

AUSTIN ENERGY 2016 RATE REVIEW

AUSTIN ENERGY'S TARIFF  
PACKAGE UPDATE OF THE 2009

COST OF SERVICE STUDY AND

PROPOSAL TO CHANGE BASE

ELECTRIC RATES

BEFORE THE CITY OF AUSTIN  
IMPARTIAL HEARINGS

EXAMINER

AUSTIN ENERGY  
2016 MAY -3 PM 12:49

**Testimony of Paul Robbins in 2016 Austin Energy Rate Case  
Submitted May 3, 2016**

Dear Judge Herrera,

I am submitting my testimony in the Austin Energy rate case before you.

I have done my best to be clear and concise.

Sincerely,

Paul Robbins  
(512) 447-8712

**Issue 1: Imprudence Due to Misuse of Property**

**Issue 2: Special Rates for Out-of-City Customers**

**Issue 3: Imprudence in Customer Assistance Program Spending**

**Issue 4: Under Spending for South Texas Nuclear Project**

## Issue 1: Imprudence Due to Misuse of Property

I will prove that the City of Austin mismanaged Austin Energy property by giving it to the City of Austin General Fund, either without compensation, or without adequate compensation. The amount of imprudence should be quantified, and the General Fund should reimburse AE for misuse of property. This will allow AE to lower its rates below what it is expecting in these proceedings.

A 1989 City Attorney opinion advised Council against transfer of utility assets without compensation. It stated: *If the City Council makes a decision to utilize the Green Water Treatment Plant site for a purpose unrelated to the Water and Wastewater Utility's functions, the Water and Wastewater Utility fund must be compensated for the value of that property by the General Fund if the property becomes a "General Fund" property whose revenues are attributed to the General Revenue Fund.* (Copy attached.)

Austin Energy contends that any transfers of ownership of its formerly owned property that took place before the 2012 rate case and its 2009 test year are irrelevant because the decisions on prudence have, de facto, already been made.

If Austin Energy or any of the interveners can cite specific mention of a decision for any of these properties in the 2012 rate case, I will not make further arguments about them in this current proceeding. If no party can prove this, I believe all the properties detailed here are relevant.

I will begin by discussing property that either AE has acknowledged as relevant to this rate case, or whose transfer is pending (and whose uncompensated transfer) can be prevented. These are discussed under "Undisputed Property."

I will then list properties that AE claims are not relevant. These are discussed under "Disputed Property."

### Undisputed Property

1. Name: Energy Control Center

Location: 301 West Avenue, Austin, TX 78701

Date of Sale or Transfer: Sold in 2015 for \$ 14.5 million

Benchmark for Received Value: Appraisal of \$14.5 million in 2008

Rationale for Imprudence: The sales agreement, executed in 2010, allowed the developer to wait several years to decide on whether development should go forward and actual sale, essentially using the contract as a land bank. Austin Energy has thus lost the appreciated value of this land between 2008 and 2015.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2015 market value of this property. The delta between the 2008 and 2015 values should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Paul Robbins 1<sup>st</sup> RFI, Question 2.4, PDF Pages 41, 167

2. Name: Holly Street Power Plant

Location: 2401 Holly Street, Austin, TX 78702

Date of Sale or Transfer: This land is intended for transfer to the Austin Parks Department after the old power plant that sits on the land is decommissioned.

Benchmark for Received Value: None. The transfer is pending after full decommissioning. However, it has not actually been executed yet.

Rationale for Imprudence: Resolution: Resolution: I am asking that the Judge recommend to Council that an appraisal for the value of the decommissioned property be conducted, and that any transfer to the Austin Parks Department or another owner be compensated.  
Documentation: Austin Energy PIR 5/1/15

3. Name: Vacant Lot

Location: 2406 Ventura Drive, Austin, TX 78741

Date of Sale or Transfer: June 10, 2010

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2010 market value of this property. The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Austin Energy PIR 5/1/15

4. Name: Vacant Lot

Location: 3400 Burleson Drive, Austin, TX 78741

Date of Sale or Transfer: June 10, 2010

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2010 market value of this property. The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Austin Energy PIR 5/1/15

## **Disputed Property**

1. Name: Seaholm Power Plant

Location: 800 W. Cesar Chavez St, Austin, TX 78701

Date of Sale or Transfer:

Benchmark for Received Value: The Seaholm Power Plant site is about 7.5 acres. The actual power plant building and its surroundings is about 4.5 acres, and was appraised value of \$14 million in 2007. Parts of this land were sold or leased to private companies by the General Fund. The cooling water intake structure and its surroundings represents most/all the balance of the land. This was transferred to the Parks Department without compensation. The Parks Department intends to lease the building to a private developer for an events center.

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2016 market value of this property. The money should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Seaholm appraisal obtained through public information request.

2. Name: The Pole Yard

Location: 300 West Avenue, Austin, TX 78701

(This property is adjacent to the former Energy Control Center. It was informally called the "Pole Yard" because electric poles and other utility supplies were stored there.)

Date of Sale or Transfer: AE transferred the land to the General Fund Public Works Department on September 21, 1999. The City of Austin still retains title; it leases the land to Gables West Avenue Lofts apartment complex.

Benchmark for Received Value: NA

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 1999 market value of this property. The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Paul Robbins 1<sup>st</sup> RFI, Question 2.5, PDF Page 245

3. Name: Grooms Substation

Location: 3701 Grooms Street, Austin, TX 78705

Date of Sale or Transfer: September 1, 2006

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2006 market value of this property. The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Paul Robbins 1<sup>st</sup> RFI, Question 2.6, PDF Page 248

4. Name: Vacant Lot

Location: 58 Rainey Street, Austin, TX 78701

Date of Sale or Transfer: May 22, 2006

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2006 market value of this property. The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Austin Energy PIR 5/1/15

5. Name: Vacant Lot

Location: 2221 Haskell Street, Austin, TX 78701

Date of Sale or Transfer: May 25, 2006

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2006 market value of this property. The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Austin Energy PIR 5/1/15

6. Name: Vacant Lot

Location: 2220 Riverview, Austin, TX 78701

Date of Sale or Transfer: May 25, 2006

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2006 market value of this property. The money, plus inflation between then and 2015, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Austin Energy PIR 5/1/15

7. Name: Vacant Lot

Location: 3300 Burleson Road, Austin TX 78741

Date of Sale or Transfer: June 24, 2009

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the 2009 market value of this property. The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Austin Energy PIR 5/1/15

8. Name: Seaholm South Substation Land

Location: Cesar Chavez and West Avenue

Date of Sale or Transfer:

Benchmark for Received Value: None

Rationale for Imprudence: Donation of asset without reimbursement.

Resolution: I ask that the Judge recommend that Austin Energy hire an appraiser to estimate the market value of this property at the time of transfer. (It is not clear when this occurred.) The money, plus inflation between then and 2016, should be reimbursed by the General Fund to AE. The appraisal cost should also be reimbursed by the General Fund.

Documentation: Austin Energy PIR 5/1/15

## Issue 2: Special Rates for Out-of-City Customers

I will demonstrate, circumstantially, that the special rate break for customers served by Austin Energy outside Austin's City Limits is not justified. My contention is that, if anything, these customers should be charged more.

Service delivery and T&D costs are, to some degree, determined by the area (square miles) served.

The discovery process has provided the following information.

FY 2016 electric service delivery budget: \$82.1 million

Percentage of Austin Energy customers outside City Limits: 14%

Percentage of Austin Energy service territory outside City Limits: About 53%

Amount Out-of-City Ratepayers Should Pay if Based on Percent of Customers:

\$11.5 million

Amount Out-of-City Ratepayers Should Pay if Based on Percent of Service Area:

\$43.5 million

It should also be noted that between FY 2016 and 2020, projected T&D Capital Improvement Project spending is estimated to collectively be \$449 million. This large amount of money does not consider the current carrying cost of existing T&D infrastructure.

Again, this is not broken out by how much is inside and outside the City Limits. However, it stands to reason that in the fast-growing metropolitan area of Austin, a large amount of this will be for new infrastructure to serve areas outside of Austin.

It judged by the proportion of the service area, customers outside the city are getting substantially more benefits than they are justified if their cost is based on their proportion of the service area.

The deduction above is circumstantial. Austin Energy does not currently break down its budget by how much of it is spent inside and outside the City Limits. (My request for information on this subject during discovery was unanswered for this reason.)

As such, AE has not proved the outside-city ratepayers are deserving of a discount. To my knowledge, HURF (representing the interest of ratepayers outside the City Limits) has not offered evidence for this either as of this time.

Resolution: I ask the Judge to recommend two things to City Council: 1) eliminate the rate break in the next tariff because it lacks justification; 2) conduct a cost of service study detailing the true costs of serving customers inside and outside the City Limits. This can be used to properly apportion delivery costs in the next rate case.

Documentation: Paul Robbins 3<sup>rd</sup> RFI, Questions 4.3, 4.5, PDF Pages 7, 9

Austin Energy 2014 Annual Performance Report, PDF Page 11

Austin Energy e-mail May 2, 2016 asserting 53% of the service territory is outside the Austin City Limits

### Issue 3: Imprudence in Customer Assistance Program Spending

I will demonstrate, circumstantially, that Austin Energy is misspending some of its rate-based administrative funds to enroll and/or assist the wrong customers in its Customer Assistance Program (CAP) bill discount for low-income ratepayers.

CAP is intended to discount bills for low-income customers. While the actual discounts are collected in a discrete surcharge separate from the purview of this rate case, the administrative money is funded through base rates. This includes funding for 11 staff persons, as well as a contract with a data management firm charged with administering enrollment. In 2015, the costs amounted to \$673,235 for staff and \$502,052 for the data firm, totaling \$1,173,287. AE also cited additional admin transfers of \$300,000 in FY 2014.

Since 2013, participants to the CAP program have been automatically enrolled by matching participants in social service programs such as food stamps, Medicaid, and the Children's Health Insurance Program (CHIP) with electric accounts. However, a household is eligible if *anyone* enrolled is using one of these social service programs, not just the person who pays the bill.

This has lead to a flawed system where even people that live in mansions can sometimes be enrolled. For example, if a wealthy customer takes in a foster child who automatically qualifies for CHIP, their household will receive the CAP discount.

Austin Energy's enrollment method is generally atypical of other discounts around the country. I have analyzed the top 10 municipal utilities in the U.S., and also looked closely at the Lite-Up Texas discount program managed by ERCOT.

Seven of these 11 programs income qualify participants, requiring documentation. Two automatically enroll if the customers name is on a social service program and is simultaneously on the bill. One utility has an 'honor system' allowing a customer to simply declare eligibility over the phone, but a random audit of about 11% of participants that do this each year is conducted. Of these 11 utility programs, Austin is the outlier in regards to lax screening.

In an effort to prove how this damages program efficiency, I obtained the names and service addresses of CAP participants who were receiving water and drainage utility discounts in 2014. The names and addresses of Austin Energy CAP participants are obscured by a different set of privacy laws. However, water and drainage utility customers receiving CAP discounts are often (but not always) Austin Energy customers. I then matched over a thousand high-valued homes to CAP participants by comparing the addresses with Travis and Williamson County Appraisal District records.

Since Austin Energy customers had more than double the CAP participants as the water and drainage utilities, I could probably find many more customers with high-valued homes receiving the discount. In fact, I asked to search for these in discovery, offering to sign a non-disclosure agreement, but AE has opposed this. So while I am positive that some of the CAP administrative money is being spent imprudently because some wealthy people are receiving discounts, I cannot make a realistic estimate of what percentage.

Resolution: I ask the Judge to recommend to City Council that CAP administration be changed to stricter automatic enrollment screening requirements and/or income verifications, similar to the way the majority of surveyed utilities operate their low-income discount programs.

Documentation: Paul Robbins <sup>2nd</sup> RFI.

Letter to City Council on CAP, December 1, 2014

Attachment to December 1 Letter listing 66 CAP Recipients with More than \$1 Million in Real Estate Assets

Survey of Discount Programs in Other Municipal Utilities



#### **Issue 4: Under Spending for South Texas Nuclear Project**

I will demonstrate that the South Texas Nuclear Project is currently underpaying what it owes to principal and interest. Unit 1 is currently licensed to operate until August 20, 2027. Unit 2 is currently licensed until December 15, 2028. However, the plant's payment schedule stretches into 2041.

Barring a license extension, about \$21.8 million dollars will be paid between 2027 and 2041, after the plant's expected operational life ends.

Resolution: I am asking for the Judge to recommend that the payments be increased to match the current expected lifetime.

Documentation: Paul Robbins 1<sup>st</sup> RFI, Question 3.1, PDF Page 252

*Note: This estimation prorated payments in the years 2027 and 2028 to compensate for operation in partial years.*

TO: Mayor Leffingwell and Members of the Austin City Council

FROM: Paul Robbins

DATE: December 1, 2014

SUBJECT: Wealthy Utility Customers Receiving Low-Income Discounts

Dear Council:

As an advocate for residential utility ratepayers for the last 37 years, I am writing to alert you to a serious deficiency in the Customer Assistance Program (CAP) that gives discounts to low-income customers of Austin's utilities through automatic enrollment. *Several hundred customers receiving these subsidies are not in need of them, and some appear to be quite wealthy. The discounts typically amount to \$756 per home if served by Austin's 3 participating utilities.*

A preliminary assessment based on a partial list of CAP participants in July of 2014 shows that over 1,100 participants resided in homes valued at more than \$300,000. Sixty-six distinct customers owned or co-owned total real property assets of over \$1 million.

Since these numbers were derived from a subset of the entire CAP program, the actual number of customers receiving subsidies who live in higher-priced homes could be much larger.

Though it is beyond the scope of my analysis to estimate the misallocated funds, it would not be surprising if it amounted to several hundred thousand dollars that could be spent helping deserving low-income customers.

While the flawed program design that allowed these unwarranted bill subsidies was completely unintentional, both Austin Energy and Texas Legal Services (the organization that championed the expanded CAP strategy for automatic enrollment) had resources to track the program to make sure it was working correctly.

One cannot throw money at a program and expect it to work well. While expansion of CAP was one of the best things to occur in the last electric rate case, I hope you will make corrections at your meeting December 11, 2014 to ensure the program's effectiveness. My suggestions follow.

1. If automatic enrollment is to continue, customers should *simultaneously* be on at least 2 of the 7 eligibility lists that CAP participants are drawn from.
2. A letter should be sent to new participants to sign and return *agreeing to be enrolled*. This would prevent situations where CAP recipients are unaware of their participation.
3. A relatively easy asset screen should be devised to allow program administrators to ensure that bill assistance is going to targeted low-income customers.
4. Council needs to allow City departments the ability to enact common-sense discretionary rules to ensure that future problems of this kind can be remedied without corrective action by Council.

## Background of Automatic Enrollment

Austin Energy, like many other electric utilities, has operated customer assistance for economically disadvantaged customers for some time. Its original program began in 1985, with the Watershed Protection Department and Public Works as partners. Austin Water joined the effort in 2009.

As a result of the Austin Energy rate case in 2012, funding for CAP was greatly expanded and enrollment was greatly increased. The process for assistance was expanded so that participants were proactively and automatically enrolled in CAP based on participation in other programs that usually, but not always, overlap with programs that benefit lower income groups. (Low-income customers can still fill out applications that are reviewed for eligibility, though this process is much less proactive.)

While limited by the constraints of the CAP budget, new participants were automatically enrolled if they were part of any of the following programs: 1) Medicaid; 2) Supplemental Nutrition Assistance Program (SNAP); 3) Children's Health Insurance Program (CHIP); 4) Telephone Lifeline Program; 5) Travis County Comprehensive Energy Assistance Program (CEAP); 6) Medical Access Program (MAP); 7) Supplemental Security Income (SSI).

Fund collection for automatic enrollment began when the new electric rates were implemented in October 2012.

Not every CAP participant receives the same discount. One reason is that each of three utilities, Austin Energy, Austin Water, and the Watershed Protection Department's drainage utility, give discounts. Due to varying utility boundaries, not every CAP participant is served by all three utilities at once. This is particularly true of Austin Energy. Many out-of-Austin participants served by Austin Energy are served by public or private water utilities unaffiliated with the City of Austin. Another reason is that electric and water discounts are partially based on consumption, which varies by customer.

However, in 2014, a CAP participant that was served by Austin Energy, Austin Water, and the drainage utility could receive an average discount of \$756 per year.

Administrators of the CAP program do not have the discretionary ability to use asset screens, or any other alternative method, to determine if automatic enrollees are really in need of economic assistance.

## Discovery of Problem

As a supporter of the expanded CAP program during the 2012 rate case, I became curious as to how well it was working. On September 10, 2014 in response to a public information request to Austin Energy, I received a list of CAP participants for each month of fiscal year 2014 to date. Only partial information was released. It included CAP participants that were customers of the Austin Water Utility and Austin drainage utility. CAP participants that were customers of Austin Energy were not provided, as the electric utility is governed by a different set of privacy rules.

The number of customer names and addresses provided for Water and Drainage CAP participants was about 18,600 in July of 2014, while the total number of CAP participants, including Austin Energy, was about 43,100 in that month. So the list included only 43% of total CAP participants.

I matched these against the value of homes on the Travis County Appraisal District and Williamson County Appraisal District Web sites. Over 1,100 properties that were assessed at over \$300,000 were found. Since the analysis did not evaluate every participant in the list, it is probable that there were several hundred more homes above this threshold. Though this \$300,000 value is arbitrary, it is much higher than the median value of a home in the Travis County Appraisal District for 2014 (\$236,139).

Twenty-two customers living in homes assessed at \$1 million or more were receiving CAP discounts. Moreover, 163 of the customers in this analysis owned or co-owned more than one property. When these other assets were added to the value of the homes, 72 customers were receiving CAP discounts owned or co-owned total real property worth \$1 million or more. (Sixty-six actual people or families with assets of \$1 million or more received CAP since 5 of these customers received CAP discounts at 2 or 3 addresses, and 1 had sold their home.)

In all, 298 customers were receiving CAP discounts who owned or co-owned total real property worth \$500,000 million or more when noting the multiple discounts and sale above.

Size of buildings is another way to assess wealth and was also reviewed. The analysis found 357 CAP participants had service addresses for homes that were 3,000 square feet or larger in size. Another 386 CAP participants had service addresses for homes at least 2,000 square feet but less than 3,000 square feet in size.

#### Corrective Action by Austin Energy

After finding 100 homes using this \$300,000 valuation as a sample, I contacted J.J. Gutierrez, Vice President of Customer Care Services at Austin Energy, on September 15, 2014, and told her about the situation. She asked me to send the sample of 100 homes, which I sent the same day.

She explained that the utility had the authority to contact these 100 participants and ask them if they needed to stay on CAP. But she was quick to state that if these participants did not voluntarily decline further CAP assistance, Austin Energy had no authority to remove them.

*The agency is forced to follow the rules that City Council created with the new automatic enrollment program. Austin Energy has no discretionary authority in this matter.*

I have since been informed by representatives of Austin Energy that the 100 potentially undeserving CAP participants in the sample were contacted, though it is not clear that any of them have asked to be removed.

I have also been told that a more thorough search by Austin Energy based on appraised values has found 300 to 500 total customers whose participation might be questionable. Letters asking

these customers if they want to continue to be part of CAP will be mailed to these customers in the near future. (This contrasts with my own search finding over 1,100 customers from only a partial list of CAP participants.)

However, despite Austin Energy's willingness to take remedial action, only a change in rules enacted by Council will permanently correct the problem.

### Possible Reasons for Problems

Since there are at least 7 social programs used to select customers for automatic enrollment, some of these obviously overlap with customers in higher-priced homes.

I am personally acquainted with two customers that received CAP that have foster children. Neither of these people is poor, but the children are eligible for CHIP, which was the likely reason for these customers' enrollment. One of these two people had no idea they were enrolled until I informed them. The other had been trying to be removed from the program for several months. (This second person owns at least 3 other properties.)

In another case, a highly paid professional received the subsidy because his adult son is disabled and living at home. Despite this, it is highly unlikely that his household had problems paying their bill. When I asked him about it, he told me that he has requested that his CAP discount be discontinued.

In another case, a government official was enrolled. When I inquired about it, he said he was unaware of his CAP benefits until I called him, and had requested removal from the program. He also said he was on the City's automatic bill payment program and did not scrutinize his bill closely. It was his guess that automatic enrollment occurred because a relative on disability assistance had moved into his house for a period of time. (This official has total real property assets in Travis County of almost \$1 million.)

It should be pointed out that not every one of these customers in homes appraised above \$300,000 is wealthy. For instance, one of these homes was purchased in 1976 in what is now a central-city neighborhood and was only 500 square feet in size. The home has an Over-65 exemption from the appraisal district. The home value probably increased markedly with gentrification, and most of the taxable value is waived because of exemptions and tax-increase limits.

However, other homes in far northwest Austin with the same approximate market value were more recently purchased and over 3,000 square feet in size.

It should also be pointed out that not every customer living in a home appraised at *less than* \$300,000 is poor. This home cost was simply meant as a screen by my analysis to show the need to reform the program. *It is highly likely that a more comprehensive search would reveal that some number of CAP participants owning homes with market values under \$300,000 owned or co-owned more than one property.*

### Perspective of Breakdown

The City cannot just throw money at a program and expect it to work well. Money to help the economically disadvantaged is relatively scarce and should be spent carefully.

No one involved in creating this situation wanted it to happen. It is possible that some, perhaps even many, of the CAP participants automatically enrolled in this program did not even know it. While the CAP discount might be on a customer's monthly statement, not every customer understands what some of the line items on utility bills mean. In other cases, bills are given to accountants to dispatch, or the payment is drafted automatically, with only cursory attention paid to the mailed copy.

Austin Energy accepted automatic enrollment as the will of City Council. It is my understanding that the agency had reservations about the program during the 2012 rate case.

As an example, in a letter from Larry Weis, the Manager of Austin Energy, dated January 10, 2012, he stated, "We are especially sensitive to the position of several of our social services community partners who have expressed concern that relying exclusively on automatic enrollment doesn't necessarily drive value to those with the greatest need."

And the utility has been quick to take corrective action on what it can do internally to mitigate the problem, even if it does not have the authority to stop it outright.

I am sure the Council did not mean for this to happen. I am sure the low-income advocates that asked for this program did not foresee the problems either.

Having said all this, I have to ask why a volunteer activist like myself was able to find problems that no one else thought to scout for. While the utility could have done its own troubleshooting, so could the low-income advocates that championed this new program. In particular, the non-profit Texas Legal Services, one of the main groups that proposed the expanded program, has paid staff that can field such a task. Both the utility and the advocates should have had a plan to sample CAP recipients for a means test. It would have not taken any great amount of time.

### Recommendations for Corrective Action

Though it is obvious that CAP eligibility needs to be tightened, there are several strategies to consider. Perhaps Austin can look to low-income assistance programs in other parts of Texas that are more targeted than CAP.

The Lite-Up Texas program assists low-income people in the deregulated areas of the ERCOT market, including the Houston and Dallas/Ft. Worth areas. It employs automatic enrollment; a customer is automatically enrolled if they are on *either* SNAP (Food Stamps) or Medicaid. However, to be automatically enrolled, *the participant has to be the person listed on the electric bill*. Alternatively, low-income people that are not automatically enrolled can fill out applications that are reviewed for income eligibility.

At San Antonio's City Public Service, which has increased both the bill discount and participation of its Affordability Discount program for its low-income electric and natural gas customers, applicants are not automatically enrolled and must apply to prove eligibility.

I cannot speak to the administrative funding required by different approaches. However, if automatic enrollment is to continue, I strongly advise a double screen so that customers enrolled in CAP must *simultaneously* be on at least 2 of the 7 eligibility lists that CAP participants in Austin Energy's program are drawn from.

I would also advise that a person selected for automatic enrollment be sent a letter that they must sign and return *agreeing to be enrolled*. This would prevent situations where CAP recipients are unaware of their participation.

In addition, I recommend that a quick, effective asset screen be devised to ensure that bill assistance is not going to people with considerable property worth.

Finally, Council needs to allow City departments the ability to enact common-sense discretionary rules so that future problems of this nature can be remedied administratively, that is, without additional corrective action by Council.

Sincerely,

A handwritten signature in green ink that reads "Paul Robbins". The signature is written in a cursive, flowing style.

Paul Robbins

## Summary of Analysis

**Purpose:** To show noticeable *numbers* of Austin utility customers to whom Customer Assistance Program (CAP) money is being given who may not need it.

For purposes of this analysis, a “customer” is defined as a single name listed for an electric service address. There may be multiple people living at this address. Also, for purposes of this study, a “home” is defined as a service address matched to a specific appraised property. In a minority of cases, two separate buildings can be on the same property, or the home may be a building with 2 to 4 units. In some cases, these additional units are probably leased to tenants, netting the owner additional income.

This was not a statistically random sample. Given the paucity of time and money, high-income zip codes and high-income neighborhoods were focused on. There are probably several hundred more high-cost homes that could be found if resources were available.

**Screen:** Customers participating in CAP whose homes were valued at \$300,000 or more in 2014 by the Travis County and Williamson County appraisal districts. The districts’ Web sites were accessed between September and November of 2014.

This cost is substantially higher than the median cost of a home appraised by the Travis County Appraisal District in 2014, \$236,139.

**Universe of Study:** There were 18,590 customers that received CAP subsidies from the Austin Water Utility and Watershed Protection Department’s drainage utility in July of 2014. This is 43% of the total number of CAP participants, 43,094, in the same month. The more-than-doubled participation comes from Austin Energy customers living outside the boundaries of the other two utilities.

### **Number of Customers Found Living in Homes Valued at \$300,000 or More: 1,131**

This does not include other real property owned or co-owned by the CAP participant.

### **Number of Customers That Owned or Co-owned One or More Additional Properties: 163**

### **Number of Possible Renters: 160**

"Possible renters" can mean several things. It can mean a family member, living in the home instead of the owner, is renting a home at below cost or even living there at no cost. It can also mean a real tenant agreement. While most renters have incomes that are substantially below those of homeowners, it is also true that renting a more expensive home will generally carry more expensive rent.

### **Number of Disability Exemptions: 50**

Disability exemptions from appraisal districts might hint at why a customer is on CAP. However, it is not an ironclad indicator of poverty. Of 50 Customers in this survey that have



disability exemptions, 7 were in homes 3,000 square feet or larger. Another had total real property values of over \$1.1 million, owning 6 properties including their home.

#### **Number of Homes With Solar Energy Exemptions: 9**

These homes probably received a substantial solar rebate from Austin Energy, and also receive value of solar payments that reward the customer for avoiding high-cost peak electric power. The addition of CAP subsidies might reduce these customers' bills to astonishingly low levels.

#### **Number of Customers That Owned or Co-owned Total Real Property Worth More Than \$1 Million: 72**

5 of these were double or triple recipients of CAP discounts.

1 sold the home in June of 2014.

*Deducting for these, 66 distinct customers owned or co-owned total real property worth more than \$1 Million.*

The highest customer in this category had a real property value of \$10.7 million and owned 44 properties including their home.

The most expensive home that a customer in this category was occupying was valued at \$3.9 million and was 8,100 feet in size. It was located on Lake Austin, and had its own indoor movie theatre and elevator.

None of them were possible renters.

One of them had a disability exemption, though the disability was obviously not a cause of poverty.

57 owned more than one property.

#### **Number of Customers That Owned or Co-owned Total Real Property Worth More Than \$500,000: 304**

*Deducting for double CAP participants and home sale noted above, 298 distinct customers owned or co-owned total real property worth more than \$500,000 Million.*

12 of them were possible renters.

3 of them had disability exemptions.

144 of them owned more than one property.

#### **Number of Customers With Service Addresses for Homes More Than 3,000 Square Feet in Size: 357**

20 of them were possible renters.

7 of them had disability exemptions.

84 of them owned or co-owned more than one property.

**Number of Customers With Service Addresses for Homes 2,000 Square Feet in Size but Less Than 3,000 Square Feet in Size: 387**

45 of them were possible renters.

17 of them had disability exemptions.

46 of them owned or co-owned more than one property.

**Anomalies**

**Multiple-Account CAP Participants:**

8 customers were found that received CAP subsidies at 2 or 3 service addresses.

6 of these customers owned or co-owned more than \$500,000 in total real property.

**CAP Participant With Modest Home Value but High Real Property Value:**

3 customers were found that had home values less than \$300,000 but due to ownership of other properties, had Total Property Values much higher than this threshold. One of these customers had Total Real Property values of over \$1 million.

2 of these 3 customers were Multiple-Account CAP Participants previously discussed.

*It is highly likely that there are a considerable number of other CAP customers residing in homes with less than \$300,000 in appraised value that own more than 1 property. It is beyond the scope of this analysis to identify them. These 3 examples were discovered by happenstance and not an intentional effort.*

**JULY 2014 AUSTIN ENERGY CAP PARTICIPANTS THAT OWN OR CO-OWN \$1 MILLION OR MORE IN TOTAL REAL PROPERTY**

NAME	ADDRESS	ZIP	HOME VALUE	OTHER PROPERTY	TOTAL PROPERTY	NOTES	SQ FT
WEHBE, NAJIB F	3205 HANCOCK DR	78731	\$377,485	\$10,280,953	\$10,658,438	Owns 43 other properties	1,572
BANDALI, AMAN	5910 NORTH WEST PL	78731	\$633,674	\$4,515,304	\$5,148,978	Owns 3 other properties	4,457
PALMER, MARTHA	2921 WESTLAKE CV	78746	\$3,933,606		\$3,933,606	Has elevator and movie theatre	8,104
FRIERSON, HOIT K	1315 WILDERNESS DR	78746	\$505,000	\$3,205,954	\$3,710,954	Owns 10 other properties	2,316
LONG, JENNIFER	211 W LIVE OAK ST	78704	\$1,410,300	\$2,049,183	\$3,459,483	Owns 4 other properteis	3,576
ZITO, PAUL	4445 1 RIVER GARDEN TRL	78746	\$3,303,059		\$3,303,059	Two structures; pool, spa, 1.6 acres	7,839
HINEDI, MAJD	1722 CANONERO DR	78746	\$1,218,764	\$1,868,090	\$3,086,854	Spa & pool; co-owns 10 other properties	6,315
NGUYEN, LIEN	9804 FALLON CV	78717	\$344,998	\$2,498,807	\$2,843,805	Owns 16 properties	3,586
ADETUTU, OFUBUNMI	12919 PARTRIDGE BEND DR	78729	\$304,140	\$2,475,856	\$2,779,996	Owns or co-owns 7 other properties	3,207
MOSHFEGH, SAEED	4403 DEEPWOODS DR	78731	\$627,537	\$2,134,626	\$2,762,163	Owns 12 other properties	3,352
HINEDI, FAHD	1726 CANONERO DR	78746	\$874,753	\$1,868,090	\$2,742,843	Co-owns 10 other properties	4,685
MOORE, JO ANN	2115 KENWOOD AVE	78704	\$505,606	\$2,192,249	\$2,697,855	Owns another home	1,518
SAVAGE, JIMMIE	101 E 31ST ST	78705	\$565,017	\$1,846,979	\$2,411,996	Triple CAP recipient; owns 4 other properties	3,789
SAVAGE, JIMMIE	102 E 30TH ST A	78705	\$416,938	\$1,995,058	\$2,411,996	Duplex; triple CAP recipient; owns 4 other properties	1,182
SAVAGE, JIMMIE	102 E 30TH ST B	78705	\$416,938	\$1,995,058	\$2,411,996	Duplex; triple CAP recipient; owns 4 other properties	800
YE, FENG	16505 ALONG CREEK CV	78717	\$518,598	\$1,799,705	\$2,318,303	Owns or co-owns 11 other properties	4,385
MALDONADO, ANTONIO	9800 BLUE HILL DR	78736	\$363,601	\$1,934,038	\$2,297,639	Owns another property	2,509
LADDEN, BRUCE	12005 MYSTIC FOREST LN	78739	\$401,632	\$1,613,024	\$2,014,656	Co-owns 9 other properties	3,987
MARSHALL, RAY	6400 LOST HORIZON DR	78759	\$496,931	\$1,424,827	\$1,921,758	Has solar; Owns 4 properties including 76 acres of land	3,178
SHIA, GEORGE J	900 HOUSTON ST	78756	\$539,350	\$1,379,059	\$1,918,409	Owns 6 other properties	3,278
KEMP, WILLIAM F	2909 GREENLEE DR	78703	\$1,592,767	\$257,598	\$1,850,365	Owns second home	4,633
ALSUP, MARION	2311 PRUETT ST	78703	\$678,000	\$1,169,212	\$1,847,212	Owns 3 other houses	2,432
GRIESSEN, WENDY (COIT)	3307 RIVER RD	78703	\$816,364	\$985,929	\$1,802,293	On CAP twice; owns 3 other properties via Wendy Coit	3,125
COIT, WENDY LEE	1711 SUMMIT VW UNIT W	78703	\$697,800	\$1,104,493	\$1,802,293	Fourplex; owns 3 other properties	3,904
ROUHANI, JINOUS	1205 GASTON AVE	78703	\$1,561,779	\$116,259	\$1,678,038	Owns second home	4,135
SIVASWAMY, MARAGATHAM	9300 BLUEGRASS DR	78759	\$754,536	\$911,728	\$1,666,264	Owns 19 acres of pasture	4,538
CARR, MICHAEL L	2200 A LN	78703	\$1,080,254	\$396,880	\$1,477,134	Listed at 2201 Windsor, next to A Lane; owner of 2 other properties	4,204
SHOGHI, GLENDA	5001 VALBURN CT	78731	\$567,067	\$883,906	\$1,450,973	Owns 4 other properties	3,045
WEIDEMAN, EVELYN	2600 WOOLDRIDGE DR	78703	\$1,444,286		\$1,444,286	Two structures	6,197
SRINIVASAN, VISHNU	1301 VERDANT WAY	78746	\$1,000,117	\$434,560	\$1,434,677	Has solar; owns another home	3,902
BURNIGHT, RICHARD	2613 EXPOSITION BLVD	78703	\$1,424,799		\$1,424,799		3,585
BUSCH, TANA	6201 SHOALWOOD AVE	78757	\$357,707	\$1,017,736	\$1,375,443	Owns 2 other properties	1,096
LEON, TOMAS C	7200 ANAQUA DR	78750	\$364,699	\$998,613	\$1,363,312	Owner of 4 other homes	2,055
TRAN, TAMMIE	1515 TAMAR LN	78727	\$314,276	\$1,030,159	\$1,344,435	Owns 2 other properties	3,369
MONTGOMERY, JILL	1607 BRACKENRIDGE ST	78704	\$559,534	\$779,641	\$1,339,175	Owns 3 other properties	2,234
AHMED, JUBAYER	1801 FAR GALLANT DR	78746	\$840,270	\$492,033	\$1,332,303	Owns 3 other properties	3,973

BEATHARD, PATRICK	3903 BALCONES DR	78731	\$1,318,481		\$1,318,481		5,763
LAMB, SHARON GAYLE	2001 STAMFORD LN	78703	\$588,368	\$714,665	\$1,303,033	Owens 2 other homes	1,646
CHOE, KILHO	7207 DAUGHERTY ST	78757	\$357,083	\$945,826	\$1,302,909	Owens restaurant	1,616
HADLEY, RALPH	1411 WATHEN AVE	78703	\$1,293,729		\$1,293,729		3,305
HARRIS, MEGAN D	1608 BARCLAY DR	78746	\$984,164	\$300,000	\$1,284,164	Owens lot	3,222
VESTRI, GREG	9836 WESTMINSTER GLEN AVE	78730	\$1,271,157		\$1,271,157	Has solar; two homes, pool & spa	6,213
MELANCON, GAIL	2005 ROBINHOOD TRL	78703	\$1,266,989		\$1,266,989	Has garage apartment	3,730
HEMKUMAR, NARIANKADU D	6300 AYRES DR	78746	\$1,257,238		\$1,257,238		4,258
WILKINSON, LAURA	2202 MATTHEWS DR A	78703	\$575,651	\$675,045	\$1,250,696	Trustees for family land also own 135 acres in Bastrop County	2,292
AGUEROS, IRMA	1215 WILDERNESS DR	78746	\$718,136	\$521,350	\$1,239,486	Owens 2 other homes	3,888
REEDER, SOVAY	1519 TREADWELL ST	78704	\$397,496	\$824,998	\$1,222,494	Owner of 3 other homes	962
CHEN, YUAN	10001 CHESTER LN	78750	\$534,751	\$687,141	\$1,221,892	Owens 5 other properties	3,560
DESAI, NAINESH	10609 ROY BUTLER DR	78717	\$456,309	\$757,863	\$1,214,172	Owens 3 other homes	4,165
ELLIOT, TERESA	402 W ANNIE ST	78704	\$400,508	\$810,160	\$1,210,668	Owens 3 other properties	1,841
CONNER, CHERYL	2928 CHATELAINE DR	78746	\$1,013,923	\$195,760	\$1,209,683	Owens another home	4,555
AMARO, GEORGE ANTHONY	5001 GREYSTONE DR	78731	\$609,411	\$593,864	\$1,203,275	Owens 2 other homes	2,835
OLIAN, MAURICE S	1600 RIO GRANDE ST	78701	\$960,024	\$238,992	\$1,199,016	Historic exemption; owns another home	3,195
THOMAS, STACEY	3001 WASHINGTON SQ	78705	\$1,189,330		\$1,189,330	Historic exemption	5,532
PARIKH, RAJENDRA	8317 DENALI PKWY	78726	\$1,182,244		\$1,182,244	Pool and Spa	7,023
FRENCH JR, JOHN W	809 E 46TH ST	78751	\$523,521	\$644,657	\$1,168,178	Owens 2 other properties	2,549
PATEL, ABDUL	1905 FAR GALLANT DR	78746	\$1,167,553		\$1,167,553		4,706
LUU, FRANK V	10305 KIRBY CV	78759	\$433,809	\$726,070	\$1,159,879	Owens 2 other properties	3,399
CURREY, DAVID	904 BLUEBONNET LN	78704	\$1,142,847		\$1,142,847		2,577
WANG, YUN-CHIEN	9102 SCOTSMAN DR	78750	\$365,524	\$769,020	\$1,134,544	Owens 5 other properties	2,828
PATEL, TUSHAR	11205 SACAUISTA CT	78750	\$517,711	\$606,754	\$1,124,465	Owens 2 other properties	4,085
LU, JAINGHUI	9705 OXAUS LN	78759	\$617,714	\$468,000	\$1,085,714	Owens second home	3,767
MATHIAS, RICHARD	1007 ROBERT E LEE RD	78704	\$884,827	\$200,031	\$1,084,858	Owens another property; on CAP twice	4,188
MATHIAS, RICHARD	1101 ROBERT E LEE RD	78704	\$884,827	\$200,031	\$1,084,858	Owens another property; on CAP twice	4,188
BOWMAN, NIGEL	1915 HOLLY HILL DR	78746	\$601,341	\$474,541	\$1,075,882	Owens another home	2,555
IVANOV, IVELIN	11118 SOUTH BAY LN	78739	\$309,000	\$754,159	\$1,063,159	Owens 3 condos	2,436
LIU, XINGCHU	11422 RUSTIC ROCK DR	78750	\$392,029	\$646,939	\$1,038,968	Owens 2 other homes	3,294
DELANO, CRAIG	1800 RANDOLPH RIDGE TRL	78746	\$1,024,941		\$1,024,941	Sold this home in June 2014 but still on CAP 3 times	4,586
FLORES, VICTOR	4900 SHOAL CREEK BLVD	78756	\$552,562	\$469,162	\$1,021,724	Owens 2 other properties	2,939
FLORES, VICTOR	4604 RED RIVER ST	78751	\$411,662	\$610,062	\$1,021,724	Owens 2 other properties; two houses on lot	2,244
KHANJEE, SANTOSH	6320 AYRES DR	78746	\$1,014,468		\$1,014,468	Spa & pool	5,344
SCOTT, H L	4018 FAR WEST BLVD	78731	\$403,485	\$601,976	\$1,005,461	Owens 2 other properties	1,813

#### Anomalies

Craig Delano sold this home in June 2014. This address still received a CAP discount in July 2014, as well as two other accounts in his name where homes were valued at over \$300,000.

4 other customers are receiving CAP discounts 2 or 3 times.

 **Thomas Brocato** <[tbrocato@lglawfirm.com](mailto:tbrocato@lglawfirm.com)>

4:39 PM (17 hours ago) ☆



to me ▾

Here are the numbers you need from our most recent bond OS:

"The City's service area encompasses 206.41 square miles within the City itself and 230.65 square miles of surrounding Travis **and** Williamson Counties"

That's a total of 437.06 square miles. A total 47.23% (206.41/437.06) of the service area is within the City of Austin city limits (inclusive of both Travis and Williamson Counties.

**From:** Paul Robbins [[mailto:paul\\_robbins@greenbuilder.com](mailto:paul_robbins@greenbuilder.com)]

**Sent:** Monday, May 2, 2016 3:35 PM

**To:** Thomas Brocato

**Subject:** Another 11th Hour Question

Thomas,

...

\*\*\*\*ATTENTION TO PUBLIC OFFICIALS AND OFFICIALS WITH OTHER INSTITUTIONS  
SUBJECT TO THE OPEN MEETINGS ACT \*\*\*\*

...

Austin, Texas City Attorney Opinions

**IJ-40**

**SUBJECT:** Park Land Dedication Status of Green Water  
Treatment Plant Land (and its intake structures) Site

**TO:** Council Member George Humphrey  
Barney L. Knight, Acting City Manager

**FROM:** Diana L. Granger, Acting Deputy City Attorney

**DATE:** March 7, 1989

**ISSUE**

You requested a legal opinion regarding the status of the Green Water Treatment Plant (and its intake structures) site, specifically, whether that site is dedicated park land.

**BRIEF RESPONSE**

Ordinance No. 850502-U dedicated the "intake structures" located south of West First Street as park land upon the cessation or termination of the present use of the structures; however, the Green Water Treatment Plant (located north of West First Street) was not dedicated as park land under that or any succeeding ordinance (to date). If the Green Water Treatment Plant is dedicated as park land by the City Council in the future, the Water and Wastewater Utility will have to be compensated for the property because it was acquired with Water and Wastewater Utility funds and is currently listed under the Water and Wastewater Utility's property inventory.

**DISCUSSION**

The City of Austin originally acquired the Green Water Treatment Plant site with Water and Wastewater funds around 1925 and 1926. Those deeds do not designate/dedicate any of the property as park land. Since around 1923, this site has been utilized for the Green Water Treatment Plant and the site is currently included in the property inventory of the Water and Wastewater Utility.

By Ordinance No. 850502-U, the City Council ordained that certain tracts of land would "immediately become park land upon the termination or cessation of their existing uses." One of the tracts is the "Green Water Plant and/or the Seaholm Power Plant water intake structures south of West First Street." (emphasis mine)

### Austin, Texas City Attorney Opinions

This description, taken together with the surveyor's description of this property in Exhibit "B" to the Ordinance, clearly reflect that the dedicated park land designation applies only to the property on which the intake structures are located. (A copy of the field notes is attached for your information.)

Ordinance No. 890126-P, which adopted the Town Lake Comprehensive Plan, sets out the use regulations for certain areas within the Town Lake Corridor. Section 13-2-228.1(a) defines "Cultural Park" to mean "dedicated park land in Town Lake Park planned for the location of cultural facilities (such as museums, botanical gardens, and performance areas." One of the areas classified as Cultural Parks is the "Seaholm Power Plant and the Green Water Treatment Plant (and its intake structures), when the current use of the respective plants ceases, and when dedicated as park land."

As discussed above, only the intake structures (which are located south of the plants) for the Green Water Treatment Plant "automatically" become dedicated park land when the use of the intake structures as such ceases. The sites of the Seaholm Power Plant and the Green water Treatment Plant (excluding the intake structures) could be dedicated as park land by the City Council, if, and when, the City Council deems to so act. If such a park land dedication is effected at some point in the future, then these sites would automatically be classified as "Cultural Park" area, under the definition and terms of Ordinance No. 890126-P. This ordinance is intended to include land already dedicated as park land as well as "land dedicated for park purposes after the effective date of this ordinance." (emphasis mine)

If it was the City Council's intent to dedicate the Seaholm Power Plant site and/or the Green Water Treatment Plant site (exclusive of the intake structures) as park land through Ordinance No. 850502-U, the language of the ordinance did not accomplish that goal. The City Council can amend the ordinance to establish either plant site proper as dedicated park land, at such time as the existing use(s) cease or terminate, if the City Council wishes to immediately designate the future park land use of either site. Otherwise, the future uses of the sites (whether or not as park land) can be determined at a later date by this or a succeeding City Council.

If one assumes that the Green Water Treatment Plant site will at some point in the future be dedicated as park land, the uses which are permitted for Cultural Parks' areas, which includes "the location of cultural facilities (such as museums, botanical gardens, and performance areas)," could be construed to include a Civic Center Project (which would allow for civic cultural functions to be held on the site). The list of examples for "cultural facilities" within Ordinance No. 890126-P does not appear to be a delimitation of the types of facilities which can be constructed in a Cultural Park area. However, the City Council, guided by the Boards and Commissions which provided input for Ordinance No. 890126-P, is in a better position to make such a determination.



### Austin, Texas City Attorney Opinions

If the City Council makes a decision to utilize the Green Water Treatment Plant site for a purpose unrelated to the Water and Wastewater Utility's functions, the Water and Wastewater Utility fund must be compensated for the value of that property by the General Fund if the property becomes a "General Fund" property whose revenues are to be attributed to the General Revenue Fund.



## Low-Income Assistance in Top 10 U.S. Public Utilities and ERCOT

UTILITY	PROGRAM NAME	ENROLLMENT METHOD	INCOME REQUIREMENTS
<u>Bill Discount Programs</u>			
Austin Energy	Customer Assistance Program	Auto enrollment – No Screen	One of 8 social programs
ERCOT	Lite-Up Texas	Auto enrollment with Name on Bill	One of 2 social programs or income verification
Los Angeles DWP	Low Income Discount Program	Income Verification	Chart of income levels online
Long Island Power Authority	Household Assistance Rate	Auto enrollment with Name on Bill	Recipient name must be on the bill
Salt River Project	Economy Price Plan	Phone enrollment/verification audit	Chart of income levels online
San Antonio CPS	Affordability Discount	Income Verification	125% of poverty or below; other restrictions as well
Sacramento (SMUD)	Low Income Assistance	Income Verification	Chart of income levels online
Seattle City Light	Utility Discount Program	Income Verification	70% of state median income
<u>Charity-Funded Disconnect Assistance Programs</u>			
Jacksonville Energy Authority	Neighbor to Neighbor	Income Verification	30% below poverty
Memphis Light Gas & Water	Utility Bill Assistance Program	Income Verification	Not specified online
Nashville Electric Service	Project Help	Income Verification	Income level on Web application

PROPERTY NAME	STREET #	STREET	ZIP
15.946 AC - CARDINAL LN. Property management obligation transferred to Watershed Protection – 2005 Use converted to an alternative public purpose – no compensation.		CARDINAL LN & 1100 S CENTER ST	78704
58 RAINEY ST - VACANT LOT - Property management obligation transferred to Public Works and 5-22-2006. Easements retained Use converted to an alternative public purpose – no compensation.	58	RAINEY ST	78701
VACANT LOT - near Holly Power Plant – Dedicated as public park by Resolution #20060525-061; 5-25-2006, Use converted to an alternative public purpose – no compensation.	2221	HASKELL ST	78702
VACANT LOT – near Holly Power Plant – Dedicated as public park by Resolution #20060525-061; Use converted to an alternative public purpose – no compensation.	2220	RIVERVIEW	78702
NORTH SUBSTATION -"SPARKY PARK" – Decommissioned North Substation Site – Property management obligation transferred to PARD 9-1-06, with reservation of telecommunications easement . Use converted to an alternative public purpose – no compensation.	3701	GROOMS STREET	78705
LINDA VISTA LOTS – Sold to TSWG 130 in exchange for Stoney Ridge Substation Site- Based on appraisals, TSWG 130 paid \$80,573 TO COA/AE. 11-6-08, Easements retained. * Appraisals Attached		LINDA VISTA DR	78617
VACANT LOT - Property management obligation transferred to PARD 7-24-2009; With reservation of AE access rights. Use converted to an alternative public purpose – no compensation.	3300	BURLESON RD	78741
VACANT LOT - 3109 BURLESON RD - Property management obligation transferred to PARD 7-24-2009; Easements retained. Use converted to an alternative public purpose – no compensation.	3109	BURLESON RD	78741

VACANT LOT - Property management obligation transferred to PARD 6-10-2010; Easements retained. Use converted to an alternative public purpose – no compensation.	2406	VENTURA DR	78741
VACANT LOT - Property management obligation transferred to PARD 06-10-2010; Easements retained. Use converted to an alternative public purpose – no compensation.	3400	BURLESON RD	78741
VACANT LOT – Obtained for Mueller Substation, After alternative location identified, management obligation transferred to PARD - 08/27/2010. Use converted to an alternative public purpose – transferred as partial consideration for PARK's grant of a substation easement on the Morris-Williams park for location of Mueller Substation.	2403	51ST ST	78723
HOLLY POWER PLANT – MOU (7-9-14) for transfer of portions of the property to control of PARD subject to AE distribution/transmission easements. Use converted to an alternative public purpose – no compensation.	2401	HOLLY ST	78702
ENERGY CONTROL CENTER (ECC) – Council Ordinances 2005- Present –Provide direction for decommissioning and sale of property. *Appraisals attached. AE to receive compensation of \$14.5 Million upon execution of property sale expected in fall of 2015	301	WEST AVE	78701
SEAHOLM POWER PLANT - *Appraisals Attached, Memorandum of Interdepartmental Transfer dated 3-14-2007. See Resolution No. 20080214-054. No compensation received	704	CESAR CHAVEZ	78701
SEAHOLM SOUTH SUBSTATION PARCEL – 1.4 acre parcel (a portion of which formerly constituted the south end of the Seaholm Substation) designated for the location of the new central public library. Use converted to an alternative public purpose – no compensation (Resolution No. 20080214-054 provides that AE is to be reimbursed for AE's expense to reconfigure substation from the proceeds of the sale of the Green Water Treatment Plant Property).		CESAR CHAVEZ	

Note: It is typically beneficial to AE to transfer the operation and maintenance obligations of real property to another City department (assuming that the receiving department has a need for the property justifying the assumption of the burden of property maintenance) when AE can retain the right to locate, maintain and access its electric infrastructure on the property.