

ORDINANCE NO. 34-1992

AN ORDINANCE APPROVING, RATIFYING, CONFIRMING, AND ACCEPTING THE EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE, EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE TO HIGH LOAD FACTOR CUSTOMERS, EXPERIMENTAL RIDER FOR CURTAILABLE SERVICE FILED BY WEST TEXAS UTILITIES COMPANY FOR THE FURNISHING OF SERVICE WITHIN THE CITY OF ABILENE, TEXAS, BY WEST TEXAS UTILITIES COMPANY; PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 11th day of December, 1991, West Texas Utilities Company filed its request for approval of Interruptible, Curtailable and Economic Development Riders with the Public Utility Commission of Texas; and,

WHEREAS, on June 12, 1992, the Public Utility Commission of Texas approved the Experimental Rider for Interruptible Service, the Experimental Rider for Interruptible Service to High Load Factor Customers and the Experimental Rider for Curtailable Service and then remanded the Experimental Economic Development Rider for further evidence and consideration at a later date; and,

WHEREAS, West Texas Utilities Company has appeared before the City Council in public hearing requesting approval of such three (3) new riders previously approved by the Public Utility Commission of Texas and a public hearing has been held on such statement and request; and,

WHEREAS, the City Council, after hearing all evidence and arguments regarding such new riders, and carefully considering the same, finds that such new riders are fair and reasonable and should be approved and accepted; now, therefore,

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

SECTION 1: That the request for approval of the Experimental Riders previously approved by the Public Utility Commission of Texas on June 12, 1992, is granted.

SECTION 2: That the charges for Interruptible services and Curtailable service within said City shall be those set forth in the Electric Rate Schedules, as previously approved by the Public Utility Commission of Texas on June 12, 1992, which are attached hereto.

SECTION 3: If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance shall be held invalid or unconstitutional by 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.

00170

SECTION 4: This Ordinance and the rates adopted herein shall be and become effective for service rendered from and after the date this ordinance is passed and approved.

SECTION 5: That all Ordinances, Resolutions or parts of Ordinances or Resolutions in conflict herewith are repealed to the extent of such conflict.

PASSED AND APPROVED ON FIRST READING this 23 day of July, 1992.

PASSED AND APPROVED ON SECOND AND FINAL READING this 13 day of August, 1992.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

The above and foregoing Ordinance was read, passed, and adopted at the meeting of the governing body of this City on the 13 day of August, 1992, by the following vote:

	<u>First Reading</u>		<u>Second Reading</u>	
	<u>Aye</u>	<u>No</u>	<u>Aye</u>	<u>No</u>
<u>Mayor Gary McCaleb</u>	<u>x</u>	<u> </u>	<u>x</u>	<u> </u>
<u>Paul R. Vasquez</u>	<u>x</u>	<u> </u>	<u>x</u>	<u> </u>
<u>Betty Ray</u>	<u>x</u>	<u> </u>	<u>x</u>	<u> </u>
<u>Jack Grable</u>	<u>absent</u>	<u> </u>	<u>x</u>	<u> </u>
<u>Bill Terry</u>	<u>x</u>	<u> </u>	<u>x</u>	<u> </u>
<u>Ray Ferguson</u>	<u>x</u>	<u> </u>	<u>x</u>	<u> </u>
<u>Liz Herrera</u>	<u>x</u>	<u> </u>	<u>x</u>	<u> </u>

State of Texas I

County of I

I, the undersigned, City Secretary of the City of Abilene, Texas, do certify that the foregoing is a true and correct copy of Ordinance No. 34-1992, passed and approved the 13 day of August, 1992, as same appears in the official records of the City of Abilene, Texas, of which records I am the lawful custodian.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY OF Abilene, Texas, this the 13 day of August, 1992.

[Signature]
 City Secretary for the City
 of Abilene, Texas

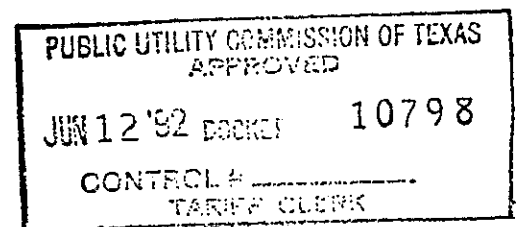
EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICEAVAILABILITY

This rider is available only in conjunction with Company's Large Power Service or Large Irrigation Service to Customers who contract for not less than 1000 kW of interruptible power. All provisions of the Large Power Service rate schedule or the Large Irrigation Service rate schedule, whichever is applicable, will apply except as modified herein. Service must be taken at one point of delivery and measured through one meter. This rider is not available for standby, temporary or resale service, and may not be taken in conjunction with Company's Experimental Economic Development Rider.

The availability of service under this rider is subject to the Company, at its sole judgement, having sufficient capacity and fuel to serve the requirements of its other customers and to maintain its spinning reserve. At the sole discretion of the Company, the availability of total curtailable and interruptible contract kW supplied by the Company may be limited to an amount equal to 5% of the projected aggregate Company peak demand. Service is available under this rider only if the utilization of such service is of such character that service can be interrupted without notice at any time without loss to Customer or damage to property or persons and without adversely affecting the public health, safety, and welfare.

TYPE OF SERVICE

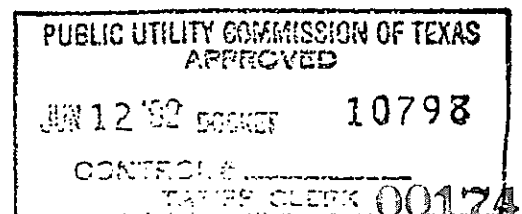
Company will supply three-phase service at any one of Company's standard voltages, as specified in the Company's Service Rules and Regulations, available from Company's system at the point of delivery. It is understood that electric service furnished hereunder is subject to interruption as set forth in the following conditions of service and also to Company's Service Rules and Regulations, including but not limited to Terms and Conditions of Service Nos. 10 and 11, as set forth on Sheet No. 1, pages 8 and 9 of 39, thereof, relating to "Intentional Interruptions of Service by Company" and "Continuity of Service," respectively.



EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE, cont.CONDITIONS OF SERVICE

Customers taking interruptible service at a point of delivery must designate the total load at that point of delivery as interruptible contract kW. Interrupt-control equipment shall be installed as determined necessary by the Company to interrupt service to Customer's load. Such interrupt-control equipment shall be under the exclusive control of the Company, and the installation and maintenance of such facilities shall be at the expense of the Customer. Upon termination of the contract, Customer is entitled to a credit equal to the salvage value of the interrupt-control equipment purchased by Customer. Interrupt-control equipment consists of, but is not limited to high-set under-frequency relays, switchgear, remote control and communications equipment including a dedicated communications path, timers, trip counters, and/or other devices as specified by Company. Remote control and communications equipment includes equipment necessary to provide instantaneous load information to Company designated system operating centers. The under-frequency relay shall be purchased, installed, tested, and maintained by Company at Customer's expense, but Customer may choose to purchase, install, and maintain the remainder of the interrupt-control equipment itself or request that Company do so. If Customer chooses to purchase, install, and maintain this equipment, specifications for such equipment must be approved by Company and Company must be allowed to test and routinely inspect the installation. Operation of the equipment will remain under the control of the Company.

Service provided under this rider will be subject to automatic interruption initiated by under-frequency relays when the system frequency declines to 59.7 hertz. In addition, Company may, as the Company deems necessary at its sole discretion, interrupt electric service without notice for purposes of maintaining service to firm loads, maintaining service integrity in the area, avoiding the necessity to purchase emergency power, maintaining adequate reserve margins, or other situations when reduction in load on the Company's system is required. To the extent possible, interruptible loads served under this rider will be interrupted before any curtailment of firm loads is requested or required.



WEST TEXAS UTILITIES COMPANY

Section No. 4 Sheet No. 14-1
Effective Date 06-12-92 Page 3 of 4
Revision No. ORIGINAL Rate INT1 Code 818
Applicable ENTIRE SYSTEM

EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE, cont.

MONTHLY CHARGES AND CREDITS

Customer's net monthly bill for service provided under this rider will be calculated in accordance with Company's applicable rate schedule, with the exception that an additional monthly customer charge of \$400 shall be applied and a monthly interruptible power credit will be applied to demand charges for each kW of billing demand. The maximum monthly demand credit per kW of billing demand shall be \$4.15.

In months in which no under-frequency interruption of service occurs, Customer's actual demand credit per billing kW will be determined by Company by multiplying the \$4.15 maximum demand credit per kW by Customer's annual load factor for the previous calendar year. In calculating load factor, hours during which Customer's load is interrupted by Company will not be considered.

In months in which an under-frequency interruption of service does occur, a demand credit of \$4.15 per kW will be applied to each kW of Customer's load which is on-line just prior to the time of an under-frequency interruption. In months in which more than one such interruption occurs, this credit shall apply only once per month and shall be applied to the largest amount of Customer's load on-line just prior to the time of any such interruption. For billing demand in excess of the largest amount of Customer's load on-line just prior to the time of an under-frequency interruption, the demand credit to be applied shall be determined by multiplying the \$4.15 maximum demand credit per kW by Customer's annual load factor for the previous calendar year.

For new Customer's with no previous billing history upon which to base this calculation of annual load factor, an assumed annual load factor of 75% shall be used in determining Customer's demand credit until such time as the Company is able to estimate Customer's annual load factor based upon a historical period of usage.

LIMITATIONS-ON-INTERRUPTIONS

Interruptions under this rider are limited as follows with a credit of 15 minutes toward each limit for interruptions of less than 15 minutes in duration.

Daily limit: No longer than 12 hours in any day, measured from midnight to midnight, except during system emergencies as described below.

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED	
JUN 12 '92 DOCKET	10798
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EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE, cont.

Annual limit: No more than 200 hours in any calendar year.

The only interruptions credited toward interruption time limits are those implemented by the Company for the purposes described in the "Conditions of Service" above, and those which are caused by under frequency conditions. Extended interruptions resulting from failure of transmission or distribution equipment are not credited toward interruption time limits.

Interruption time is measured from the time Customer's load is interrupted to the time Company restores service to the load.

During system emergencies when Company has made public pleas to restrict electric energy usage to essential needs because of an area or statewide shortage of electric power and/or energy, interruptible loads served under this rider may be interrupted continuously without daily limit until such emergency condition has ended. Such interruptions shall be credited toward annual interruption time limits.

TERM OF CONTRACT

This rider is being offered as an experimental service and may be withdrawn by the Company following written notice to each Customer served under this tariff given at least one year prior to such withdrawal. The obligation of the Customer shall continue for a minimum initial term of one year and continuing thereafter unless cancelled by Customer following written notice given at least one year prior to such cancellation.

PUBLIC UTILITY COMMISSION OF TEXAS	
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JUN 12 '92	DOCKET 10798
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**EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE
TO HIGH LOAD FACTOR CUSTOMERS**

AVAILABILITY

This rider is available only in conjunction with Company's Large Power Service to Customers with annual load factors in excess of 75% who contract for not less than 2,500 kW of interruptible power. All provisions of the Large Power Service rate schedule will apply except as modified herein. Service must be taken at one point of delivery and measured through one meter. This rider is not available for standby, temporary or resale service, and may not be taken in conjunction with Company's Experimental Economic Development Rider.

The availability of service under this rider is subject to the Company, at its sole judgement, having sufficient capacity and fuel to serve the requirements of its other customers and to maintain its spinning reserve. At the sole discretion of the Company, the availability of total curtailable and interruptible contract kW supplied by the Company may be limited to an amount equal to 5% of the projected aggregate Company peak demand. Service is available under this rider only if the utilization of such service is of such character that service can be interrupted without notice at any time without loss to Customer or damage to property or persons and without adversely affecting the public health, safety, and welfare.

TYPE OF SERVICE

Company will supply three-phase service at any one of Company's standard voltages, as specified in the Company's Service Rules and Regulations, available from Company's system at the point of delivery. It is understood that electric service furnished hereunder is subject to interruption as set forth in the following conditions of service and also to Company's Service Rules and Regulations, including but not limited to Terms and Conditions of Service Nos. 10 and 11, as set forth on Sheet No. 1, pages 8 and 9 of 39, thereof, relating to "Intentional Interruptions of Service by Company" and "Continuity of Service," respectively.

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED	
JUN 12 '92	DOCKET 10798
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**EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE
TO HIGH LOAD FACTOR CUSTOMERS, cont.****CONDITIONS OF SERVICE**

Customers taking interruptible service at a point of delivery must designate the total load at that point of delivery as interruptible contract kW. Interrupt-control equipment shall be installed as determined necessary by the Company to interrupt service to Customer's load. Such interrupt-control equipment shall be under the exclusive control of the Company, and the installation and maintenance of such facilities shall be at the expense of the Customer. Upon termination of the contract, Customer is entitled to a credit equal to the salvage value of the interrupt-control equipment purchased by Customer. Interrupt-control equipment consists of, but is not limited to high-set under-frequency relays, switchgear, remote control and communications equipment including a dedicated communications path, timers, trip counters, and/or other devices as specified by Company. Remote control and communications equipment includes equipment necessary to provide instantaneous load information to Company designated system operating centers. The under-frequency relay shall be purchased, installed, tested, and maintained by Company at Customer's expense, but Customer may choose to purchase, install, and maintain the remainder of the interrupt-control equipment itself or request that Company do so. If Customer chooses to purchase, install, and maintain this equipment, specifications for such equipment must be approved by Company and Company must be allowed to test and routinely inspect the installation. Operation of the equipment will remain under the control of the Company.

Service provided under this rider will be subject to automatic interruption initiated by under-frequency relays when the system frequency declines to 59.7 hertz. In addition, Company may, as the Company deems necessary at its sole discretion, interrupt electric service without notice for purposes of maintaining service to firm loads, maintaining service integrity in the area, avoiding the necessity to purchase emergency power, maintaining adequate reserve margins, or other situations when reduction in load on the Company's system is required. To the extent possible, interruptible loads served under this rider will be interrupted before any curtailment of firm loads is requested or required.

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JUN 12 '92	BOOKET 10798
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**EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE
TO HIGH LOAD FACTOR CUSTOMERS, cont.**

MONTHLY CHARGES AND CREDITS

Customer's net monthly bill for service provided under this rider will be calculated in accordance with Company's Large Power Service rate schedule, with the exception that an additional monthly customer charge of \$400 shall be applied and a monthly interruptible power credit will be applied to demand charges for each kW of billing demand. The monthly demand credit per kW of billing demand shall be \$5.00.

DETERMINATION OF BILLING DEMAND

The demand will be measured and shall be the average kilowatt load used by the Customer during the 15 minute period of maximum use during the month, but not less than the larger of:

- a) 2,500 kilowatts
- b) 80% of the maximum measured demand recorded at any time during the 12 months ending with the current month

On-peak demand shall be determined as specified in the Large Power Service tariff with the exception that it shall not be less than 80% of the maximum billing demand recorded at any time during the 12 months ending with the current month.

LOAD FACTOR CLAUSE

If at the end of each contract year, Customer's annual load factor is below the required 75%, Customer's bills for the previous 12 months will be recomputed and rebilled based on the Company's Large Power Service tariff in conjunction with the Company's standard Experimental Rider for Interruptible Service (Rate Schedule INT1) unless Customer can demonstrate to the Company's satisfaction "exercised in good faith that: 1) load added by the Customer during the course of the year, or 2) an extraordinary non-recurring event, resulted in the annual load factor falling below 75%. In calculating load factor, hours during which Customers load is interrupted by Company will not be considered. Customer will be notified monthly if its load factor for the current contract year is below 75%.

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JUN 12 '92 DOCKET	10798
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**EXPERIMENTAL RIDER FOR INTERRUPTIBLE SERVICE
TO HIGH LOAD FACTOR CUSTOMERS, cont.**

LIMITATIONS ON INTERRUPTIONS

Interruptions under this rider are limited as follows with a credit of 15 minutes toward each limit for interruptions of less than 15 minutes in duration.

Daily limit: No longer than 12 hours in any day, measured from midnight to midnight, except during system emergencies as described below.

Annual limit: No more than 200 hours in any calendar year.

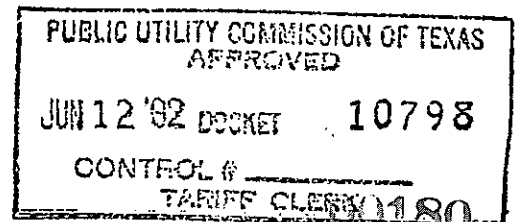
The only interruptions credited toward interruption time limits are those implemented by the Company for the purposes described in the "Conditions of Service" above, and those which are caused by under frequency conditions. Extended interruptions resulting from failure of transmission or distribution equipment are not credited toward interruption time limits.

Interruption time is measured from the time Customer's load is interrupted to the time Company restores service to the load.

During system emergencies when Company has made public pleas to restrict electric energy usage to essential needs because of an area or statewide shortage of electric power and/or energy, interruptible loads served under this rider may be interrupted continuously without daily limit until such emergency condition has ended. Such interruptions shall be credited toward annual interruption time limits.

TERM OF CONTRACT

This rider is being offered as an experimental service and may be withdrawn by the Company following written notice to each Customer served under this tariff given at least one year prior to such withdrawal. The obligation of the Customer shall continue for a minimum initial term of one year and continuing thereafter unless cancelled by Customer following written notice given at least one year prior to such cancellation.



EXPERIMENTAL RIDER FOR CURTAILABLE SERVICEAVAILABILITY

This rider is available only in conjunction with Company's Large Power Service or Large Irrigation Service to Customers who contract for not less than 1000 kW of curtailable power. All provisions of the Large Power Service rate schedule or the Large Irrigation Service rate schedule, whichever is applicable, will apply except as modified herein. Service must be taken at one point of delivery and measured through one meter. This rider is not available for standby, temporary or resale service, and may not be taken in conjunction with Company's Experimental Economic Development Rider.

The availability of service under this rider is subject to the Company, at its sole judgement, having sufficient capacity and fuel to serve the requirements of its other customers and to maintain its spinning reserve. At the sole discretion of the Company, the availability of total curtailable and interruptible contract kW supplied by the Company may be limited to an amount equal to 5% of the projected aggregate Company peak demand. Service is available under this rider only if the utilization of such service is of such character that service can be curtailed at any time by Company, following 15 minute notice by Company to Customer that service must be curtailed, without loss to Customer or damage to property or persons and without adversely affecting the public health, safety, and welfare.

TYPE OF SERVICE

Company will supply three-phase service at any one of Company's standard voltages, as specified in the Company's Service Rules and Regulations, available from Company's system at the point of delivery. It is understood that electric service furnished hereunder is subject to curtailment as set forth in the following conditions of service and also to Company's Service Rules and Regulations, including but not limited to Terms and Conditions of Service Nos. 10 and 11, as set forth on Sheet No. 1, pages 8 and 9 of 39, thereof, relating to "Intentional Interruptions of Service by Company" and "Continuity of Service," respectively.

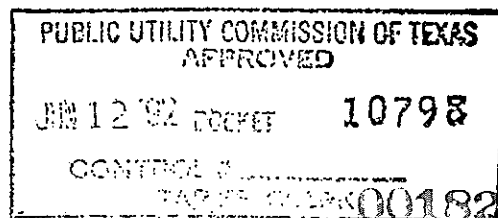
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JUN 12 '92	BOOKET 10793
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EXPERIMENTAL RIDER FOR CURTAILABLE SERVICE, cont.CONDITIONS OF SERVICE

Customer may choose to have all connected load or some portion thereof designated as curtailable contract kW. The amount of load not designated as curtailable shall constitute Customer's firm contract kW. For a Customer choosing to have only a portion of its total load designated as curtailable, Customer's service must be equipped, at Customer's expense, with any devices necessary to reduce its load during the period of curtailment to its firm contract kW or below and with any metering devices necessary to verify that its load is at or below its firm contract kW.

Company may, at its sole discretion, request curtailment of electric service under this rider as the Company deems necessary for any reason including, but not limited to, maintaining service to firm loads, avoiding establishment of a new system peak, avoiding establishment of a peak demand in excess of 95% of the Company's forecasted peak load for the year, maintaining service integrity in the area, or other situations when reduction in load on the Company's system is required. To the extent possible, curtailable loads served under this rider will be curtailed before any curtailment of firm loads is requested or required. Requests for curtailment will be made by Company's System Operator via telephonic communication to Customer's designated representative(s). Upon application for service under this rider, Customer shall designate the representative(s) and provide the telephone number at which they may be reached 24 hours a day. In the event of a curtailment for non-emergency purposes, Company will provide notice to Customer at least one (1) hour prior to curtailment. In the event of a curtailment for emergency conditions, Company will attempt to provide as much prior notice as possible but is in no way obligated to give more than 15 minutes notice prior to curtailment. Absence of a designated representative or inability of the Company to communicate with the designated representative because of unanswered telephone, busy telephone, or otherwise, once Company has initiated a telephonic communication to the designated representative, will in no way be regarded as an excuse for failure to comply with a curtailment request.



WEST TEXAS UTILITIES COMPANY

Section No. 4 Sheet No. 14-3
Effective Date 06-12-92 Page 3 of 4
Revision No. ORIGINAL Rate CUR Code 820
Applicable ENTIRE SYSTEM

EXPERIMENTAL RIDER FOR CURTAILABLE SERVICE, cont.

MONTHLY CHARGES AND CREDITS

Customer's net monthly bill for service provided under this rider will be calculated in accordance with Company's applicable rate schedule, with the exception that an additional monthly customer charge of \$400 shall be applied and a monthly curtailable power credit will be applied to demand charges for demand in excess of the firm contract kW. The maximum monthly demand credit per kW in excess of the firm contract kW shall be \$4.15.

Customer's actual demand credit per kW in excess of the firm contract kW will be determined by Company annually by multiplying the \$4.15 maximum demand credit per kW by Customer's annual load factor for the previous calendar year. For new Customer's with no previous billing history upon which to base this calculation of annual load factor, an assumed annual load factor of 75% shall be used in determining Customer's demand credit per kW in excess of the firm contract kW until such time as the Company is able to estimate Customer's annual load factor based upon a historical period of usage which estimate shall then be prospectively applied from that point in time.

NON-COMPLIANCE PROVISIONS

Customer understands that service under this rider is contingent upon Customer's complete and timely compliance with Company's requests for curtailment. If, at any time, Customer fails in whole or in part to implement or maintain any requested load reduction, Customer shall pay to Company as agreed a penalty equal to 125% of the demand credits received during the shorter of the previous 12 month period or the period since Customer was previously penalized for non-compliance. If Customer fails in whole or in part to implement or maintain a requested load reduction a second time within a 12 month period, in addition to the penalty above, the Company may, at its option, elect to cancel, effective immediately, the Customer's eligibility for service under this rider. In the first 12 months of service to Customer under this rider, Company will not enforce the provisions of this non-compliance section if the actual reductions are equal to or greater than 95% of the requested reduction on each occasion.

PUBLIC UTILITY COMMISSION OF TEXAS	
APPROVED	
JUN 12 '92	DOCKET 10798
CONTROL #	TARIFF CLERK 00183

EXPERIMENTAL RIDER FOR CURTAILABLE SERVICE, cont.**LIMITATIONS ON CURTAILMENTS**

Curtailments under this rider are limited as follows with a credit of 15 minutes toward each limit for curtailments of less than 15 minutes in duration.

Daily limit: No longer than 12 hours in any day, measured from midnight to midnight, except during system emergencies as described below.

Annual limit: No more than 400 hours in any calendar year.

The only curtailments credited toward curtailment time limits are those implemented at the request of Company for the purposes described in the "Conditions of Service" above. Extended interruptions resulting from failure of transmission or distribution equipment are not credited toward curtailment time limits.

Curtailment time is measured from the time Customer's load falls below the firm contract kW following a request by the Company to curtail load to the time that Company notifies Customer via telephone communication that the period of curtailment has ended.

During system emergencies when Company has made public pleas to restrict electric energy usage to essential needs because of an area or statewide shortage of electric power and/or energy, curtailable loads served under this rider may be curtailed continuously without daily limit until such emergency condition has ended. Such curtailments shall be credited toward annual curtailment time limits.

TERM OF CONTRACT

This rider is being offered as an experimental service and may be withdrawn by the Company following written notice to each Customer served under the rider given at least one year prior to such withdrawal. The obligation of the Customer shall continue for a minimum initial term of one year and continuing thereafter unless canceled by Customer following written notice given at least one year prior to such cancellation.

PUBLIC UTILITY COMMISSION OF TEXAS APPROVED	
JUN 12 '92 DOCKET	10798
CONTROL # _____	TARIFF CLERK

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