

ORDINANCE NO. 43-1994

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS; PROVIDING FOR INTERIM REDUCED RATES; EFFECTIVE DATE FOR RATE REDUCTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Abilene is a regulatory authority under the Public Utility Regulatory Act and has original jurisdiction over the electric rates charged by West Texas Utilities Company (WTU) within the City limits of Abilene; and,

WHEREAS, WTU on August 25, 1994, filed with the City of Abilene and the Public Utility Commission of Texas a petition seeking a review of its rates; now therefore,

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

PART 1: The existing rates of WTU shall be decreased to reflect the reductions hereafter ordered. The rates resulting from such reductions are hereby determined to be the just and reasonable rates to be observed and in force within the City.

PART 2: It is hereby ordered that interim base rates for WTU for electric power and energy sold within the City be set at a level of 3.25% "across the board" lower than existing rates, which amounts to approximately a \$5.7 million decrease per annum on a system-wide basis.

PART 3: WTU shall file with the City, no later than ten (10) days from the passage of this rate ordinance, a Schedule of Interim Rates and Tariffs.

PART 4: That the City of Abilene hereby sets October 1, 1994, as the effective date for all rate reductions; for interim rate reductions and the ultimate rates if such rates result in rate reduction. If such rate adjustment should be an increase, the rates shall be only prospective from the effective date set by the Public Utility Commission's final Order, except for WTU's ability to true-up the amounts discounted during the period interim rates were in effect.

PART 5: That WTU shall file with the City on or before February 28, 1995, detailed information supporting its proposed rate revisions which are yet to be developed.

PART 6: That the City of Abilene's intentions are to request no additional hearings or proceedings before the City Council or Public Utility Commission until the information of February 28 is filed; but the City reserves the right to take action to protect its citizens.

PART 7: The City of Abilene shall maintain its jurisdiction over the rate matters which are subject to WTU's Section 43 rate request.

PART 8: Nothing in this Ordinance 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 WTU.

PART 9: If for any reason any section, paragraph,, subdivision, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance for it is the definite intent of this City that each of such be given full force and intent for its purpose.

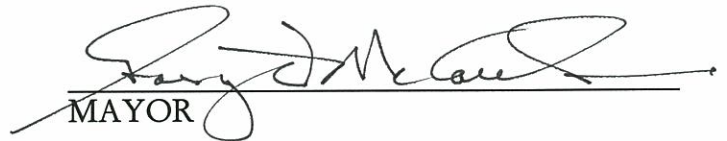
PART 10: That this ordinance shall become effective after passage on second reading as provided by Section 18 of the Charter of the City of Abilene, Texas.

PASSED ON FIRST READING this 8 day of Sep., A. D. 1994.

PASSED ON SECOND AND FINAL READING this 22 day of Sep., A. D. 1994.

ATTEST:

  
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CITY SECRETARY

  
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MAYOR

APPROVED:

  
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CITY ATTORNEY