

RESOLUTION

WHEREAS, El Paso Electric Company, a vertically-integrated utility, distributes electric power within the City Limits of the City of El Paso pursuant to a franchise granted to El Paso Electric Company dated as of July 15, 2005, as amended, and is an electric utility; and

WHEREAS, on September 26, 2022, El Paso Electric Company (“EPE” or the “Company”), filed with the City of El Paso its Request for Approval of new Rate No. PEVC-A, Public Electric Vehicle Charging Rate, as a pilot program (“Application”); and

WHEREAS, pursuant to applicable law, the City of El Paso maintains original jurisdiction over rates of EPE for rates charged within the City limits of the City of El Paso and the Application specifies that the rate change within the City’s jurisdiction should be effective on upon approval of City Council; and

WHEREAS, EPE has agreed that it will bear all costs associated with the Application program, provided however, that EPE may recover its costs of providing EV charging services at EPE-owned charging stations only via the rate schedule proposed in the Application; and

WHEREAS, the Public Utility Commission of Texas (“PUCT”) is currently considering, in a utility’s base rate case Docket No. 53719, whether it is appropriate for an electric utility in a vertically integrated area to own EV-charging facilities or other transportation electrification and charging infrastructure or whether the ownership of such facilities be left to competitive providers (“Entergy Case”); and

WHEREAS, EPE and the City have agreed that in the event the PUCT rules either in the Entergy Case, a rulemaking proceeding, or a rate case of another utility, that a vertically integrated utility or a transmission and distribution utility area may not own EV-charging facilities or other transportation electrification and charging infrastructure then all investments made by EPE relating

to the Application shall be divested by EPE at their sole and exclusive cost and at no cost to City of El Paso ratepayers; and

WHEREAS, EPE has agreed that it will only recover the costs of establishing this program from participating customers, including but not limited to the costs of: purchasing any equipment, meters, other infrastructure, administrative and general expense or vendor fees; and

WHEREAS, Rate Schedule PEVC-A attached to this resolution as Attachment "A" provides a reasonable rate structure to implement a pilot program for 20 installations, and

WHEREAS, EPE has proposed to limit participation in this pilot program to twenty (20) locations within the City of El Paso, and that any expansion of the pilot program will be subject to approval by the City Council and without waiving any rights; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens and ratepayers to approve the Application under the terms and conditions set forth herein; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

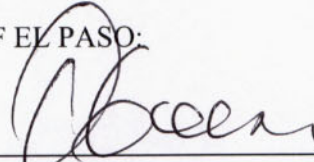
1. That recitals set forth above are incorporated herein by this reference.
2. That Rate Schedule PEVC-A attached to this resolution as Attachment "A" is approved as a pilot program for service at no more than 20 installations within the City of El Paso effective December 15, 2022
3. That EPE is directed to file an Annual Report with the City by April 1 of each year, beginning in 2024, during which the pilot program is in effect summarizing the pilot program's installations, participation, revenues, and costs. The Annual Report should include but not be limited to (1) identification of hosts and host locations; (2) annual total revenue collected at each charging station; and (3) available billing data by charging station. The Annual Report will also summarize

public engagement efforts, and any upcoming changes to the program proposed by EPE.

4. That the costs for establishing this pilot program, including but not limited to: purchasing any equipment, meters, other infrastructure, administrative and general expense or vendor fees will be recovered from only the participating customers charging electric vehicles at any of these installations.
5. That EPE is ordered to reimburse the City of El Paso for its expenses in reviewing this proposed rate within 30 days of being invoiced by the City.
6. That the City Manager and City Attorney or his/her designee is granted broad authority to take all action necessary to address these matters and effectuate the intent of this Resolution.

ADOPTED by the CITY OF EL PASO, TEXAS, this 13th day of December, 2022.

CITY OF EL PASO:



Oscar Leeser
Mayor

ATTEST:



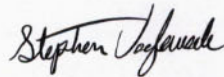
Laura Prine
City Clerk

APPROVED AS TO FORM:



Donald C. Davie
Assistant City Attorney

APPROVED AS TO CONTENT:



Stephen Ian Voglewede
Strategic Partnerships Officer

Attachment A

El Paso Electric Company

Schedule No. PEVC-A

Public Electric Vehicle Charging Rate

EL PASO ELECTRIC COMPANY
SCHEDULE NO. PEVC-A
PUBLIC ELECTRIC VEHICLE CHARGING RATE

APPLICABILITY

This rate schedule is available for service to Customers using a Company-owned facility dedicated solely for the charging of an electric vehicle (EV). Such facilities ("Charging Station") may be used by EV owners who reside either within the Company's service territory or outside the Company's service territory. This pilot program is limited to 20 installations within the Municipal Limits of the City of El Paso

TERRITORY

Municipal limits of the City of El Paso, Texas

TYPE OF SERVICE

Service available under this rate schedule will either be single or three phase at the option of the Company and at a standard approved voltage. Only charging activity with operating voltage at 120V and up to 480V are eligible for service under this rate schedule. All service will be taken at one point of delivery, designated by the Company and dedicated solely for the charging of an EV.

Service will be measured by a single meter, or other measuring device, of each kind needed.

HOST PARTICIPATION

EV charging stations are located at Company and Host sites. A Host is an entity within the Company's service territory that agrees to locate one or more Company Charging Stations on its premises. Hosts must execute an agreement with the Company covering the terms and provisions applicable to the Charging Station(s) on their property. Except as otherwise provided for in the Host agreements, Hosts do not receive any compensation for locating Charging Stations at their premises.

PROGRAM ADMINISTRATION

Charges under this Schedule PEVC shall be administered and billed through the Company's third-party vendor on behalf of the Company.

PAYMENT OPTION

The charges applicable to any EV charging station session will include a combination of an Energy Charge for each minute consumed to charge an EV plus a time-based Idle Session Charge depending on the agreement between the Company and the Host.

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EL PASO ELECTRIC COMPANY

SCHEDULE NO. PEVC-A

PUBLIC ELECTRIC VEHICLE CHARGING RATE

RATE FOR CHARGING SERVICE

Energy Charge	
Per Minute, as measured by the Charging Station	\$0.10
Idle Session Charge	
Per Hour, EV Charging Station Session Charge	\$0.00 - \$5.00

A Session shall be defined as the period of time an EV is connected to the Charging Station. The Idle Session Charge may be implemented at the discretion of the Host and Company within the following guidelines to promote improved utilization of the EV Charging Station(s) on its premise.

The Idle Session Charge will be configured as either Charge-Based or Time-Based, as agreed by the Company and the Host.

Charge-Based — A charge-based Idle Session Charge would start when the EV has stopped charging (but is still connected to the charging station) plus a defined grace period. The grace period allows the user time to end the Charge Session and move the EV.

Time-Based — A time-based Idle Session Charge would start at either the time of initial plug-in of the EV or a predefined time in an active Charge Session (e.g., two hours after initial plug-in) at the Host's discretion. Also, at the discretion of the Host, the Session Charge rate may increase to a higher rate at a subsequent predefined time in an active Charge Session (e.g., four hours after initial plug-in).

Idle Session Charges for fractional hours will be prorated.

TERMS OF PAYMENT

Any charges applicable to the EV Charging Station user will be billed through the Company's third-party vendor.

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