

RESOLUTION 18-2002

**RESOLUTION OF THE CITY OF ABILENE AUTHORIZING INTERVENTION IN WEST TEXAS UTILITIES COMPANY'S REQUEST TO RECONCILE FUEL COSTS INCURRED DURING THE PERIOD JULY 1, 2000-DECEMBER 31, 2001 FILED AT THE PUBLIC UTILITY COMMISSION OF TEXAS AND ASSIGNED DOCKET NO. 26000; 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 exclusive original jurisdiction over the rates and services of West Texas Utilities Company ("WTU" or "Company") within the municipal boundaries of the city; and

WHEREAS, WTU filed an application with the Public Utility Commission ("PUC") on or about June 3, 2002 to reconcile fuel costs incurred during the period July 1, 2000-December 31, 2002;

WHEREAS, WTU's application, if granted, effects 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;

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

WHEREAS, WTU asserts that the fuel costs incurred during the reconciliation period were reasonable and necessary to provide reliable electric service;

WHEREAS, WTU claims that it has under-recovered reasonable fuel costs;

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 intervention in Docket 26000.

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

Section 1. The City is authorized to intervene in WTU's fuel reconciliation filing at the Public Utility Commission of Texas, Docket 26000.


Section 2. The City 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, Blevins, 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.

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 27 day of June, A.D., 2002.

ATTEST:

  
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Jo Moore  
City Secretary

  
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Grady Barr  
Mayor

APPROVED:

  
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Sharon L. Hicks  
City Attorney