

ORDINANCE NO. 2011-473

AN ORDINANCE SUSPENDING THE IMPLEMENTATION OF THE INTERIM RATE ADJUSTMENT UNDER SECTION 104.301 OF THE TEXAS UTILITIES CODE BY TEXAS GAS SERVICE COMPANY WITHIN THE TOWN OF ANTHONY, TEXAS, PENDING HEARING AND DECISION BY THE CITY COUNCIL.

WHEREAS, on June 14, 2011, Texas Gas Service Company (“TGS” or the “Company”) filed with the Town of Anthony its request to implement an Interim Rate Adjustment (“IRA”) tariff, therein proposing to implement certain tariff changes that would allow the Company to recover the incremental costs of new investment it has made within its El Paso Service Area. Parallel requests were filed by TGS that same day with all six municipalities (El Paso, Anthony, Clint, Horizon City, Socorro and Vinton) in the Company’s El Paso Service Area (“EPSA”).

WHEREAS, TGS proposed an effective date of July 1, 2011 for said interim rate adjustment to become operative; and

WHEREAS, in support of its request to implement an IRA tariff, TGS has submitted supporting documentation, including Schedules, Earnings Report, Investment Reports; and

WHEREAS, pursuant to the Texas Utilities Code § 104.301(a), municipalities are authorized to suspend the implementation of the tariff, rate schedule or annual adjustment for a period not to exceed 45 days beyond the effective date proposed by the gas utility; and

WHEREAS, the City Council hereby finds that it requires additional time to review and consider the Company's IRA tariff and supporting documentation;

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY THE CITY COUNCIL OF THE TOWN OF ANTHONY, THAT:

The implementation of the rate schedules and tariffs proposed by TGS and the Company's proposed effective date of July 1, 2011, shall be and hereby are **SUSPENDED** within the Town of Anthony, pursuant to Section 104.301(a) the Texas Utilities Code for 45 days beyond said date (that is, through August 15, 2011), or until adoption by the City Council of a final ordinance on the implementation of the Company's IRA tariff, whichever shall first occur.

This ordinance takes effect on June 15, 2011.

PASSED AND APPROVED ON:

June 24, 2011

Mayor

APPROVED:

City Attorney

ATTEST:

City Clerk