

RESOLUTION NO. 27-2001

**A RESOLUTION OF THE CITY OF ABILENE AUTHORIZING INTERVENTION IN AEP/WEST TEXAS UTILITIES COMPANY'S PETITION TO ESTABLISH PRICE TO BEAT FUEL FACTOR FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS AND ASSIGNED DOCKET NO. \_\_\_\_\_; AUTHORIZING THE JOINING WITH OTHER INTERVENING CITIES TO PROTECT MUNICIPAL AND RATEPAYER INTERESTS; AUTHORIZING THE HIRING OF ATTORNEYS AND CONSULTANTS; AND REQUIRING REIMBURSEMENT OF THE CITY'S RATEMAKING COSTS.**

**WHEREAS**, the City of Abilene is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of AEP/West Texas Utilities Company (WTU) within the municipal boundaries of the city; and

**WHEREAS**, WTU filed an application with the Public Utility Commission ("PUC") on or about July 2, 2001, to establish the price to beat fixed fuel factor effective January 1, 2002; and

**WHEREAS**, establishment of the price to beat fixed fuel factor by the PUC will affect the electric bill of WTU electric customers, including eligible City accounts; and

**WHEREAS**, establishment of the price to beat fixed fuel factor will have an effect on the development of competition in WTU's service territory; and

**WHEREAS**, pursuant to §33.025 of PURA, the City of Abilene has standing to intervene in PUC proceedings relating to the provision of electric service to the City; and

**WHEREAS**, coordinating with other cities served by WTU can protect the interests of the City of Abilene and the electric customers residing within municipal boundaries most effectively now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS.**

Section 1. The City of Abilene is authorized to intervene in WTU's price to beat fuel factor case filed at the Public Utility Commission of Texas, Docket No. \_\_\_\_\_.

Section 2. The City of Abilene is authorized to join other cities served by WTU to coordinate efforts to protect the interests of the City of Abilene and protect the interests of WTU's customers residing and conducting business within municipal limits.


Section 3. Subject to the right to terminate employment at any time, the City of Abilene hereby authorizes the hiring of Steven Porter and Kristen Doyle of the law firm of Lloyd, Gosselink, Belvins, Rochelle, Baldwin & Townsend, and qualified consultants and

witnesses as may be necessary to review WTU's filings, to represent the City of Abilene at the PUC and to prosecute any appeals as directed by the City of Abilene.

Section 4. Fees and expenses incurred by the City of Abilene in this ratemaking matter shall be promptly reimbursed by WTU pursuant to the Public Utility Regulatory Act.


Signed this 12 day of July, A.D., 2001.

ATTEST:

  
\_\_\_\_\_  
Jo Moore  
City Secretary

  
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Grady Barr  
Mayor

APPROVED:

  
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Sharon E. Hicks  
City Attorney