

RESOLUTION 15-2002

RESOLUTION OF THE CITY OF ABILENE AUTHORIZING INTERVENTION IN MUTUAL ENERGY WTU, LP APPLICATION TO INCREASE PRICE TO BEAT FUEL FACTOR FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS, DOCKET NO. 25874; 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 CITIES' RATEMAKING COSTS

WHEREAS, the City of Abilene is a regulatory authority under the Public Utility Regulatory Act (PURA) and has an interest in the Price to Beat rates and services of Mutual Energy WTU, LP within the municipal boundaries of the city; and

WHEREAS, Mutual Energy WTU, LP filed an application with the Public Utility Commission (PUC) on or about May 8, 2002, to increase the Price to Beat fuel factor;

WHEREAS, increasing the Price to Beat fuel factor will increase the electric bill of Price to Beat customers residing within the City;

WHEREAS, pursuant to PURA §33.025, 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 municipal boundaries can be protected most effectively by coordinating with other cities receiving Price to Beat service from Mutual Energy WTU;

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

Section 1. The City is authorized to intervene in Mutual Energy WTU, LP's Price to Beat fuel factor filed at the Public Utility Commission of Texas, Docket No. 25874.

Section 2. The City is authorized to join other cities that receive Price to Beat service from Mutual Energy WTU, LP's to coordinate efforts to protect the interests of the City of


Abilene and protect the interests of Price to Beat 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 A. Porter of the law firm of Lloyd, Gosselink, Blevins, Rochelle, Baldwin & Townsend, and qualified consultants and witnesses as may be necessary to review Mutual Energy WTU, LP's filings, to represent the City of Abilene at the PUC and to prosecute any appeals as directed by the City.

Section 4. Fees and expenses incurred by the City of Abilene in Mutual Energy WTU's Price to Beat ratemaking matters related to these proceedings shall be promptly reimbursed by Mutual Energy WTU, LP pursuant to the Public Utility Regulatory Act.

Signed this 23 day of May, A.D., 2002.

ATTEST:



Jo Moore
City Secretary



Grady Barr
Mayor

APPROVED:



Sharon E. Hicks
City Attorney