

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Office of the City Manager/Office of the City Attorney

AGENDA DATE: December 20, 2011

CONTACT PERSON NAME AND PHONE NUMBER: William F. Studer, Jr., **Deputy City Manager** (541-4215);
Bertha A. Ontiveros, **Assistant City Attorney** (541-4550)

DISTRICT(S) AFFECTED: All

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

That the Tariff identified in the Application of El Paso Electric Company for a Revision of its Rate Schedule 11-TOU Time of Use Municipal Pumping Service be suspended for 30 days after the effective date of the tariff, subject to the City's jurisdiction as specified in the filing and authorize the City Attorney's Office to file a Motion of Intervention in the related application before the Public Utility Commission of Texas, Docket No. 39919.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Council approved electric rates on June 8, 2010 that became effective on July 1, 2010. This revision will make minor modifications to the tariff in order to clear up confusion on the applicability of this rate schedule to the water and wastewater treatment facilities at the El Paso Water Utility's Kay Bailey Hutchinson Plant. City staff recommends Council suspend the effective date of the filing for 30 days to allow further review and intervention in the PUC consideration of the same tariff revision.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

The tariff for Rate Schedule 11-TOU was approved by Council on June 8, 2010, as a part of the Council approval of electric rates and tariffs.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: _____

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

RESOLUTION

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

That the Tariff identified in the Application of El Paso Electric Company for a Revision of its Rate Schedule 11-TOU Time of Use Municipal Pumping Service be suspended for 30 days after the effective date of the tariff, subject to the City's jurisdiction as specified in the filing, and that the City Attorney be authorized to file a Motion of Intervention in the related Application for its Revision of Rate Schedule 11-TOU Time of Use Municipal Pumping Service before the Public Utility Commission of Texas, Docket No. 39919.

ADOPTED this _____ day of _____, 2011.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda D. Momsen, City Clerk

APPROVED AS TO FORM:

Bertha A. Ontiveros
Assistant City Attorney

APPROVED AS TO CONTENT:

William F. Studer Jr., Deputy City Manager
Financial and Management Support Services