

AUSTIN ENERGY'S TARIFF PACKAGE: §
2022 §
PROPOSAL TO CHANGE BASE §
ELECTRIC RATES §
BEFORE THE CITY OF AUSTIN
IMPARTIAL HEARING EXAMINER

HOMEOWNERS UNITED FOR RATE FAIRNESS' S REQUEST TO PARTICIPATE

This Request to Participate is being filed by Homeowners United for Rate Fairness ("HURF") (the "Party"). The Party is a non-profit association representing Austin Energy customers which are not physically located in the City of Austin and is entitled to be an intervenor in this proceeding.

The Party has reviewed Austin Energy's Tariff Package and believes that the Impartial Hearing Examiner should address the following issue:

Maintaining a reduced tariff rate for customers not located in Austin, as was done in the last rate review. Our position is based upon the settlement of PUC docket 40627 in 2013, in which the Public Utility Commission approved a settlement in which the signatories agreed that relative to the rates within the City, the revenue requirement to be charged to AE's customers outside the City through base rates and the Community Benefit Charge ("CBC") should be reduced. The terms of that agreement applied only to rates charged by Austin Energy to customers whose points of delivery are located outside of the City of Austin and did not affect rates charged to customers inside the City of Austin. The provisions of the Agreement became effective on June 1, 2013. That agreement was consistent with the public interest for reasons that include:

- The original \$5,751,893 reduction to the revenue requirement for customers outside the City of Austin was reached through a compromise, which implicitly recognized that those customers do not receive the benefit of the utility's revenues transferred to the City's general fund and thus protecting them from discriminatory and excessive electric rates, used to pay for City of Austin services they do not receive.
- The reduction to the revenue requirement was spread across the residential customer class as well as the commercial classes that had previously been above cost of service.

HURF asserts that a similar reduction must be incorporated into the new rate proposal for these reasons, as previously litigated and incorporated into the PUC docket 40627 settlement. It is our sincere hope that another costly rate appeal can be avoided. All documents related to this proceeding should be emailed to the Party at the following e-mail address:
roger@borgeltlaw.com.

Respectfully submitted,

/s/ Roger B. Borgelt
Roger B. Borgelt

Borgelt Law
State Bar No. 02667960
614 S. Capital of Texas Hwy.
Austin, Texas 78746
Tel: 512/600-3467
E-mail: roger@borgeltlaw.com

May 13, 2022