

LUBBOCK POWER & LIGHT GENERAL COUNSEL



The City of Lubbock's municipally-owned utility system, known as Lubbock Power & Light (LP&L), was established in 1916 and is the third largest municipal system in the State of Texas, serving over 110,000 electric customers and generating annual revenues around \$340 million. LP&L is a progressive utility, as evidenced by being the first municipal utility in Texas willing to opt into retail competition. The utility successfully interconnected to the Electric Reliability Council of Texas marketplace (ERCOT) in May 2021 and plans to transfer its remaining load in the Southwest Power Pool (SPP) to ERCOT and opt into retail competition by mid 2024. LP&L will be operating as a "wires only" utility in the retail market, similarly situated with investor-owned utilities like Oncor, CenterPoint, AEP, and TNMP. LP&L will cease generating its own electricity on October 2, 2023 in preparation for opting into retail competition. They are actively seeking buyers or demolition experts for the final disposition of generation assets.

LP&L is governed by a nine-member Board of Directors (the Electric Utilities Board or EUB) appointed by the Lubbock City Council. The Mayor serves as an ex-officio Board Member. The EUB seeks a seasoned professional to be the next General Counsel for this growing and dynamic municipally-owned utility. The General Counsel is appointed by the EUB and plans, organizes, and manages the legal needs of LP&L, which includes analyzing and making recommendations as it relates to litigation, regulatory, operational, and administrative strategies. He or she addresses legal matters with the EUB, City Council, executive team, and other stakeholders including the Public Utilities Commission of Texas, state legislature, and ERCOT. The General Counsel manages one Utility Attorney and a Paralegal, and coordinates, supports and may direct certain efforts in regards to human resources and risk management staff at the City of Lubbock.

ESSENTIAL FUNCTIONS

- Provides services regarding legal issues common to a municipal utility.
- In addition to experience in the electric utility industry, a strong knowledge of and experience in municipal law, employment law, the provisions of the Texas Public Information Act, and the provisions of the Texas Open Meetings Act is required.
- Addresses legal matters and concerns arising out of the day to day function of LP&L and provides support to LP&L administration and the Director of Electric Utilities on a variety of transactional and litigation projects.



ESSENTIAL FUNCTIONS (continued)

- Drafts commercial agreements and negotiates commercial transactions.
- Drafts real property documents and negotiates same.
- Conducts extensive legal research and writing.
- Prepares resolutions, agendas, and other items for EUB meetings.
- Serve as the parliamentarian for EUB meetings.
- Ability to manage a full workload effectively, set priorities and deliver results on agreed upon timeline.

THE SUCCESSFUL CANDIDATE

The General Counsel position requires a superior academic record and demands excellent written and verbal communication skills, as well as analytical and organizational abilities. Graduation from an accredited law school with J.D. degree and a license to practice law before all courts of the State of Texas is required. Fully qualified candidates will possess a minimum of eight years of prior experience in a law firm or corporate setting (or equivalent). In addition, experience practicing in the area of electric utilities and municipal law is strongly preferred.

LP&L requires a individual who maintains a high level of integrity, trust and credibility with all stakeholders. In addition, he or she must ensure meaningful employee engagement by empowering, mentoring, and developing employees.

LP&L is targeting candidates with:

Knowledge of:

- Legal research methods, legal practices and procedures.
- Federal Energy Regulatory Commission (FERC), Public Utility Commission of Texas (PUCT), North American Electric Reliability Corporation (NERC), Texas Regional Entity Railroad Commission of Texas (RRC), and other regulations unique to a Texas electric utility.

- Regional transmission organizations in the vicinity of LP&L’s service area; primarily, but not limited to the Electric Reliability Council of Texas (ERCOT).

Ability to:

- Engage in legal research and writing, including computer aided electronic research.
- Negotiate on behalf of the EUB and LP&L.
- Communicate effectively with others.
- Draft/analyze complex agreements, including sophisticated software agreements, construction agreements, and Interconnection agreements.
- Develop regulatory compliance strategies.

LUBBOCK POWER & LIGHT

Lubbock Power & Light’s (LP&L) Mission and Purpose is to provide citizens with safe, reliable, and high-quality electric service at the most affordable rates while being financially self-sustaining. LP&L provides electric service within Lubbock’s City limits and to portions of the surrounding area. LP&L’s annual peak load has averaged 653 MW over the last few years. The utility’s customer base is diversified, with retail sales comprised of approximately 41% residential, 53% commercial, and 6% municipal and school-related sales. LP&L’s ten largest customers make up close to 14% of annual revenues.

In 2010, LP&L acquired a portion of the neighboring investor-owned utility (Southwestern Public Service – SPS) distribution assets, removing what had been its largest competitor and transforming most of its service territory into a single-certified area. A few sections of LP&L’s service territory remain dually certified, allowing for competition from South Plains Electric Cooperative (SPEC) or from SPS.

In 2014, LP&L completed a thorough review of its operations and finances because of the impending 2019 termination of a total-requirements purchase power agreement with SPS. The findings of that analysis prompted LP&L to announce its intent to join the Electric Reliability Council of Texas (ERCOT). In May 2021, the utility interconnected 470 MW’s of load in ERCOT, culminating almost seven years of planning, regulatory work, and construction activities.



LUBBOCK POWER & LIGHT (continued)

LP&L's current power supply portfolio consists of a partial requirements agreement with SPS and a power purchase agreement for 90 MW of wind generation for load that is served in the Southwest Power Pool (SPP). For load that is served in ERCOT, LP&L purchases forward energy blocks and Day-Ahead and Real-Time energy that is facilitated by an Energy Management Agreement with Tenaska, who also serves as LP&L's Qualified Scheduling Entity in ERCOT. LP&L also owns and operates 112 MW of natural gas-fire generation in ERCOT. One of LP&L's generating stations has a de-energized 230 kV transmission line that can potentially be tied into the SPP. It is currently interconnected directly to ERCOT.

LP&L's 2022-23 Adopted Budget and Capital Program outlines the following goals and objectives:

- Four nines uptime – Setting a measurable standard of excellence for reliability; power is up 99.99% of the time.
- Consistently low rates and efficiency – Operating an effective utility with low rates and supporting customers by helping them save.
- Friends and neighbors' resolution – Customer service interactions are simple, efficient, and solved in one phone call; no transfer or customer follow-up calls needed.
- Public stakeholder engagement – Leadership presence in the community engaging with influencers and visionaries interested in Lubbock's future.
- Long-term financial sustainability and strong credit ratings.
- First-class service to customers while operating with the highest code of ethics.
- Safe environment for all employees and customers.

LP&L's total assets in FY 2022 were \$865.4 million and long term debt was \$495.9 million, which is rated between AAA and A- by S&P and between Aaa and A1 by Moody's. More information can be found at: <https://lpandl.com/>

LUBBOCK, TEXAS

Located in the heart of the vast Southern Plains of West Texas, Lubbock provides easy access to the Southwest, the Rocky Mountains, and the Great Plains Region. Over the past ten years, Lubbock has grown 16.2%, with a current population estimated at close to 270,000. The City boasts a low unemployment rate of 5.9% and the community benefits from the presence of Texas Tech University and a number of other higher education institutions.

Since 2018, The Lubbock Economic Development Alliance (LEDA), helped to increase the diversity of the City's business sectors which include biomedical, food processing, agriculture, and others. In early 2021, LEDA announced that Amazon is expected to bring two facilities to the City.

The cost-of-living in Lubbock is estimated at only 80.7% of the national average, with a median home cost of approximately \$200,600.

COMPENSATION, BENEFITS AND RELOCATION

LP&L will negotiate a competitive base salary and relocation package, and provide a full complement of fringe benefits that includes participation in the Texas Municipal Retirement System along with affordable health plan options.

TO APPLY

Interested candidates should submit a cover letter and resume no later than **September 22, 2023** to: jgallo@mfpollc.us. Early responses encouraged.

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LP&L is an Equal Opportunity Employer

