

**RESOLUTION NO. 2014-137  
CITY OF SHOREACRES**

RESOLUTION OF THE CITY OF SHOREACRES TEXAS ("CITY") SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE APPLICATION SUBMITTED BY CENTERPOINT ENERGY HOUSTON ELECTRIC TO AMEND ITS STREET-LIGHTING TARIFF; AUTHORIZING THE CITY TO INTERVENE IN RELATED PROCEEDINGS AT THE PUBLIC UTILITY COMMISSION OF TEXAS AND TO DIRECT THE ACTIVITIES OF LAWYERS AND CONSULTANTS RELATED TO SUCH PROCEEDINGS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

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**WHEREAS**, on or about August 8, 2014 CenterPoint Energy Houston Electric, LLC ("CenterPoint") submitted to the City an application to amend its tariff for lighting services and submitted a similar application with the Public Utility Commission of Texas (PUCT); and,

**WHEREAS**, the City is a regulatory authority under the Public Utility Regulatory Act ("PURA") and under Chapter 33, §33.001 et seq. of PURA has exclusive original jurisdiction over CenterPoint's rates, operations, and services within the municipality; and,

**WHEREAS**, the City, in matters regarding applications by CenterPoint to change rates, has in the past joined with other local regulatory authorities to form the Texas Coast Utilities Coalition of Cities ("TCUC") and hereby continues its participation in TCUC; and,

**WHEREAS**, CenterPoint's proposed LED tariff presents new issues with regard to rates for LED street lights, and raises questions with regard to the locations in which CenterPoint will deploy the new technology; and,

**WHEREAS**, CenterPoint's application raises issues with regard to the effect of the new LED tariffs will have on future charges for street-lighting services; and,

**WHEREAS**, it is in the City's citizens' interest to explore the opportunity to receive the new LED street-lighting service; and,

**WHEREAS**, CenterPoint proposed October 1, 2014 as the effective date for its change in rates; and,

**WHEREAS**, it is not possible for the City to complete its review of CenterPoint's filing within 35 days; and,

**WHEREAS**, the City will need an adequate amount of time to review and evaluate CenterPoint's application to change its rates so as to enable the City to adopt a final decision as a local regulatory authority with regard to CenterPoint's requested change in rates.

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

**Section 1.** The findings set out in the preamble are in all things hereby approved.

**Section 2.** CenterPoint's proposed effective date of October 1, 2014 for its filing of August 8, 2014, is hereby suspended for an additional ninety (90) days, or at least until December 30, 2014.

**Section 3.** The statutory suspension period will be extended automatically day for day should CenterPoint extend its proposed effective date, and may be further extended if CenterPoint does not provide timely, meaningful, and proper public notice of its request to change rates, or if its application is materially deficient.

**Section 4.** The City continues its participation with other cities in a coalition of cities known as the Texas Coast Utilities Coalition of Cities with the understanding that the Steering Committee of TCUC is to provide direction and guidance to Special Counsel representing said cities.

**Section 5.** The City employs Herrera & Boyle, PLLC as Special Counsel to represent the City with regard to the requested change in rates by CenterPoint and related proceedings before local and state regulatory authorities and any court of law and authorizes Special Counsel to employ such rate experts as may be necessary for review and evaluation of CenterPoint's rate application.

**Section 6.** The City, in coordination with the Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to CenterPoint for reimbursement.

**Section 7.** CenterPoint shall reimburse the City on a monthly basis for the reasonable costs of attorneys and consultants and expenses related thereto, upon the presentation of invoices following review by the City.

**Section 8.** The City Secretary or other appropriate city official shall notify CenterPoint of this Resolution by sending a copy of the Resolution to Mr. Matthew A. Troxle, Director of Rates, CenterPoint Energy Service Company, LLC, 1111 Louisiana Street, Houston, Texas 77002; and, to Mr. Alfred R. Herrera, Herrera and Boyle, PLLC, 816 Congress Ave., Suite 1250, Austin, Texas 78701

**Section 9.** The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Section 10.** This resolution shall become effective from and after its passage.

RESOLVED this the 22<sup>nd</sup> day of September, 2014.



ATTEST:

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David K. Stall, CFM  
City Secretary

CITY OF SHOREACRES

By:

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Rick Moses, Mayor