

RESOLUTION NO. 39-1999

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING INTERVENTION IN GUD NO. 8976, TXU LONE STAR GAS PIPELINE'S APPLICATION TO THE RAILROAD COMMISSION TO INCREASE ITS CITY GATE RATE; FURTHER AUTHORIZING PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY LONE STAR IN PROCEEDINGS BEFORE THE RAILROAD COMMISSION OR SUBSEQUENT APPEALS; REQUIRING RATE CASE EXPENSE REIMBURSEMENT OF REASONABLE COSTS INCURRED BY THE STEERING COMMITTEE FOR ATTORNEYS, CONSULTANTS AND WITNESSES AND OTHER ASSOCIATED COSTS.

WHEREAS, the City of Abilene, pursuant to GURA §103.023 has standing in each case before the Railroad Commission that relates to a gas utility's rates and services in the municipality; and

WHEREAS, on October 29, 1999, TXU Lone Star Pipeline filed a proceeding with the Railroad Commission (GUD No. 8976) to increase its city gate rate revenues by \$20.4 million; and

WHEREAS, the City and its residents may be adversely impacted by increases in the city gate rate; and

WHEREAS, the City is entitled pursuant to GURA §103.022 to reimbursement of its reasonable costs associated with participation in ratemaking proceedings; and

WHEREAS, the steering committee of Cities Served by Lone Star is a standing committee with representatives from numerous cities that are experienced in employing, directing and coordinating efforts of lawyers, consultants and expert witnesses working on behalf of cities in regulatory proceedings;

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

PART 1: That the City of Abilene is authorized to intervene in Railroad Commission GUD No. 8976.

PART 2: That the City of Abilene will participate with other cities in GUD No. 8976 and in any subsequent appeals of that administrative proceeding through involvement with the Steering Committee of Cities Served by Lone Star. The Steering Committee is authorized to retain attorneys, consultants and expert witnesses that may be necessary to protect the interests of cities and their residents.

PART 3: Lone Star shall promptly reimburse reasonable costs incurred by the Steering Committee of Cities Served by Lone Star for efforts undertaken in GUD No. 8976.

PART 4: A copy of this resolution shall be sent to Jay Doegey, City Attorney of Arlington and Chairman of Steering Committee of Cities Served by Lone Star, 200 W. Abram Drive, Arlington, Texas 76010; fax no. 817-459-6897

ADOPTED this 9 day of December, A. D. 1999.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY