

**City Council  
Agenda Memo**



**City Council  
Meeting Date:** June 12, 2014

**TO:** Larry D. Gilley, City Manager

**FROM:** Mindy Patterson, Finance Director

**SUBJECT: Written Resolution Authorizing Continued Participation with Atmos Cities Steering Committee and Payment of the Five Cent Per Capita Assessment to Fund Regulator and Related Activities.**

**GENERAL INFORMATION**

The City of Abilene is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (ATMOS) within the municipal boundaries of the City. The Atmos Cities Steering Committee (ACSC) has historically intervened in ATMOS rate proceedings and gas utility related ratemaking to protect the interest of municipalities and gas customers residing within municipal boundaries. ACSC is participating in the Railroad Commission dockets and projects as well as court proceedings, affecting gas utility rates. The City is a member of ACSC. In order for ACSC to continue its participation in these activities, which affect the provisions of gas utility services and rates to be charged, it must assess its members for such cost. The five cent per capita assessment for Abilene is \$5,944.35.

**SPECIAL CONSIDERATIONS**

Atmos Cities Steering Committee is actively involved in rate cases, appeals, rulemaking, and legislative efforts impacting the rates charged by Atmos within the City. These activities will continue throughout the calendar year. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that ACSC be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used, and is a fair method for the members to bear the burden associated with the benefits received from that membership.

**FUNDING/FISCAL IMPACT**

Funds for the five cent per capita assessment will come from the General Fund.

**STAFF RECOMMENDATION**

Staff recommends approval of the City continuing participation with ACSC and paying the five cent per capita assessment.

Prepared by:  Name <u>Odis Dolton</u>  Title <u>Assistant Director of Finance</u>	Item No. <u>6.4</u>	Disposition by City Council <input type="checkbox"/> Approved    Ord/Res# _____ <input type="checkbox"/> Denied        _____ <input type="checkbox"/> Other  _____ City Secretary
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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION**

WHEREAS, the City of Abilene is a regulatory authority under the Gas Utility Regulatory Act (GURA) and has exclusive original jurisdiction over the rates and services of Atmos Energy Corporation, Mid-Tex Division (Atmos) within the municipal boundaries of the city; and

WHEREAS, the Atmos Cities Steering Committee (ACSC) has historically intervened in Atmos rate proceedings and gas utility related rulemakings to protect the interests of municipalities and gas customers residing within municipal boundaries; and

WHEREAS, ACSC is participating in Railroad Commission dockets and projects, as well as court proceedings and legislative activities, affecting gas utility rates; and

WHEREAS, the City is a member of ACSC; and

WHEREAS, in order for ACSC to continue its participation in these activities which affects the provision of gas utility service and the rates to be charged, it must assess its members for such costs.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

I.

That the City is authorized to continue its membership with the Atmos Cities Steering Committee to protect the interests of the City of Abilene and protect the interests of the customers of Atmos Energy Corporation, Mid-Tex Division residing and conducting business within the City limits.

II.

The City is further authorized to pay its 2014 assessment to the ACSC in the amount of five cents (\$0.05) per capita.

III.

A copy of this Resolution and approved assessment fee payable to “*Atmos Cities Steering Committee*” shall be sent to:

Jay Doegey  
Co-Chair, Atmos Cities Steering Committee  
c/o Arlington City Attorney’s Office, Mail Stop 63-0300  
P.O. Box 90231  
Arlington, Texas 76004-3231

PRESENTED AND PASSED on this the 12th day of June, 2014, at a regular meeting of the City Council of the City of Abilene, Texas.

ATTEST:

\_\_\_\_\_  
Signature  
Mayor

\_\_\_\_\_  
Signature  
City Secretary

APPROVED AS TO FORM:  
City Attorney

BY \_\_\_\_\_