

RESOLUTION NO. 16-2003

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS, SUSPENDING THE EFFECTIVE DATE OF TXU GAS DISTRIBUTION'S RATE REQUEST TO STUDY THE REQUEST; APPROVING COOPERATION WITH OTHER CITIES TO CREATE A STEERING COMMITTEE TO HIRE LEGAL COUNSEL AND CONSULTING SERVICES, TO NEGOTIATE WITH TXU GAS AND DIRECT ANY LITIGATION; AUTHORIZING RECOVERY OF RATE CASE EXPENSES, INTERVENTION AT THE RAILROAD COMMISSION, AND NOTIFICATION TO TXU GAS.**

**WHEREAS**, on or about May 23, 2003, TXU Gas Distribution filed with the City of Abilene a Statement of Intent to change gas rates in all municipalities within the TXU Gas Distribution System; and

**WHEREAS**, the Gas Utility Regulatory Act requires that the City Council procure any and all services necessary to make the determination of reasonable rates; and

**WHEREAS**, the City Council needs additional time to study the proposed rate increase; now, therefore,

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


- PART I: That the City Council hereby suspends the proposed rate increase for ninety (90) days beyond the effective date of June 28, 2003, and such additional period as the effective date is extended by agreement by the cities and TXU Gas, in order to allow the City Council time to study and review the proposed rate increase.
- PART II: That the City Council authorizes the cooperation with other cities within the TXU Gas Distribution System to create a steering committee to hire and direct legal counsel and consultants, negotiate with TXU Gas, and to direct any necessary litigation.
- PART III: That the City's reasonable rate case expense shall be reimbursed by TXU Gas Distribution.
- PART IV: That the City Council authorizes the City to intervene in the TXU Gas Distribution's rate case filed at the Railroad Commission on or about May 23, 2003.
- PART V: That the City Manager and the City Attorney or their designees are authorized to represent the City in conjunction with other cities in this rate proceeding.

PART VI: That the City Attorney is hereby authorized to notify TXU Gas Distribution that the proposed increase has been suspended.

PART VII: That this resolution shall take effect immediately from and after its passage.

Signed this 12 day of June, A.D., 2003.

ATTEST:

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

  
\_\_\_\_\_  
Grady Barr  
Mayor

APPROVED:

  
\_\_\_\_\_  
Sharon E. Hicks  
City Attorney