

AN ORDINANCE APPROVING RATE SCHEDULES TO BE CHARGED BY TAYLOR ELECTRIC COOPERATIVE, INC. IN THE CITY OF ABILENE, TEXAS, PROVIDING FOR AN EFFECTIVE DATE FOR SUCH RATE SCHEDULES, PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED, OR WITHDRAWN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT.

WHEREAS, on November 29, 1989, Taylor Electric Cooperative, Inc. filed with the City of Abilene a request for an increase of \$986,095 in the annual revenue, or a 9.06% increase; and,

WHEREAS, the City, having suspended the effective date of such proposed rate increase from November 29, 1989, and having considered the same at a public hearing, is of the opinion and finds that an increase in rates should be approved; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That an increase in the rates, tariffs, and charges of Taylor Electric Cooperative, Inc., for electric power and energy sold within the City, be approved in an amount such that the adjusted total systemwide operating revenue for the company be increased to \$986,095 per annum, based on the adjusted test year ending March 31, 1989. Such Schedule of Rates, as are approved in accordance herewith, are those under which said company shall be authorized to render electric service and to collect charges from its customers for the sale of electric power and energy within the corporate limits of the City until such time as said Rate Schedules may be changed, modified, amended, or withdrawn, with the approval of the City Council.

PART 2: That the revised Schedule of Rates and Tariffs filed with the City of Abilene as modified by the Public Utility Commission are hereby approved. Should it be necessary to adjust the Schedule of Rates and Tariffs filed with the Public Utility Commission, like changes shall be made with the City of Abilene, whether or not the ten (10) day period for correction has expired or whether or not the Council has approved same. Upon approval of the Schedule of Rates and Tariffs by the City Council and the Public Utility Commission, said Schedule of Rates and Tariffs, as may be modified or amended, shall apply to all power and energy used by each customer.

PART 3: That the action of the City Council of the City of Abilene enacting this ordinance constitutes, on this date of its final passage, a final determination of the rates for Taylor Electric Cooperative, Inc. within the City of Abilene in accordance with Section 43(e) of the Public Utility Regulatory Act, and that this ordinance shall be operable as of April 4, 1990, and shall coincide with final action that was taken by the Public Utility Commission on said date.

PART 4: Nothing in this ordinance contained herein shall be construed now or hereafter as limiting or modifying, in any manner, the right and power of the City under the law to regulate the rates and charges of Taylor Electric Cooperative, Inc.

PART 5: If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance shall be held invalid or unconstitutional by a final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance for it is the definite intent of this city that each of such be given full force and intent for its purpose.

PART 6: That all ordinances, resolutions, or parts of ordinances or resolutions in conflict herewith, are repealed to the extent of such conflict.

PASSED ON FIRST READING this 21st day of December,
A.D. 19 89.

PASSED ON SECOND AND FINAL READING this 26th day of
April, A.D. 19 90.

ATTEST:

J. Moore
CITY SECRETARY

Dale Ferguson
MAYOR

APPROVED:

Harry Cangel
CITY ATTORNEY