

AN ORDINANCE APPROVING ELECTRIC UTILITY RATE SCHEDULES 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 a decrease 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 total system-wide operating revenues for the Company be decreased \$9,169,187.00 per annum based on the adjusted test year ending March 31, 1984.

PART 2: That West Texas Utilities shall file with the City a revised Schedule of Rates and Tariffs setting forth those rates, tariffs, and charges based upon such decrease in total operating revenues as prescribed herein and the rate design recommended by the City's consultants. Such Schedule of Rates and Tariffs may be modified or amended by the City Council within twenty (20) days from the date of filing with the City, otherwise the same shall be considered approved as filed. Provided, however, notwithstanding any other provision herein contained, the rates of West Texas Utilities within the City of Abilene shall not, in any case, exceed the rates of customers of West Texas Utilities in unincorporated areas whether such rates for unincorporated areas are set prior to or after the adoptions of this ordinance and it shall be unlawful for West Texas Utilities, its agents, servants or employees, to collect or attempt to collect higher rates within the City of Abilene than are collected by West Texas Utilities within unincorporated areas.

PART 3: 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 4: 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 5: 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PART 6: That all Ordinances in conflict herein are repealed.

PART 7: 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 14th day of June,

A.D. 1984.

PASSED ON SECOND READING this 13th day of September,

A.D. 1984.

ATTEST:

Alicia Patton
CITY SECRETARY

David Stubbsman
MAYOR

APPROVED:

Harry Cargill
CITY ATTORNEY