

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

CITY CLERK DEPT.
16 MAR 28 AM 9:39

DEPARTMENT: Utilities

AGENDA DATE: April 5, 2016

CONTACT PERSON NAME AND PHONE NUMBER: Brie L. Franco, 915-212-1107

DISTRICT(S) AFFECTED: All

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

A resolution suspending the rate change proposed by Texas Gas Service Company, a division of ONE Gas, Inc. for 90 days beyond the proposed effective date.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Impact of the proposed increase on rate payers.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Brie Franco

RESOLUTION

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WHEREAS, Texas Gas Service Company, a division of ONE Gas, Inc., distributes natural gas within the City Limits of the City of El Paso pursuant to a franchise granted to Southern Union Company dated as of February 22, 2000, and assigned to ONEOK, Inc and subsequently assigned to ONE Gas, Inc., and is a gas utility, and

WHEREAS, on March 30, 2016, Texas Gas Service Company filed a Statement of Intent to Change Rates within the City of El Paso specifying that the rate change should be effective in 35 days from that date, and

WHEREAS, pursuant to the Gas Utility Regulatory Act, Texas Utilities Code Section 103.001, the City of El Paso has exclusive original jurisdiction over the rates, operations, and services of the Texas Gas Service Company within the City of El Paso, and

WHEREAS, the City Council has determined that additional time is needed for it to study and to have its Public Utility Regulation Board study the proposed increase and the reasons therefor, and

WHEREAS, pursuant to the Gas Utility Regulatory Act, Texas Utilities Code Section 104.107, the City of El Paso, as regulatory Authority, has the right to suspend the proposed rate change for a period of 90 days after the proposed date the change would otherwise be effective, and

WHEREAS, the City Council has determined that it is in the best interest of its citizens and ratepayers to suspend the rate change.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the rate change identified in the Statement of Intent to Change Rates filed by Texas Gas Service Company a division of ONE Gas, Inc., on March 30, 2016, be and is hereby suspended for 90 days after the effective date specified in the Statement of Intent; and
2. That the City Manager shall so notify Texas Gas Service Company of this suspension by having a copy of this Resolution delivered or mailed to Texas Gas Service Company.

ADOPTED by the CITY OF EL PASO on the 5thth Day of April, 2016.

CITY OF EL PASO

Oscar Leaser, Mayor


ATTEST:

Richarda Duffy Momsen
Municipal Clerk

APPROVED AS TO FORM:


Brie L. Franco
Assistant City Attorney

APPROVED AS TO CONTENT:


Dr. Mark Sutter
Chief Financial Officer

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