

RESOLUTION NO. _____

A RESOLUTION DIRECTING AND AUTHORIZING THE CITY ATTORNEY OF THE CITY OF DENTON TO INTERVENE IN THE STAFF APPLICATION TO SET 2018 WHOLESALE TRANSMISSION SERVICE CHARGES FOR THE ELECTRIC RELIABILITY COUNCIL OF TEXAS PENDING BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS UNDER DOCKET NO. 47777 AND TO USE, IF NEEDED, THE AUSTIN LAW FIRM OF LLOYD GOSSELINK ROCHELLE & TOWNSEND, P.C. TO REPRESENT THE CITY IN THE SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, each year, the Public Utility Commission of Texas ("PUC") sets wholesale transmission service charges for the Electric Reliability Council of Texas ("ERCOT"). ERCOT is required under 16 Tex. Admin Code § 25.192(d) (TAC) to file the current year's four coincident peak demand for each distribution service provider by December 1. This information is used in establishing the transmission service charges for the subsequent year. The PUC has jurisdiction over this application pursuant to Public Utility Regulatory Act, Chapter 35, Subchapter A;

WHEREAS, on November 15, 2017, the PUC staff filed Staff's Application to Set ERCOT Wholesale Transmission Service Charges for 2018 (Docket No. 47777; "Proceeding");

WHEREAS, January 2, 2018 is the deadline to file any motion to intervene in the Proceeding;

WHEREAS, the City Attorney's Office has the Austin law firm of Lloyd Gosselink Rochelle & Townsend, P.C. under retainer to represent the City in such electric utility matters before the PUC;

WHEREAS, the City, along with the Cities of Garland and Bryan, and the Texas Municipal Power Agency, have annually intervened in such proceedings with the purpose being to ensure that the PUC aggregates TMPA's Gibbons Creek Power Plant portion of the load for the its member cities (the Cities of Bryan, Denton, Garland and Greenville) under TMPA; and

WHEREAS, the City finds it is in the public interest of the ratepayers to intervene in the Proceeding; NOW THEREFORE;

THE COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. The findings and recitations contained in the preamble of this Resolution are incorporated herein by reference.

SECTION 2. The City Attorney is directed and authorized to take the appropriate action to intervene on the City's behalf in the Texas Public Utility Commission ("PUC") Staff's Application to Set ERCOT Wholesale Transmission Service Charges for 2018 pending before the PUC under Docket No. 47777 ("Proceeding").

SECTION 3. The City Attorney, if needed, is authorized to use the services of the Austin law firm of Lloyd Gosselink Rochelle & Townsend, P.C. to represent the City's intervention in the Proceeding;

SECTION 4. This Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2017.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

BY:  _____