

ORDINANCE NO. 41-1995

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING ELECTRIC UTILITY RATES AND SCHEDULES FOR WEST TEXAS UTILITIES COMPANY; PROVIDING A SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 28, 1995, West Texas Utilities Company, ("WTU" or "Company") filed with the City of Abilene ("City") a Statement of Intent to increase electric utility rates to be charged within the City which would result in an estimated annual revenue increase for WTU of approximately \$14.5 million; and,

WHEREAS, the City, having suspended the effective date of such proposed increase for the purpose of investigating WTU's request, and having considered the same at a public hearing, finds that the rates of WTU should be adjusted; now, therefore,

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

PART 1: The rates, tariffs, and charges of WTU for electric service within the City shall be adjusted in an amount such that the annual revenues of West Texas Utilities Company be decreased by a \$13.5 million and a \$21 million refund, on a Texas retail basis. The rate decrease ordered herein shall be distributed equally to all customer classes. The Schedule of Rates and Tariffs, approved in accordance herewith, are those under which WTU shall be authorized to render electric service and to collect charges from its customers for same within the corporate limits of the City until such time as said Schedule of Rates and Tariffs may be changed, modified, amended, or withdrawn, with the approval of the City Council.

PART 2: All relief, modifications, adjustments, and changes requested by WTU are denied unless specifically allowed herein.

PART 3: WTU shall, within ten (10) days hereof, file with the City a revised Schedule of Rates and Tariffs along with complete proof of revenues setting forth those rates, tariffs, and charges based upon such increase in total operating revenues as prescribed herein. Such Schedule of Rates and Tariffs may be modified or amended by the City Council within ten (10) days from the date of filing with the City, otherwise the same shall be considered approved as filed.

PART 4: WTU shall reimburse the City its rate case expenses for this request and any appeal hereof.

PART 5: 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 WTU within the City of Abilene in accordance with the Public Utility Regulatory Act.

PART 6: Nothing contained 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 7: All Ordinances, Resolutions, or parts thereof in conflict herewith are repealed to the extent of such conflict.

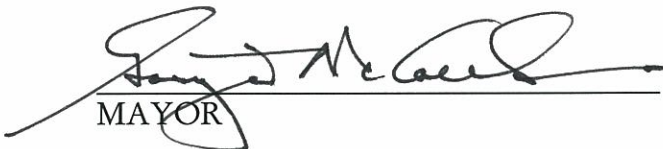
PART 8: That this Ordinance shall become effective after passage on second and final reading on October 1, 1995.

PASSED ON FIRST READING this 9th day of March, A.D. 1995.

PASSED ON SECOND AND FINAL READING this 14th day of September, A.D. 1995.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY