

ORDINANCE NO. 2020-002

AN ORDINANCE OF THE BOARD OF DIRECTORS OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT OF COLLIN COUNTY, TEXAS, REPEALING ORDINANCE NO. 2020-001 IMPLEMENTING AN ORDER OF THE PUBLIC UTILITY COMMISSION OF TEXAS DIRECTING CERTAIN ACTIONS AND GRANTING EXCEPTIONS TO CERTAIN RULES AS FILED IN PUBLIC UTILITY COMMISSION PROJECT NO. 50664; AND PROVIDING FOR AN EFFECTIVE DATE AND LIMITED DURATION.

WHEREAS, the Wylie Northeast Special Utility District (the "District") is a political subdivision of the State of Texas created under the authority of Section 59, Article XVI, Texas Constitution, and operating pursuant to Chapters 49 and 65, Texas Water Code;

WHEREAS, under the authority of Texas Water Code § 65.205, the Board of Directors of the District has adopted a Rate Order containing the District's service policies and rates to provide for and regulate a safe and adequate water utility system;

WHEREAS, the District is subject to regulatory oversight by the Public Utility Commission of Texas (the "PUC");

WHEREAS, on March 13, 2020, under the authority of Texas Government Code § 418.014, Governor Greg Abbott issued a Declaration of State of Disaster for all counties in Texas in response to the growing threat of the COVID-19 coronavirus disease (the "Disaster Declaration"); and

WHEREAS, on March 26, 2020, under the authority found in 16 TAC § 22.5(a), the PUC issued an *Order Directing Certain Actions and Granting Exceptions to Certain Rules* in PUC Project No. 50664 (the "PUC Order") finding the existence of a public emergency and imperative public necessity that constituted good cause for granting exceptions to or suspending certain rules in the District's Rate Order related to disconnection of service for non-payment, assessing late fees, and deferred payment agreements; and

WHEREAS, the Board acknowledged that the PUC Order does not apply to special utility districts but found it reasonable and in the best interests of District customers to suspend the above-described rules; and

WHEREAS, the PUC renewed the PUC Order twice intending for the PUC Order to eventually terminate simultaneously with the Disaster Declaration, but the Commissioners recently changed course and allowed the PUC Order lapse effective June 14, 2020.

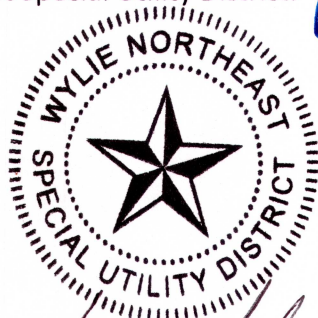
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT THAT:

SECTION 1. Incorporation of Findings and Recitals. The above findings and recitals are incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

SECTION 2. Repeal and Reinstatement of Rules. Ordinance No. 2020-001 is hereby repealed and all rules suspended pursuant to said ordinance are hereby reinstated and fully enforceable.

SECTION 3. Effective Date. This Ordinance shall become effective from and after its adoption by the Board of Directors.

ADOPTED on the 27 day of July, 2020, by the Board of Directors of Wylie Northeast Special Utility District.



Jimmy C Beach
Jimmy C. Beach, President

ATTEST:
Lance Ainsworth
Lance Ainsworth, Secretary,
or Amanda Horst, Assistant Secretary

APPROVED AS TO FORM:
James W. Wilson
James W. Wilson, Attorney