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## City Council Regular Meeting

**DEPARTMENT:** Legal and Purchasing

**FROM:** Matt Ribitzki, Deputy City Attorney/Compliance Manager

**MEETING:** February 6, 2023

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**SUBJECT:**

Consider approval of a resolution authorizing continued membership in the Steering Committee of Cities Served by Oncor and authorizing a payment of an annual assessment to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC in an amount not to exceed \$5,161.80. *(Staff Contact: Matt Ribitzki, Deputy City Attorney/Compliance Manager)*

**SUMMARY:**

The City of Burleson is a member of a 171-member city coalition known as the Steering Committee of Cities Served by Oncor (Steering Committee). The resolution approves the assessment of a ten cent (\$0.10) per capita fee to fund the activities of the Steering Committee.

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 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. 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 over three 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.

The Steering Committee is the most active consumer group advocating the interests of cities and residential and small commercial customers within the cities to keep electric transmission and distribution (*i.e.*, wires) rates reasonable. Steering Committee activities protect the authority of

municipalities over the regulated wires service and rates charged by Oncor Electric Delivery Company, LLC ("Oncor").

The work undertaken by the Steering Committee has saved cities and ratepayers millions of dollars in unreasonable charges. In order to continue to be an effective voice before the Public Utility Commission of Texas ("Commission" or "PUC"), ERCOT, the Legislature, and in the courts, the Steering Committee must have the support of cities.

Currently, the Steering Committee is involved in numerous rulemakings and projects at the PUC. The Steering Committee expects to participate in Oncor's Rate Case and Energy Efficiency Cost Recovery Factor ("EECRF") proceedings later this year.

On December 8, 2022, the Steering Committee approved the 2023 assessment for Steering Committee membership. Based upon the population-based assessment protocol previously adopted by the Steering Committee, the assessment for 2023 is a per capita fee of \$0.10 based upon the population figures for each city shown in the latest TML Directory of City Officials. The City of Burleson's total 2023 membership assessment is \$5,161.80.

**OPTIONS:**

- 1) Approve the resolution
- 2) Approve the resolution with changes
- 3) Deny the resolution

**RECOMMENDATION:**

Approve the resolution

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

None

**FISCAL IMPACT:**

Fund Name:	Legal – Other Legal Retainer Fees
Fund Account #:	001-1016-414.30-02
Project #:	n/a
Amount:	\$5,161.80

**STAFF CONTACT:**

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