



## ELECTRIC UTILITY COMMISSION MEETING MINUTES Monday, June 13, 2022

The Electric Utility Commission convened a hybrid meeting on Monday, June 13, 2022 in accordance with social distancing protocols necessitated by the COVID 19 pandemic.

**Commissioners in Attendance (In-person):** Marty Hopkins, Chair (District 4), Marshall Bowen (District 6); Randy Chapman (District 7); Makenna Jonker (District 1); Cyrus Reed (District 9)

**Commissioners in Attendance (Virtual):** Cary Ferchill (Mayor); Kay Trostle (District 8), Dave Tuttle, Vice Chair (District 10)

**Commissioners Absent:** Erik Funkhauser (District 2), Karen Hadden (District 5),

**CALL TO ORDER** – Chair Hopkins called the meeting to order at 6:07 p.m.

**CITIZEN COMMUNICATION: Dale Bulla - spoke on various topics such as storage, electrification, curbside charging, and solar on rooftops.**

### APPROVAL OF MINUTES

1. Approve minutes of the May 9, 2022 Regular Meeting of the Electric Utility Commission.  
**There was a change requested and they will be taken up at the July meeting for action.**

### NEW BUSINESS – CONSENT

( ) = Target Council Meeting Date; [ ] = RCA Type

**Motion (Chapman) to recommend Items 2-5; seconded (Reed); passed on a vote of 8-0, with Commissioners Funkhauser and Hadden absent.**

2. (7/28) [AE- Tract 1] Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest for the Circuit 811 Transmission Electric Line upgrade project from Justin Lane Substation to McNeil Lane Substation for the public use of providing reliable, safe electricity service, which require acquisition of real property rights consisting of an Electric Transmission and Distribution Easement consisting of approximately 0.028 of an acre (1,233 square feet), and a Temporary Construction Easement consisting of approximately 0.187 of an acre (8,131 sq.ft) being a portion of Lots 10 through 16, Block A, North Gate Addition, a subdivision in Travis County, Texas, according to the plat recorded in Plat Cabinet 3, Page 196, Plat Records Travis County, Texas and being a part of that called 0.555 acres, which is part of the said lots 10 through 16, Block A, of the said subdivision, as described to R&K Investments, A Texas General Partnership in that certain Warranty Deed with Vendor's Lien as recorded in Volume 12132, page 2123, Real Property Records of Travis County Texas for the Austin Energy Transmission Circuit 811 JL-MC 138kV upgrade project, currently appraised at \$98,410 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is R&K Investments, A Texas General Partnership. The property is located at 7544 N. Lamar Blvd, Austin, Texas 78752. The general route of the project is along the east side of North Lamar from HWY 183 to the McNeil Substation.
3. (7/28) [AE- Tract 6 & 7] Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest need for the Circuit 811 Transmission Electric Line upgrade project from Justin Lane Substation to McNeil Lane Substation for the

public use of providing reliable, safe electricity service, which require acquisition of real property rights consisting of one Electric Transmission and Distribution Easement divided in two parts, one consisting of approximately 0.125 of an acre (5,424 square feet), the second consisting of approximately 0.060 of an acre (2,613 sq.ft); and a Temporary Construction Easement consisting of approximately 0.626 of an acre (27,253 sq.ft) being a portion of Lot 2, Northway Crest section four, a subdivision in Travis County, Texas, according to the plat recorded in Volume 78, Page 376, Plat Records, Travis County, Texas, the said Lot 2, being described to Austin Center in that certain Warranty Deed with Vendor's Lien as recorded in Volume 6948, Page 605, Deed Records, Travis County, Texas for the Austin Energy Transmission Circuit 811 JL-MC 138kV upgrade project, currently appraised at \$366,650 subject to an increase in value based on updated appraisals or a Special Commissioner's award.. The owner of the needed property is Austin Center. The property is located at 7801 N. Lamar Blvd, Austin, Texas 78752. The general route of the project is along the east side of North Lamar from HWY 183 to the McNeil Substation.

4. (7/28) [AE- Tract 70] Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Circuit 811 Transmission Electric Line upgrade project from Justin Lane Substation to McNeil Lane Substation for the public use of providing reliable, safe electricity service, which require acquisition of real property rights consisting of one Electric Transmission and Distribution Easement consisting of approximately 0.239 of an acre (10,396 square feet) and a Temporary Construction Easement consisting of approximately 0.706 of an acre (30,745 sq.ft) of land, in the John Applegait survey number 58, and being a portion of Lot 2, Northwend Phase "B" Section One-A, a subdivision in Travis County, Texas, according to the plat recorded in Volume 83, Page 115-D, plat records Travis County, Texas, the said Lot 2, being described to Corsair Lamar, LLC, in that certain Special Warranty Deed as recorded in document number 2019202088 Official Public Records, Travis County, Texas, for the Austin Energy Transmission Circuit 811 JL-MC 138kV upgrade project, currently appraised at \$485,554 subject to an increase in value based on updated appraisals or a Special Commissioner's award.. The owner of the needed property is Corsair Lamar, LLC. The property is located at 9717 N. Lamar Blvd, Austin, Texas 78753. The general route of the project is along the east side of North Lamar from HWY 183 to the McNeil Substation.
5. (7/28) [AE- Oakhill] Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the acquisition of easement rights in the Oak Hill to Patton Lane CKT 969 TxDot Reroute, and Patton Lane to Vega CKT 1023 and Oak Hill to Patton Lane CKT 969 Relay Upgrade and Capacity Bank Replacement Project for the public purpose electric distribution transmission improvements. The electric distribution and transmission easement to be acquired is comprised of three tracts of land, Tract 1 being 1.748 acres (76,143 sq.t.) of land in the Thomas Anderson Survey No. 17, Abstract Number 2; Tract 2 consisting of approximately 1.388 acres (60,451 sq.ft.) of land out of the Thomas Anderson Labor Survey Number 90, Abstract Number 28; and Tract 3 consisting of approximately 0.130 acres (5,645 sq.ft.) of land out of the Thomas Anderson Labor Survey Number 90, Abstract Number 28, all three situated in the City of Austin, Travis County, Texas, and being a portion of the property located at 6501 W. William Cannon Drive and Patton Ranch Road, the owner of the needed property is NXP USA, Inc. formerly known as Freescale Semiconductor, Inc., a Delaware Corporation currently appraised at \$362,055 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The general route of the project is along north of US Hwy 290 W from Patton Ranch Road to the Patton Substation.

## STAFF BRIEFINGS & REPORTS

6. Base Rate Review Process and Community Outreach Update - **Briefing provided by Tammy Cooper, Sr. VP of Regulatory, Compliance & Communications.**

## ITEMS FROM COMMISSIONERS

7. Discussion and possible action from Budget and Audit Workgroup (Sponsors: Chapman; Hopkins)
  - a. **Motion (Trostle) to recommend Recommendation 1 as amended; seconded (Jonker); passed on a vote of 7-0, with Commissioner Chapman abstaining and Commissioners Funkhauser and Hadden absent.** “To ensure the Independent Hearing Examiner and the City Council are able to consider the broad cross section of input from residential customer forms received by Austin Energy, the Electric Utility Commission recommends that Austin Energy present to the Independent Hearing Examiner as part of the formal hearing process, all feedback forms received.”
  - b. **Motion (Bowen) to recommend Recommendation 2 as amended; seconded (Hopkins); passed on a vote of 6-0, with Commissioners Chapman and Jonker abstaining and Commissioners Funkhauser and Hadden absent.** “City Council should review the contribution in aid of construction policy and Austin Energy should present a presentation to the Electric Utility Commission regarding the contribution in aid of construction policy for the Electric Utility Commission’s consideration.”
  - c. Recommendations 3 and 4 were not approved but are to be discussed as part of the Austin Energy FY23 Budget Presentation in August.
  - d. Recommendation 5 was tabled until the next meeting.

## OTHER BUSINESS

8. Report regarding City Council action on items previously reviewed by the EUC.
9. Future agenda items.
  - a. 2021-2022 Annual Review
  - b. AE and AISD electric fleet
  - c. Sectionalization update
  - d. Storage and Renewables RFP

## ADJOURNMENT

**Chair Hopkins adjourned the meeting at 8:36 pm without objection.**

The minutes were approved as amended at the July 18, 2022 meeting on Commissioner Trostle’s motion, Commissioner Chapman’s second on a 9-0 vote with Commissioner Funkhauser absent and one vacancy. The amendments were: (Commissioner Jonker abstained from Item 7b.)