

**ORDINANCE NO. 2020-001**

AN ORDINANCE OF THE BOARD OF DIRECTORS OF WYLIE NORTHEAST SPECIAL UTILITY DISTRICT OF COLLIN COUNTY, TEXAS, 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");

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 finding the existence of a public emergency and imperative public necessity that constitutes good cause for granting exceptions to certain rules related to disconnection of service for non-payment, assessing late fees, and deferred payment agreements; and

WHEREAS, the Board acknowledges that the Order does not apply to special utility districts but finds it reasonable and in the best interests of District customers to suspend certain rules described therein.

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.     Rule Suspensions. The following service rules and regulations set forth in the Rate Order are hereby suspended for the duration of this Ordinance:

(a) any section or subsection, in whole or in part, authorizing the disconnection of water service for non-payment of a monthly water or sewer service bill, failure to timely pay a deposit, or failure to comply with the terms of a deferred payment agreement;

(b) any section or subsection, in whole or in part, authorizing the application of a late payment fee to delinquent bills;

(c) any section or subsection, in whole or in part, imposing conditions or restrictions that may disqualify a customer from entering into a deferred payment agreement;

(d) any section or subsection, in whole or in part, authorizing the District to charge interest on a monthly balance to be paid under a deferred payment agreement;

(e) any section or subsection, in whole or in part, authorizing the District to issue an estimated bill provided a meter reading is taken every two months;

(f) any section or subsection, in whole or in part, authorizing disconnection of water service for non-payment of sewer charges collected by the District on behalf of a municipality; and

(g) any section or subsection, in whole or in part, authorizing disconnection of water service for non-payment of solid waste disposal fees collected under contract with another local governmental entity.

SECTION 3. Savings Clause. Ordinance No. 2015-004 adopting a comprehensively revised and restated Rate Order, as subsequently amended, shall remain in full effect and is not amended by this Ordinance.

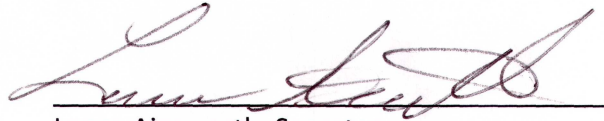
SECTION 4. Effective Date; Ratification; Duration. The effective date of this Ordinance is March 26, 2020, the date that the PUC issued its *Order Directing Certain Actions and Granting Exceptions to Certain Rules*. This Ordinance shall remain in effect until the Disaster Declaration is terminated.

SECTION 5. Ratification. All actions taken by the District and its employees to implement this Ordinance from March 26, 2020, up to and including the date of its adoption are hereby ratified.

ADOPTED on the 18<sup>th</sup> day of June, 2020, by the Board of Directors of Wylie Northeast Special Utility District.

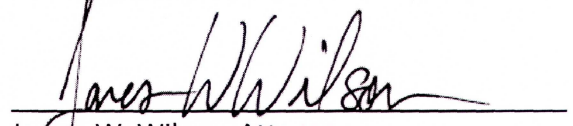
  
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Jimmy C. Beach, President

ATTEST:



Lance Ainsworth, Secretary,  
or Amanda Horst, Assistant Secretary

APPROVED AS TO FORM:



James W. Wilson, Attorney

