

ORDINANCE NO. 47-1998

AN ORDINANCE APPROVING AND ACCEPTING THE TWO YEAR, SELECTCHOICE_{sm} PILOT PROGRAM 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 29th day of June 1998, West Texas Utilities Company (WTU) filed its request with the City of Abilene for modification and ultimate termination of its Select-Time of Use Pilot Program tariff by approving the new SELECTCHOICE_{sm} Pilot Program; and

WHEREAS, the proposed SELECTCHOICE_{sm} tariff will be a Pilot Program limited to a maximum of 500 of WTU's retail non-residential, non-lighting customers for up to two years; and

WHEREAS, the information gathered during this pilot program will be used to evaluate future rate options for all customers; and

WHEREAS, WTU has appeared before the City Council requesting approval of the SELECTCHOICE_{sm} tariff and

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

SECTION 1: That the request for approval of the SELECTCHOICE_{sm} Pilot Program tariff is granted.

SECTION 2: That the charges for service under the SELECTCHOICE_{sm} Pilot Program and availability of said tariff within the City of Abilene shall be those set forth in the SELECTCHOICE_{sm} Pilot Program tariff, which is attached hereto.

SECTION 3: That the fuel factor charges as set forth by the Public Utility Commission of Texas (PUCT) effective May 27, 1998 are hereby approved.

SECTION 4: That 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.

SECTION 5: That the tariff adopted herein on a pilot and test basis shall be and become effective for electric service rendered on or after July 1, 1998, for a period of up to two years.

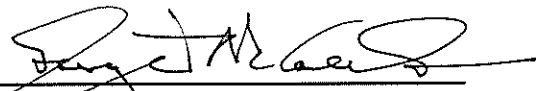
SECTION 6: Any revenue shortfall to WTU attributed to the SELECTCHOICE_{sm} tariffs shall not be the responsibility of other customers and shall be the sole responsibility of WTU.

SECTION 7: All costs of the SELECTCHOICE_{sm} Program, including but not limited to metering administration, personnel and billings, shall be recovered through the \$10.00 per month program charge, and in no event shall be the responsibility of non-participating customers.

SECTION 8: 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 13th day of August, 1998.

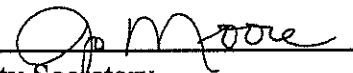
PASSED ON SECOND AND FINAL READING, this 27th day of August, 1998.




Mayor for the City of Abilene, Texas

ATTEST:

APPROVED:



City Secretary



City Attorney