

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	65093	Agenda Number	5.
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Meeting Date:	11/10/2016	Department:	Legal
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Subject

Authorize negotiation and execution of a legal services contract with the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. in an amount not to exceed \$700,000.00, to represent the City in the rate case filed with the Public Utility Commission by Shady Hollow MUD appealing wholesale water and wastewater rates.

Amount and Source of Funding

Funding is available in the FY 2016-2017 operating budget of the Austin Water Utility.

Fiscal Note

Purchasing Language:

Prior Council Action:

For More Information:

Council Committee,
Boards and
Commission Action:

MBE / WBE:

Related Items:

Additional Backup Information

On October 28, 2016 Shady Hollow MUD filed a contested rate case (PUC Docket No. 46483) appealing the wholesale water and wastewater rates charged by Austin Water. The Public Utility Commission set a filing deadline for initial pleadings for November 14, 2016. The issue in this rate case is similar to issues litigated in a previous case that is currently on appeal.

The City requires assistance from specialized legal counsel who has the expertise and capacity to handle this administrative litigation. The work will include: preparing and filing motions, conducting extensive discovery, presenting evidence, rate analysis, presenting oral argument, and generally, representing the City in contested rate case proceedings at the Public Utility Commission.

Lloyd Gosselink has a high level of expertise in administrative rate cases, particularly advising

and representing municipalities in water utility rate cases before the state.