

RESOLUTION 17 - 09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS SUSPENDING THE APRIL 21, 2017 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY LLC'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST; APPROVING COOPERATION WITH THE ALLIANCE OF ONCOR CITIES OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE ALLIANCE OF ONCOR CITIES.

WHEREAS, on or about March 17, 2017, Oncor Electric Delivery Company LLC (Oncor) pursuant to PURA §36.102 and P.U.C. Proc. R. 22.243 filed with the City of Commerce a Petition and Statement of Intent to increase electric transmission and distribution rates in all municipalities exercising original jurisdiction within its service area effective April 21, 2017, and

WHEREAS, the City of Commerce is a member of the Steering Committee Served by Oncor ("Steering Committee") and will cooperate with similarly situated city members and other city participants in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company prior to setting reasonable rates and direct any necessary litigation, and

WHEREAS, § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective;

WHEREAS, § 33.023 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE, TEXAS:

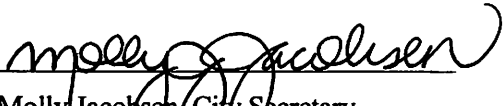
1. That the April 21, 2017 effective date of the rate request submitted by Oncor on or about March 17, 2017, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

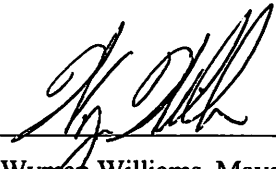
2. As indicated in the City's Resolution approving membership in the Steering Committee, the Executive Committee of the Steering Committee is authorized to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations regarding reasonable rates, and to intervene and direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Public Utility Commission
3. That the City's reasonable rate case expense shall be reimbursed by Oncor on a monthly basis.
4. That is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required
5. A copy of this Resolution shall be sent to Oncor, care of Steve Ragland, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Geoffrey Gay, General Counsel to the Steering Committee at, Lloyd Gosselink Rochelle and Townsend, P.C., 816 Congress, Suite 1900, Austin, TX 78701.

PASSED BY THE GOVERNING BODY of the City of Commerce, Texas, at a regular meeting of the City Council of the City of Commerce, Texas, on this 21st day of March, 2017.

ATTEST:

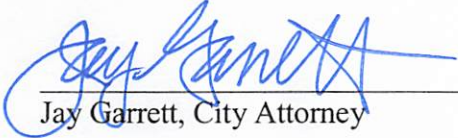
CITY OF COMMERCE, TEXAS


Molly Jacobsen, City Secretary
City of Commerce


Wyman Williams, Mayor
City of Commerce

(Seal)

Approved as to Form:

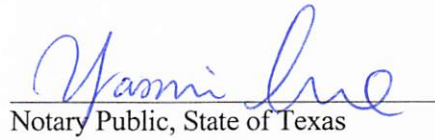

Jay Garrett, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution, and that the same has not been repealed and is in full force and effect.

(Seal)


Molly Jacobsen, City Secretary

Sworn to and subscribed before me, on this the 23 day of March, 2017
to certify which witness my hand and seal of office.


Notary Public, State of Texas

(Seal)

