

RESOLUTION NO. 4235

RESOLUTION OF THE CITY OF KELLER, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S ("ONCOR" OR "COMPANY") APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; 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 STEERING COMMITTEE.

WHEREAS, the City of Keller, Texas ("Keller") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City of Keller is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a membership of similarly situated cities served by Oncor that have joined together to efficiently and cost-effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about April 3, 2020, Oncor filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), Public Utility Commission (PUC) Docket No. 50734, seeking to increase electric distribution rates by approximately \$75.9 million annually; and

WHEREAS, all Oncor customers residing in the City of Keller will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the DCRF.

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

Section 1. THAT, the City of Keller is authorized to participate with OCSC in PUC Docket No. 50734.

- Section 2. THAT, subject to the right to terminate employment at any time, the City of Keller hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.
- Section 3. THAT, the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied
- Section 4. THAT, the Company shall continue to charge its existing rates to customers within the City.
- Section 5. THAT, the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of presentation of an invoice to Oncor.
- Section 5. THAT, it 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.
- Section 6. THAT, a copy of this Resolution shall be sent to Oncor, Care of Tab Urbantke, Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202, and to Thomas Brocato, General Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725, or [tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com).

AND IT IS SO RESOLVED.

Passed and approved by a vote of 7 to 0 on this the 5th day of May, 2020.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
P.H. McGrail, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

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L. Stanton Lowry, City Attorney