

PEC should generate sunshine power

Editorial Board

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More than two years have passed since it seemed that each day's newspaper included revelations on financial extravagances and ethical lapses by the management and board of the Pedernales Electric Cooperative.

In that time, new members pledging reform have replaced the board majority that showed little inclination to oversee Bennie Fuelberg, the co-op's former general manager. Fuelberg, whose rule of the co-op was virtually unquestioned, since has been convicted on charges of theft, money laundering and fiduciary misapplication of property. Walter Demond, the co-op's former counsel, is scheduled to stand trial in May on similar charges.

The new board majority has displayed what could charitably be described as ambivalence to following through on commitments to transparency.

True to his word, state Sen. Troy Fraser, R-Horseshoe Bay, filed a bill last week that would make significant changes in board governance should it become law, but the bill has a huge flaw.

Fraser's bill stops short of requiring the co-op to comply with the state's open meetings and public information acts. The bill mandates that meetings be open to all co-op members but allows the board to exclude nonmembers. That exclusion makes the bill an illusion of transparency.

Fraser filed his bill last Friday, the deadline for submitting legislation. It is beyond ironic that the following Monday opened Sunshine Week, a national observance and celebration of government transparency.

Last session, ex-state Rep. Patrick Rose, D-San Marcos, filed a similar bill, but it died in the House.

Don't let the co-op label fool you. Pedernales is not a modest little utility stringing wire to remote areas that otherwise wouldn't have electricity. The co-op is the nation's largest, serving nearly a quarter of a million members in Central Texas, including a chunk of Travis County.

Because municipal utilities and co-ops are exempt from having to compete with other providers, customers don't have service options.

Decisions the board makes have a direct economic impact on the area, and thus board activities are of interest beyond the utility's service area.

A self-perpetuating board manipulated by an autocratic general manager who didn't consider himself accountable to anyone was a scandal waiting to happen, and it eventually did.

The scandal invited legislative intervention. The board might chafe at other provisions contained in the bill, including a requirement that board members be elected from districts and restrictions on how the co-op can spend money.

They had plenty of warning this was coming and could have avoided the legislative reach by embracing, rather than stalling, reforms beyond the cosmetic. The board could have voluntarily chosen to adopt provisions mirroring Texas open meetings and open records laws, but it didn't.

Now the bill is filed, and the co-op's recent troubles deny it a moral high ground.

It's not too late, however, for the board to voluntarily adopt open meetings/open records provisions. If the board doesn't see the light on the benefits of complete transparency, then there should be a law saying they should. And complete transparency means opening up board meetings to the public.