

RESOLUTION NO. 2010-2-16-2_

A RESOLUTION SUSPENDING THE OPERATION OF REVISED RATE SCHEDULES, TARIFF CHANGES, AND REVENUE INCREASE PROPOSED BY EL PASO ELECTRIC COMPANY WITHIN THE VILLAGE OF VINTON, TEXAS, PENDING HEARING AND DECISION BY THE VILLAGE COUNCIL.

WHEREAS, El Paso Electric Company distributes electric power within the City Limits of the Village of Vinton pursuant to a previously approved franchise granted to El Paso Electric Company and is an electric utility; and

WHEREAS, on December 9, 2009, El Paso Electric Company (“EPE” or the “Company”) filed with the Village of Vinton its Application of El Paso Electric Company to Change Rates, to Reconcile Fuel Costs, to Establish Formula-Based Fuel Factors and to Establish and Energy Efficiency Cost Recovery Factor before the Public Utility Commission of Texas (“PUC”), Docket No. 37690 (“Application”); and

WHEREAS, pursuant to applicable law, the Village of Vinton maintains original jurisdiction over the rates of EPE for rates charged within the city limits of the Village of Vinton and the Application specifies that the rate change within the city’s jurisdiction should be effective on March 2, 2010; and

WHEREAS, the Texas Public Utility Commission has original jurisdiction over the rate change, fuel costs, fuel factor and energy efficiency cost recovery factors and the Application filed December 9, 2009 specifies that these changes within the PUC’s jurisdiction should become effective January 13, 2010; and

WHEREAS, the Village Council has authorized the Village Attorney to evaluate the Application and intervene in the Application pending before the PUC; and

WHEREAS, the Village Council has determined that additional time and information is needed for it to study the proposed rate changes and tariffs and the reasons therefore; and

WHEREAS, the Village Council has determined that it is in the best interest of its citizens and ratepayers to suspend the proposed rate change.

NOW, THEREFORE, BE IT RESOLVED AND ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VINTON THAT:

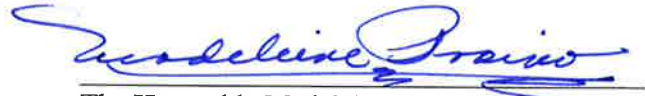
PART 1. That the rate increase identified in the Application of El Paso Electric Company to Change Rates, to Reconcile Fuel Costs, to Establish Formula-Based Fuel Factors and to Establish and Energy Efficiency Cost Recovery Factor before the Public Utility Commission of Texas (“PUC”), Docket No. 37690 be and is hereby **SUSPENDED** within the Village of Vinton for 90 days after the effective date for the rate increase subject to the City’s jurisdiction as specified in the filing.

PART 2. That the Village Clerk shall so notify El Paso Electric Company of the suspension by delivering a copy of this Resolution to the Company.

PART 3. Nothing in this Resolution shall be construed as limiting or modifying in any manner the legal right and power of the Village of Vinton to regulate the rates and charges of the Company.

This resolution takes effect on February 16, 2010

PASSED AND APPROVED ON: February 16, 2010



The Honorable Madeleine Praino, Mayor

ATTEST:



Jessica Garza, Village Clerk