



Recommendation for Action

File #: 23-3480, **Agenda Item #:** 59.

11/30/2023

Posting Language

Authorize negotiation and execution of an amendment to a contract with Burgess Law PC for legal services related to Cause No. 23-F-0279, City of San Antonio acting by and through the City Public Service Board of San Antonio, a Texas municipally-owned utility, et al. v. NRG South Texas, LP, et al., in the 130th Judicial District Court of Matagorda County, Texas, in an amount not to exceed \$65,000, for a total contract amount not to exceed \$135,000.

Lead Department

Law Department.

Fiscal Note

Funding in the amount of \$135,000 is available in the Fiscal Year 2023-24 operating budget of Austin Energy.

For More Information:

Andy Perny, Assistant City Attorney, 512-974-2447.

Additional Backup Information:

This litigation relates to Constellation Energy's purchase of NRG Energy's 44% ownership interest in the South Texas project and related issues concerning the scope of the owners' first-refusal rights.