations or services for CenterPoint retail customers within the City; and

WHEREAS, PURA Sections 36.102 and 36.108 provide that the New Rates take effect on the 35th day after the local filing, unless the local regulatory authority suspends the effective date of the New Rates within 35 days of filing; and

WHEREAS, PURA Section 36.108 further provides that a local regulatory authority may suspend the operation of the Application for ninety days beyond the date the New Rates would otherwise be effective (the “Suspension Period”); and

WHEREAS, PURA Section 36.109 provides that unless the local regulatory authority establishes interim rates, the rates in effect at the time the Application is filed remain in effect during the Suspension Period; and

WHEREAS, during the Suspension Period, the City through the Coalition’s consultants and outside counsel will review the Application, perform a coordinated analysis of the New Rates, obtain additional information from CenterPoint, receive public comments, and prepare a rate ordinance recommendation to City Council; and

WHEREAS, the expert utility rate consultants retained to review the Application on behalf of the Coalition have not had sufficient time to determine whether CenterPoint has justified its request for New Rates; and

WHEREAS, the Coalition's consultants and outside counsel recommend that the City suspend CenterPoint's New Rates for ninety days beyond May 10, 2019, the date the New Rates would otherwise be effective, to allow for coordinated rate analysis, consideration of the New Rates, and public comment; and

WHEREAS, the City has standing in each case before the Texas Public Utility Commission ("PUC") that relates to an electric utility providing service within the City pursuant to PURA Section 33.025;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH CITY, TEXAS:

Section 1. That the facts contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. To allow for coordinated rate analysis, consideration of other issues, and public comment, the effective date of the New Rates filed with the City by CenterPoint on April 5, 2019, is hereby suspended for ninety days beyond May 10, 2019, or the date the Rate Increase would otherwise be effective, to August 8, 2019.

Section 3. The rates in effect as of April 5, 2019, the Application filing date, shall remain in effect until the earlier of the expiration of the Suspension Period or until changed by the adoption of a replacement rate ordinance by this Council.


Section 4. The City may intervene and participate in all proceedings related to or affecting CenterPoint's rates within the City at the PUC until the final resolution of the New Rates.

Section 5. 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 of Beach


City, Texas 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.

PASSED AND APPROVED this 2nd, day of MAY, 2019

APPROVED this 2nd, day of MAY, 2019.



Jackey Lasater
Mayor of the City of Beach City, Texas



City Secretary
Assistant City Secretary