

**Maya Sanchez**  
Mayor  
**Leticia Miranda**  
Alderson Place 1  
**David Cantu**  
Alderson Place 2



**Miguel Najera Jr.**  
Alderson Place 3  
**Rebecca Martinez-Juarez**  
Alderson Place 4  
**George Almanzar**  
Alderson Place 5

## RESOLUTION NO. 1811R.02.03

### **A RESOLUTION SUSPENDING THE PROPOSED EFFECTIVE DATE OF THE PROPOSED EXPANSION AND CHANGE IN RATES OF EL PASO ELECTRIC COMPANY'S APPLICATION TO EXPAND AND CHANGE RATES FOR THE EXISTING VOLUNTARY COMMUNITY SOLAR PILOT PROGRAM**

**WHEREAS**, El Paso Electric Company ("EPE) distributes electric power to the City of San Elizario (the "City" or "Regulatory Authority") for rates, services, and operations in the City and operates within the City under a franchise agreement and, pursuant to applicable law, the City maintains original jurisdiction over EPE rates charged within the city limits of the City;

**WHEREAS**, EPE submitted its Statement of Intent to the City to initiate a rate change proceeding;

**WHEREAS**, on March 20, 2018, El Paso Electric Company ("EPE" or the "Company"), filed with the City its *Application of El Paso Electric Company to Expand and Change Rate for the existing voluntary Community Solar Pilot Project* that expands the program allowing customers to voluntarily subscribe to company solar-generated electricity and revises the community solar rates, effective on May 1, 2018;

**WHEREAS**, the voluntary Community Solar Tariff is a pilot program approved in 2016, that allows customers to subscribe to 3 megawatt of solar energy generated by the solar facility at EPE's Montana Power Station;

**WHEREAS**, El Paso Electric proposes to revise the voluntary Community Solar Pilot Program to increase the amount of solar generation capacity available to customers by assigning 2 megawatts of the existing PSEG Solar Energy Center (Newman Solar facility) in addition to the existing Montana Power Station's capacity, and to adjust the rates for solar customers;

**WHEREAS**, pursuant to the Public Utility Regulatory Act, Texas Utilities Code Section 36.108, the City, as regulatory Authority, has the right to suspend the proposed rate change subject to the City's jurisdiction for a period of 90 days after May 1, 2018, the proposed date the change would otherwise be effective;

**WHEREAS,** the City Council has determined that additional time and information is needed for it to study the proposed expansion of the solar program and the rate changes and tariffs and the reasons therefor;

**WHEREAS,** the City Council of the City of San Elizario has considered the application of El Paso Electric and has determined that it is in the best interest of its citizens and ratepayers to suspend the proposed expansion and rate change of the voluntary Community Solar Pilot Program and Tariff.

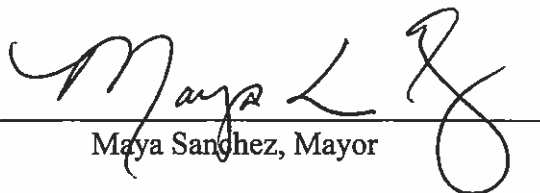
**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of San Elizario:

1. The effective date of the proposed rate change for the expansion and change of the voluntary Community Solar Pilot Program and Tariff of El Paso Electric Company is hereby suspended for a period of 90 days from May 1, 2018.
2. Authorizes the Mayor or his designee to notify El Paso Electric Company by having a copy of this Resolution delivered or mailed to the utility's Chief Executive Officer.
3. The Mayor or his designee and the city's attorneys are authorized to coordinate and work with the City of El Paso, Texas and all other cities in the area on negotiating a rate change.
4. The City Council waives any existing or potential conflict of interest that may apply to the Bojorquez Law Firm and all of its attorneys in conjunction with their representation of the City in this matter.
5. It is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by law.

Passed and approved this 10<sup>th</sup> day of April, 2018.

**CITY OF SAN ELIZARIO**

By:

  
Maya Sanchez, Mayor



