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AN ORDINANCE AMENDING ORDINANCE NO. 5994

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Ordinance Number 5994 of the City of El Paso be and is hereby amended to read as follows:

AN ORDINANCE CREATING A PUBLIC UTILITY REGULATION BOARD

1. There is hereby created a Public Utility Regulation Board which shall consist of seven members, appointed by City Council, all of whom shall be residents of the City of El Paso.

2. Present members of the Utility Regulation and Energy Board, created under Ordinance 5994, shall continue to serve as the Public Utility Regulation Board until their appointments pursuant to Ordinance 5994 expire.

3. Upon the expiration of any present Board member's term, after the adoption of this Ordinance, the member's successor shall be appointed for a three-year term, commencing on the specified expiration date of the term of the preceding board member. Any other vacancy on the Board shall be filled by appointment by the City Council for the remainder of the unexpired term.

In addition, City Council may appoint other ex-officio members who shall serve for a period of three years or until their successors have been appointed.

The ex-officio members shall not have voting power nor shall be counted for the purpose of establishing a quorum, but shall assist the Board in its various functions.

4. The Board shall select from its members a chairman and vice-chairman and shall adopt, subject to the approval of City Council, such rules and regulations for the governing of the Board as may be deemed proper and not inconsistent with ordinances and the Charter of the City of El Paso and the laws of the State of Texas.

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5. The Board shall further adopt, subject to the approval of City Council, such standards and rules as are necessary to establish a comprehensive regulatory system which is adequate to the task of regulating public utilities within the City's jurisdiction to assure rates, operations, and services which are just and reasonable to the consumers of the City of El Paso and to the utilities.

6. The City will support the Board with existing staff and provide consultants and technical services as requested by the Board.

7. The Board shall perform the following duties:

- a. Advise the Mayor and City Council on the selection of experts to be employed by the City in utility rate matters.
- b. Investigate, conduct hearings, study and make recommendations to the Mayor and City Council on all matters relating to utility regulation. In order to perform this duty, the Board is hereby authorized and shall have, during the performance of its duties, the power to issue subpoenas and subpoenas duces tecum, and to compel the giving of evidence upon any matter within its jurisdiction. The power of subpoena shall be exercised only by a majority vote of the members assembled as a Board, and with a quorum of its members present.
- c. Advise the Mayor and City Council on any matters regarding public utilities.
- d. Make a comprehensive effort to insure that the citizens of El Paso will have an adequate supply of energy at reasonable cost, which effort shall include, but not be limited to, the conducting of such studies as may be presented to the Board for the purpose of determining alternate energy sources, if any, which may be available to the City.
- e. Develop an overall plan for the City's future energy needs which plan will be presented to the City Council for adoption.
- f. Monitor and update the official energy plan of the City on a yearly basis once adopted by City Council.
- g. Hold public hearings to gather data, expert opinions and citizen input to be used by the Board in formulating the El Paso energy plan and in updating said plan.

h. Any other duties specifically required of it by City Council in the field of utility regulation.

PASSED AND APPROVED this 27th day of December 1979.


MAYOR PRO-TEM

ATTEST:


City Clerk

APPROVED AS TO FORM:


Charles F. McNabb
Assistant City Attorney

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