

AN ORDINANCE APPROVING ELECTRIC UTILITY RATE SCHEDULE FOR WEST TEXAS UTILITIES COMPANY; PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That an increase in the rates, tariffs and charges of West Texas Utilities Company for electric power and energy sold within the City be approved in an amount such that the adjusted retail operating revenues for the Company be increased \$11,977,346 per annum based on the adjusted test year ending March 31, 1983, (\$14,274,765 on a total system-wide basis).

PART 2: That the Schedule of Rates and Tariffs, being the same as on file with the Public Utility Commission of Texas in Docket 5204, shall apply to all power and energy on or after the effective date of October 22, 1983. Such Schedule of Rates and Tariffs shall be authorized and is hereby approved to be used within the city limits of Abilene unless or until such time as such Rate Schedules may be changed, modified, amended or withdrawn, with the approval of the City Council.

PART 3: That West Texas Utilites Company shall make a refund to each customer equal to the difference between billings under the bonded rates and billings which would have otherwise been made under the final rates herein approved plus interest at an annual rate of 12.83%. Such refunds shall be made during the first billing cycle practicable following the enactment of this Ordinance.

PART 4: That the action of the City Council of the City of Abilene enacting this Ordinance constitutes, on the date of its final passage, a final determination of rates for West Texas Utilities Company within the City of Abilene in accordance with Section 43(e) of the Public Utility Regulatory Act.

PART 5: Nothing in this Ordinance contained shall be construed now or hereafter as limiting or modifying, in any manner, the right and power of the City under the law to regulate the rates and charges of West Texas Utilities Company.

PART 6: That if any provision, section, paragraph, subdivision, clause, phrase, word of this Ordinance shall be held invalid or unconstitutional, such holding shall in no way affect the validity of the remaining portions of this Ordinance which shall remain in full force and effect.

PART 7: That all Ordinances in conflict herein are repealed.

PART 8: That this Ordinance shall become effective after passage on second reading as provided by Section 18 of the Charter of the City of Abilene, Texas.

PASSED ON FIRST READING this 23 day of June,
A.D. 1983.

PASSED ON SECOND READING this 12 day of January,
A.D. 1984.

ATTEST:

Stuvia Patton
CITY SECRETARY

Robert
MAYOR

APPROVED:

James Gayell
CITY ATTORNEY