



**PUBLIC SERVICE BOARD MEETING
AGENDA ITEM
REGULAR MEETING**

Wednesday, March 9, 2022

SUBJECT

Consider and approve the insertion of the 2005 Eastside Annexation Fees table into Rules and Regulations (R&R) No. 5 Section I (k)

BACKGROUND

On January 12, 2022, when the Public Service Board approved R&R No. 5 with the new rates effective March 1, 2022, the updated 2005 Eastside Annexation Fees table was missing. This update includes the 2005 Eastside Annexation Fees table reflecting the rates effective from March 1, 2022 through February 28, 2023.

STRATEGIC OBJECTIVES SUPPORTED

Strengthen Financial Viability

EVALUATION PROCESS

Added the missing table to list the 2005 Eastside Annexation Fees with effective date of March 1, 2022.

FINANCIAL IMPLICATIONS

None.

PROPOSED ACTION REQUESTED

Consider and approve the insertion of the 2005 Eastside Annexation Fees table in Rules and Regulations No. 5 Section I (k) effective March 1, 2022 through February 28, 2023, which reflects the rates approved by the Public Service Board on January 12, 2022.

SUPPORTING DOCUMENTATION PROVIDED

- Rules and Regulations No. 5

RULES AND REGULATIONS NO.5

RULES AND REGULATIONS ESTABLISHING A RATE
FOR THE FURNISHING OF WATER SERVICE
BY THE EL PASO WATER UTILITIES

BY THE AUTHORITY GRANTED TO THE PUBLIC SERVICE BOARD BY VIRTUE OF ARTICLES 1111-1118, REVISED CIVIL STATUTES OF TEXAS, AND ORDINANCE 752, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS ON MAY 22, 1952 NOW THEREFORE, BE IT RESOLVED BY THE PUBLIC SERVICE BOARD OF THE CITY OF EL PASO, THAT THE FOLLOWING WATER RATES SUPERSEDE ALL RATES HERETOFORE FIXED AND ALL ORDINANCES HERETO PASSED WITH REFERENCE TO THE FIXING OF RATES FOR THE FURNISHING OF WATER SERVICE: (KNOWN AS RULES AND REGULATIONS NO.5).

SECTION I

A monthly charge consisting of a minimum charge and a commodity charge for water used shall be collected from users of every water service connected to the water system of the El Paso Water Utilities of the City of El Paso, Texas ("Utility"). The minimum charge will include a volume allowance of four hundred cubic feet (4 CCF) for residential customers only. The following charges shall apply:

A. MONTHLY MINIMUM CHARGES FOR WATER SERVICE BASED ON SIZE OF METER

<u>Meter Size</u>	<u>Minimum Monthly Bill</u>
Less than 1"	\$8.70
1"	\$13.56
1½"	\$23.26
2"	\$27.98
3"	\$55.87
4"	\$83.40
6"	\$126.44
8"	\$216.59
10"	\$416.48

B. Water used in excess of the volume allowance (4 CCF) included in the minimum charge shall be billed at the following rates:

<u>Block</u>	<u>Volume</u>	<u>Charge Per CCF</u>
Block 1	Over 4 CCF to 150% of AWC*	\$2.62
Block 2	Over 150% to 250% of AWC	\$6.20
Block 3	Over 250% of AWC	\$8.86

C. AVERAGE WINTER CONSUMPTION (AWC)*

Average Winter Consumption ("AWC") means the average amount of water used during the most recent December, January, and February billing periods. If the customer's calculated AWC is lower than the class average, then the customer will be assigned the class average AWC by meter size for the respective customer classification. Any unestablished (no history) customer at the time of service will default to the class average AWC by meter size for that customer classification until such time that an AWC can be established.

For the Fiscal Year of 2022-2023 (March 1, 2022, through February 28, 2023) a customer's AWC will not change until April 1, 2022 due to the implementation of a new Customer Information System.

D. WATER SUPPLY REPLACEMENT CHARGE

The following monthly Replacement Charge shall be collected from users of every service connected to the water system, including Local Government Turf Accounts and Very Large Water Users:

<u>Meter Size</u>	<u>Monthly Charge*</u>
Less than 1"	\$12.88
1"	\$32.24
1 ½"	\$64.47
2"	\$103.16
3"	\$206.22
4"	\$322.26
6"	\$644.52
8"	\$1,198.77
10"	\$2,282.18

* If the monthly water consumption is less than 4 CCF the monthly charge for Water Supply Replacement Charge will not be charged.

E. Charges for services less than the normal 30-day reading cycle shall be calculated in the same manner as a full reading cycle.

F. VERY LARGE WATER USERS

Section 15.13.05 of the El Paso Municipal Code, also known as The Water Conservation Ordinance, defines a "Very Large Water User" as any person who uses an average of 100,000 gallons or more per day. Monthly metered water consumption for any Very Large Water User shall be charged in accordance with the following table:

		<u>Charge Per CCF</u>
Block 1	0 CCF to 5,000 CCF	\$3.27
Block 2	5,001 CCF to 15,000 CCF	\$4.13
Block 3	15,001 CCF to 30,000 CCF	\$4.95
Block 4	Over 30,000 CCF	\$6.20

The Monthly Minimum Charge based on meter size, as specified in Section I, A of these Rules and Regulations, shall also apply to all Very Large Water Users. There will be no minimum volume allowance included in the Monthly Minimum Charge; all metered use will be charged at the rates listed above.

For existing accounts served by the Utility, daily water use shall be determined each year based on metered water consumption for the twelve-month period ending December 31. Annual water use (in gallons) will be divided by 365 to determine daily water use. Any account determined to have used an average of 100,000 or more gallons per day shall be classified as a Very Large Water User, and the rates contained in this subsection shall apply for the twelve-month period beginning March 1 and ending at the end of February of the following fiscal year. This classification shall apply for the full twelve-month period regardless of actual water use. The procedure for determining a Very Large Water User shall be repeated each year based on annual metered water use per account for the twelve months ending December 31.

New accounts with an anticipated water use in excess of 100,000 gallons per day will be charged the rates

for Very Large Water Users until sufficient data is available for a consecutive twelve-month period.

This data shall then be used to calculate average daily water consumption and determine whether an account meets the definition of a Very Large Water User.

*This rate does not apply to Local Government Landscape and Irrigation Accounts.

G. LOCAL GOVERNMENT LANDSCAPE AND IRRIGATION RATE

A uniform rate of \$3.27 per hundred cubic feet (CCF) is hereby established for the Local Government Landscape and Irrigation Accounts. Local Government Landscape and Irrigation Accounts shall be established for customers who will use water for irrigation and landscaping only. The Utility has the authority to consider an account as a Local Government Landscape and Irrigation Account.

The following entities will be considered to be a Local Government: any county, municipality, village, town, a common or independent school district, hospital district, or political subdivision of the State of Texas; however, any department, board, or agency of the State of Texas shall be excluded from this definition.

If reclaimed water is available but a Local Government Landscape and Irrigation Account customer does not connect to the reclaimed water system, that customer must pay the rate set forth in this subsection G. Reclaimed water is considered available if the property abuts on an easement or street with a reclaimed water line capable of providing service.

H. BRACKISH WATER RATE –

Brackish Water means water containing 1000 mg/L or more of Total Dissolved Solids (TDS) and/or 300 mg/L or more of chlorides.

The Utility will supply Brackish Water at a rate of \$2.10 per CCF.

I. NON-GOVERNMENT LANDSCAPE AND IRRIGATION RATE

A uniform rate of \$6.20 per hundred cubic feet (CCF) is hereby established for all Non-Government Landscape and Irrigation Accounts.

Non-Government Landscape and Irrigation Accounts shall be established for customers who will use water for landscaping and turf irrigation only. The Utility has the authority to consider an account as a Non-Government Landscape and Irrigation Account. The Non-Government Landscape and Irrigation rate does not include non-irrigation usage. Non-irrigation usage includes but is not limited to the use of water for swimming pools, fountains, and for human and animal consumption.

J. CONSTRUCTION METER RATES

For all construction meter accounts, a uniform rate equal to the rate established in Section I,B, for Block 2 category is hereby established. Reclaimed water used for construction purposes will be billed at the rates established in Rules and Regulations No. 6, Section X.

K. WATER CONNECTION FEES RELATED TO ANNEXATION FEES Implemented in 1999 (Ordinances 014262, 014200) and 2005

For property subject to annexation fees pursuant to a contract, a water connection fee shall be paid at the time of application for meter installation, including fire line and irrigation/yard services, for each water meter that is connected to the Utility's water system. All water connection fees shall increase 3% annually in accordance with the applicable City of El Paso Ordinance. The current and calculated 2022-2023 fees are listed in the tables below.

1999 Annexation Fee for Eastside					1999 Annexation Fee for Eastside				
(Effective 12/1/21 through 11/30/22)					(Effective 12/1/22 through 11/30/23)				
Meter Size	Water Demand (GPM)	Water	Wastewater	Total	Meter Size	Water Demand (GPM)	Water	Wastewater	Total
< 1"	15 - 25	\$ 1,190	\$ 211	\$ 1,401	< 1"	15 - 25	\$ 1,226	\$ 217	\$ 1,443
1"	37	\$ 2,976	\$ 527	\$ 3,503	1"	37	\$ 3,065	\$ 543	\$ 3,608
1 1/2"	75	\$ 5,950	\$ 1,054	\$ 7,004	1 1/2"	75	\$ 6,129	\$ 1,086	\$ 7,214
2"	120	\$ 9,519	\$ 1,686	\$ 11,205	2"	120	\$ 9,805	\$ 1,737	\$ 11,541
3"	240	\$ 19,038	\$ 3,372	\$ 22,410	3"	240	\$ 19,609	\$ 3,473	\$ 23,082
4"	375	\$ 29,748	\$ 5,269	\$ 35,017	4"	375	\$ 30,640	\$ 5,427	\$ 36,068
6"	750	\$ 59,495	\$ 10,539	\$ 70,034	6"	750	\$ 61,280	\$ 10,855	\$ 72,135
8"	1400	\$ 110,661	\$ 19,602	\$ 130,263	8"	1400	\$ 113,981	\$ 20,190	\$ 134,171
10"	2000	\$ 158,257	\$ 28,033	\$ 186,290	10"	2000	\$ 163,005	\$ 28,874	\$ 191,879

1999 Annexation Fee for Westside				1999 Annexation Fee for Westside			
(Effective 9/1/21 through 8/31/22)				(Effective 9/1/22 through 8/31/23)			
Meter Size	Water Demand (GPM)	Water	Total	Meter Size	Water Demand (GPM)	Water	Total
< 1"	15 - 25	\$ 1,719	\$ 1,719	< 1"	15 - 25	\$ 1,771	\$ 1,771
1"	37	\$ 4,298	\$ 4,298	1"	37	\$ 4,427	\$ 4,427
1 1/2"	75	\$ 8,594	\$ 8,594	1 1/2"	75	\$ 8,852	\$ 8,852
2"	120	\$ 13,750	\$ 13,750	2"	120	\$ 14,163	\$ 14,163
3"	240	\$ 27,500	\$ 27,500	3"	240	\$ 28,325	\$ 28,325
4"	375	\$ 42,969	\$ 42,969	4"	375	\$ 44,258	\$ 44,258
6"	750	\$ 85,937	\$ 85,937	6"	750	\$ 88,515	\$ 88,515
8"	1400	\$ 159,843	\$ 159,843	8"	1400	\$ 164,638	\$ 164,638
10"	2000	\$ 228,593	\$ 228,593	10"	2000	\$ 235,451	\$ 235,451

2005 Annexation Fee for Eastside					2005 Annexation Fee for Eastside				
(Effective 3/1/21 through 2/28/22)					(Effective 3/1/22 through 2/28/23)				
Meter Size	Water Demand (GPM)	Water	Wastewater	Total	Meter Size	Water Demand (GPM)	Water	Wastewater	Total
< 1"	15 - 25	\$ 908	\$ 526	\$ 1,434	< 1"	15 - 25	\$ 935	\$ 542	\$ 1,477
1"	37	\$ 2,243	\$ 1,300	\$ 3,543	1"	37	\$ 2,310	\$ 1,339	\$ 3,649
1 1/2"	75	\$ 4,541	\$ 2,632	\$ 7,173	1 1/2"	75	\$ 4,677	\$ 2,711	\$ 7,388
2"	120	\$ 7,266	\$ 4,211	\$ 11,477	2"	120	\$ 7,484	\$ 4,337	\$ 11,821
3"	240	\$ 14,532	\$ 8,422	\$ 22,954	3"	240	\$ 14,968	\$ 8,675	\$ 23,643
4"	375	\$ 22,707	\$ 13,159	\$ 35,866	4"	375	\$ 23,388	\$ 13,554	\$ 36,942
6"	750	\$ 45,413	\$ 26,317	\$ 71,730	6"	750	\$ 46,775	\$ 27,107	\$ 73,882
8"	1400	\$ 84,469	\$ 48,950	\$ 133,419	8"	1400	\$ 87,003	\$ 50,419	\$ 137,422
10"	2000	\$ 120,799	\$ 70,004	\$ 190,803	10"	2000	\$ 124,423	\$ 72,104	\$ 196,527

L. CITY OF EL PASO FRANCHISE FEE

Effective March 1, 2020, City Council amended Title 15 (Public Service) Chapter 15.12 (Water and Sewer System) of the El Paso City code by adding Section 15.12.015 (Utility Franchise Fee) for the grant of a franchise to the water and sewer utility managed by the Public Service Board for the operation and maintenance of the water and sewer utility system and the assessment of a franchise fee up to \$6,550,000. The City of El Paso's franchise fee is applied to all residential, non-residential and standby fire protection accounts based on meter size as follows:

<u>Meter Size</u>	<u>Residential Monthly Fee</u>	<u>Non-Residential Monthly Fee</u>	<u>Standby Fire Protection Monthly Fee</u>
Less than 1"	\$1.33	\$1.69	N/A
1"	\$2.85	\$3.64	N/A
1 ½"	\$4.46	\$7.99	\$4.24
2"	\$6.21	\$15.47	\$9.52
2 ½"	N/A	N/A	\$10.37
3"	\$13.27	\$29.17	\$12.79
4"	\$22.12	\$49.20	\$18.76
6"	N/A	\$135.49	\$47.25
8"	N/A	\$216.78	\$73.56
10"	N/A	\$311.67	\$76.37
12"	\$190.12	\$582.64	\$79.30

M. In the interest of transparency, the President/CEO or designee may determine that customer bills will reflect rate components. Additionally, The President/CEO is expressly authorized to adjust the franchise fee amounts to comply with the franchise fee as the El Paso City Council may amend it from time to time.

SECTION II - Standby Fire Protection Charge

A monthly Standby Fire Protection Charge shall be collected from every user of a connection to the water system for providing Standby Fire Protection services based on the size of the service as follows:

<u>Size of Service</u>	<u>Monthly Charge</u>
1 ½"	\$11.11
2"	\$15.51
2 ½"	\$16.90
3"	\$22.03
4"	\$28.61
6"	\$39.69
8"	\$66.14
10"	\$110.20

All standby fire line services require a bypass detector meter be installed. Such bypass detector meters shall be accessible to the Utility for meter reading on a monthly basis. Non-fire related consumption through a standby fire line service is not permissible and shall be charged the current Block 3 water rate per CCF per Section I,(B) of Rules and Regulations No. 5. A fire line testing allowance of 1 CCF or less is considered in billing assessment. All consumption greater than 1 CCF will be billed at current Block 3 rates.

If the standby fire service is determined to have a leak, which the customer could not have reasonably detected, then the Utility shall allow relief to the customer under Section V of Rules and Regulations No. 5, guidelines below.

If consumption of water through the standby fire line service is due to an actual fire on the premises, only the fixed meter charge will be assessed to the customer, pending written confirmation from the City of El Paso Fire Department.

SECTION III – Outside City of El Paso Service Charges

All of the aforementioned charges apply to water service to property within the City of El Paso. Where the water connection provides service to property outside the City Limits of El Paso, the charge for such service shall be 1.15 times the rates for similar service to customers, whose property is inside the city limits, including the monthly Water Supply Replacement Charge. This section does not apply to Esperanza Water customers.

SECTION IV

A \$20.00 trip fee is charged to customers that are flagged for disconnection for non-payment.

A \$25.00 fee is charged to customers to restore services that have been disconnected for non-payment. This fee will be applied to the next billing cycle.

A tampering fee will be charged to any customer found with water service that has been restored by an unauthorized party, where the meter is removed and/or relocated by a person other than Utility personnel, or usage of bypass line and straight connection to service line. Only Utility representatives are authorized to restore water services. This fee may be charged to the current account holder or tampering party where the tampering occurs. All fees and current past due amounts must be paid prior to restoration of services. Tampering fees are as following:

1. Permanent Accounts - \$100.00 for first incident; \$500.00 per subsequent incidents.
2. Construction Account - \$1000.00 for first incident; \$1,500.00 for second incident; \$2,000.00 per subsequent incidents.

A \$25.00 fee applies to all returned payments for insufficient funds or other returns by a financial institution. Customers with a history of returned payments may be placed on a “cash only” status at the sole discretion of the Utility based on the account history and credit rating.

SECTION V– Leak Adjustments

The Utility may make an adjustment to a customer’s account balance because of a water leak. If, in its sole discretion, the Utility decides that a customer’s excess water consumption could not have been detected by the customer using the service (i.e., leak beneath a cement floor and/or running commodes) a leak adjustment credit will be considered for the two (2) highest consumption bills in a three-month consecutive span. Nothing in this Section relieves the customer of the responsibility to repair such leak as required by the Water Conservation Ordinance, Chapter 15.13 of the City code.

The Utility will bear 75% of the cost related to the excess water consumption if the customer provides proof of repair and/or if the repair can be validated through a utility consumption history or an inspection, at the sole discretion of the Utility.

The Utility will bear only 50% of the cost related to the excess water lost if the customer does not provide validated proof of repair or reduced consumption in subsequent month after alleged leak occurred.

The amount of water lost will be determined by comparing the usage when the leak occurred and the previous year's usage during the same billing cycles. If the customer does not have a previous usage history, the prior customer’s history may be used.

If the Utility grants an adjustment, no additional adjustments of this nature will be made on the same property for a period of 24 months from the month in which the adjustment was granted.

The Utility may allow a customer to make deferred payments for such leak on an as- needed individual basis.

SECTION VI– Esperanza Water Rates and Fees

Water minimum month bill charge per meter size is as follows including the first 2000 gallons:

Meter Size	
Less than 1” (Residential)	\$46.00
2” (Commercial)	\$368.00

Block charges for water use greater than 2000 gallons are as follow:

Block 1	2001 – 20,000 gallons	\$6.06 per 1,000 gallons
Block 2	over 20,000 gallons	\$6.60 per 1,000 gallons

Other Miscellaneous Fees:

Residential Tap Fee	\$200.00
Disconnection for Non-Payment	\$25.00
Other than Non-Payment	\$25.00
Transfer	\$30.00
Refund Check Fee	\$35.00
Customer Deposit	\$50.00
Late Payment/Penalty	\$5.00
Meter Test Fee	\$25.00
Residential Trash per bin	\$18.00
Commercial Trash Base	\$40.00
Extra Bins (each)	\$30.00

SECTION VII

Rule and Regulations No.5 shall be and become effective from and after their adoption by the Public Service Board and shall remain in effect until amended or changed by the Public Service Board. Changes to any fees or rates resulting from approval of the budget are effective on the 1st day of March and shall remain in effect until amended or changed by the Public Service Board.

SECTION VIII

These Rules and Regulations are part of the other Rules and Regulations of the Public Service Board and persons accepting service agree to comply with the appropriate provisions and conditions of all of the Rules and Regulations. If any provision, paragraph, section, subsection, sentence, clause or phrase of these Rules and Regulations No. 5 or the application of same to any person or set of circumstances is for any reason invalidated by any court of competent jurisdiction, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of these Rules and Regulations No. 5. The remaining provisions, paragraphs, words or sections shall not be affected and shall continue in full force and effect.

PASSED, APPROVED and ADOPTED the 27th day of March, 1991 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION II REVISED, APPROVED and ADOPTED the 25th of September, 1991 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION 1-D REVISED, APPROVED and ADOPTED the 12th of February, 1992 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION 1-F PASSED, APPROVED and ADOPTED the 24th of February, 1993 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION 1-A, 1-B, 1-F AND SECTION III REVISED, APPROVED and ADOPTED the 23rd of February, 1994 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION 1-F AND SECTION II REVISED, APPROVED and ADOPTED the 8th of March, 1995 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION G AND SECTION H PASSED, APPROVED and

ADOPTED the 14th of June, 1995 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(A), I(B), I(C), I(D), and SECTION III REVISED, APPROVED, and ADOPTED the 28th of February, 1996, by the Public Service Board of the City of El Paso.

RULES & REGULATIONS NO.5, SECTION I PASSED, APPROVED and ADOPTED the 8th of May, 1996 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION J PASSED, APPROVED and ADOPTED the 11th of December, 1996 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION I (D) and SECTION V, REVISED, APPROVED and ADOPTED the 18th of December, 1997 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTIONS I(B), I(F), I(G), I(I), I(J), and V REVISED, APPROVED and ADOPTED the 8th of December, 1999 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (K) and I (L) PASSED, APPROVED and ADOPTED the 8th of December, 1999 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(A), I(B), I(F), I(G), I(J), and II REVISED, APPROVED and ADOPTED the 24th of January, 2001 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(A), I(B), I(D), I(F), I(G), I(J), and II REVISED, APPROVED and ADOPTED the 23rd of January, 2002 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTIONS I (L) REVISED, APPROVED and ADOPTED the 13th of February, 2002 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,I,J,& K), and Section II, REVISED, APPROVED and ADOPTED the 8th day of January, 2003 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,I,J,& K), and Section II, REVISED, APPROVED and ADOPTED the 14th day of January, 2004 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTION VII, REVISED, APPROVED and ADOPTED the 12th day of January, 2005 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (J,K,L,M,N), REVISED, APPROVED and ADOPTED the 12th day of January, 2005 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (J,K,L,M,N), ADDED, REVISED, APPROVED and ADOPTED the 25th day of January, 2006 by the El Paso Water Utilities Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,J,K), SECTION II, ADDED, REVISED, APPROVED and ADOPTED the 13th day of December, 2006, by the El Paso Water Utilities Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,F,G,I,J,L) AND SECTION II, ADDED, REVISED, APPROVED and ADOPTED the 9th day of January, 2008, by the El Paso Water Utilities Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,C,D,F,G,J,& K), Section II, Section V and Section VI REVISED, APPROVED and ADOPTED the 14th day of December, 2011 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I (A,B,D,F,G,J,K,M,N), Section II and Section V

REVISED, APPROVED and ADOPTED the 12th day of December, 2012 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO.5, SECTIONS I(C, J, M, N) REVISED, APPROVED and ADOPTED the 11th day of December, 2013 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION I (A,B,D,F,G,J,K,O,P), SECTION II, SECTIONS IV, V, VI, VII, VIII, REVISED, APPROVED and ADOPTED the 10th day of December, 2014 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION I (A, B, D, F, G, J, K, O, P), SECTIONS IV, VII, and XI, REVISED, APPROVED and ADOPTED the 13th day of May, 2015 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION I (A, B, D, F, G, H (e),(g),I,J,K,M,N,O), SECTION II, SECTION IV, SECTION VI, SECTION VII REVISED, APPROVED and ADOPTED the 13th day of January, 2016 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATIONS NO. 5, SECTION I (A, B, C, D, F, G, I, J, K, O), SECTION II, SECTION IV, SECTION VI REVISED, APPROVED and ADOPTED the 11th day of January, 2017 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATION NO. 5 SECTION I (A, B, D, F, G, I, J, K, O), SECTION II, REVISED, APPROVED and ADOPTED the 10th day of January, 2018 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATION NO. 5 SECTION I (A, B, C, D, F, G, I, J, K, O), SECTION II, SECTION IV, REVISED, APPROVED and ADOPTED the 9th day of January, 2019 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATION NO. 5, SECTION I (A, B, C, G, I, J, K, O), SECTION II, SECTION VI, REVISED, APPROVED and ADOPTED the 8th day of January, 2020 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATION NO. 5, SECTION I (A, B, D, E, F, G, H, I, J, K, L, M, N, O), SECTION II, REVISED, APPROVED and ADOPTED the 13th day of January, 2021 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATION NO. 5, SECTION I (A, B, C, D, F,G, H, I, J, K, L, M), SECTION II SECTION III, SECTION IV, SECTION V, SECTION VI, SECTION VII, SECTION VIII REVISED, APPROVED and ADOPTED the 12th day of January, 2022 by the Public Service Board of the City of El Paso, Texas.

RULES & REGULATION NO. 5, SECTION I (K), REVISED, APPROVED and ADOPTED the 9th day of March, 2022 by the Public Service Board of the City of El Paso, Texas.

PUBLIC SERVICE BOARD:

Kristina Mena, Chair

ATTEST:

APPROVED AS TO FORM:

Bryan Morris, Secretary-Treasurer

Daniel Ortiz, General Counsel