

ORDINANCE NO. 20120426-060

AN ORDINANCE SUSPENDING THE IMPLEMENTATION OF THE INTERIM RATE ADJUSTMENT UNDER SECTION 104.301 OF THE TEXAS UTILITIES CODE BY CENTERPOINT ENERGY WITHIN THE CITY OF AUSTIN, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. On March 29, 2012, CenterPoint Energy ("CenterPoint") filed with the City of Austin, Texas (the "City") an interim rate adjustment with a proposed effective date of May 29, 2012, that would allow CenterPoint to recover the incremental costs of new investment it has made within its South Texas Division. CenterPoint's interim adjustment request was simultaneously filed with the 65 other affected municipalities in CenterPoint's South Texas Division. If applied on a total system basis for its entire South Texas Division (all municipalities and their environs), CenterPoint's proposed rate adjustment would allow CenterPoint to recover its capital invested in the South Texas Division from January 1, 2011, through December 31, 2011, in the amount of \$14,480,579.00.

PART 2. Pursuant to Texas Utilities Code §104.301(a), the City is authorized to suspend the implementation of the interim rate adjustment for a period not to exceed 45 days beyond the effective date proposed by CenterPoint.

PART 3. The City Council finds that the City requires additional time to review and consider the proposed interim rate adjustment and any supporting documentation, schedules, and reports filed by CenterPoint.

PART 4. The City requests that CenterPoint reimburse the City for its reasonable and necessary costs to engage rate consultants, accountants, auditors, attorneys, and engineers to conduct investigations, present evidence, advise, and represent the City regarding the interim rate adjustment.

PART 5. The interim rate adjustment filed by CenterPoint with its proposed effective date of May 29, 2012, is hereby suspended within the City of Austin pursuant to Section 104.301(a) of the Texas Utilities Code for 45 days (that is, through July 13, 2012), or until adoption by the City Council of a final ordinance addressing the implementation of

CenterPoint's interim rate adjustment, whichever shall first occur.

PART 6. This ordinance takes effect on May 7, 2012.

PASSED AND APPROVED

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____ April 26 _____, 2012

Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk