

ORDINANCE NO. 60-1999

AN ORDINANCE APPROVING AND ACCEPTING A PRIMARY MUNICIPAL WATER PUMPING TARIFF FILED BY WEST TEXAS UTILITIES COMPANY (WTU) FOR THE FURNISHING OF ELECTRICITY AND ELECTRIC SERVICE WITHIN THE CITY OF ABILENE, TEXAS; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE AND CALLING A PUBLIC HEARING

WHEREAS, in accordance with Section 33.001 of the Public Utility Regulatory Act, on October 20, 1999, West Texas Utilities Company (WTU) filed its application for approval of a proposed Primary Municipal Water Pumping (PMWP) tariff, to become Sheet 40; Section 4 in its Manual of Tariffs which adds service voltage level options to WTU's existing approved Municipal Water Pumping tariff (Sheet No. 15, Section 4 of its Manual of Tariffs) with a revision to include price reductions for primary voltage service and primary-substation service; and

WHEREAS, WTU has presented its request to the City Council requesting approval of such tariff which only adds service voltage level options to the existing tariff for furnishing electricity and electric service within the City and a public hearing has been held on such application; and

WHEREAS, the City Council, after hearing all evidence and arguments regarding such tariffs as requested in the application filed October 20, 1999, has determined that said tariff is fair and reasonable and should be approved and accepted; Now Therefore

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

SECTION 1 That the application for approval of Primary Municipal Water Pumping, Sheet No. 40, Section 4 of WTU's Manual of Tariffs filed with the City on October 20, 1999, and attached hereto for the furnishing of electricity and electric service within the City is granted.

SECTION 2 Nothing in this Ordinance 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 WTU.

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.

SECTION 4 The rates for electric service adopted herein shall be and become effective for service rendered on and after December 9, 1999.

SECTION 5 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 11 day of November, 1999.

PASSED ON SECOND AND FINAL READING this 9 day of December, 1999.

ATTEST:

D. Moore
CITY SECRETARY

Gayley Barr
MAYOR

APPROVED:

Sharon E. Hicks
CITY ATTORNEY