

RESOLUTION NO. 5-2001

A RESOLUTION OF THE CITY OF ABILENE AUTHORIZING INTERVENTION IN AEP/WEST TEXAS UTILITIES COMPANY'S REQUEST FOR AUTHORITY TO INCREASE ITS FIXED FUEL FACTORS AND RELATED GOOD CAUSE EXCEPTION EFFECTIVE MARCH 1, 2001 THROUGH FEBRUARY 2002 FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS AND ASSIGNED DOCKET NO. 23585; 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 January 19, 2001, for authority to increase its fixed fuel factors effective March 1, 2001 through February 1, 2002; and

WHEREAS, WTU's application, if granted, affects all Texas retail customers of WTU who pay fuel costs through a fixed fuel factor, including the City of Abilene and residents and businesses located within the municipal limits of the City of Abilene; and

WHEREAS, WTU's fuel increase filing seeks PUC approval of fuel related contracts; and

WHEREAS, WTU asserts that the fuel increase is necessary to provide reliable electric service; 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, the interests of the City of Abilene and the electric customers residing within its municipal boundaries can be protected most effectively by intervention in Docket No. 23585; 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 fuel increase filing at the Public Utility Commission of Texas, Docket No. 23585.

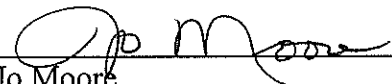
Section 2. The City of Abilene is authorized to join other cities served by WTU to coordinate efforts to protect the interests of the City of Abilene and protect the interests of WTU's customers residing and conducting business within municipal limits.

Section 3. Subject to the right to terminate employment at any time, the City of Abilene hereby authorizes the hiring of Steven Porter 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.

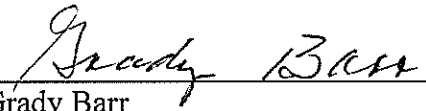
Section 4. Fees and expenses incurred by the City of Abilene in this ratemaking matter shall be promptly reimbursed by WTU pursuant to the Public Utility Regulatory Act.

Signed this 8th day of February, A.D., 2001.

ATTEST:




Jo Moore
City Secretary



Grady Barr
Mayor

APPROVED:



Sharon L. Hicks
City Attorney