

**AN ORDINANCE APPROVING THE GENERAL SERVICE RATES INCLUDING RATE ADJUSTMENT PROVISIONS AND MISCELLANEOUS SERVICE CHARGES TO BE CHARGED FOR SALES AND TRANSPORTATION OF NATURAL GAS TO RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CONSUMERS IN THE CITY OF CUMBY, HOPKINS COUNTY, TEXAS, PROVIDING AN EFFECTIVE DATE THEREFOR, AND PROVIDING FOR THE MANNER IN WHICH SUCH RATES MAY BE CHANGED, ADJUSTED, AND AMENDED.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUMBY, TEXAS:**

**SECTION 1.** On March 2, 2001, TXU Gas Distribution, a division of TXU Gas Company ("Company") filed with the Governing Body of this municipality a Statement of Intent to Change Residential, Commercial and Industrial Rates charged to consumers within this municipality. Also filed was the Tariff for Gas Service in the East Region Distribution System ("Tariff for Gas Service") and the supporting Cost of Service Schedules ("Schedules"). The Tariff for Gas Service includes Rate Schedules 4200 - East Region Distribution System Cities, 4201 - Residential Service, 4202 - Commercial Service, 4203 - Industrial Sales, 4204 - Industrial Transportation, 4208-1 through 4208-3 - Rate Adjustment Provisions, 9001 through 9007 - Miscellaneous Service Charges and Rider 4206 - Surcharges.

**SECTION 2.** The maximum general service rates for sales and transportation of natural gas rendered to residential, commercial and industrial consumers within the city limits of Cumby, Texas by TXU Gas Distribution, a division of TXU Gas Company, a Texas corporation, its successors and assigns, are hereby fixed and approved as set forth in Rate Schedules 4201 - Residential Service, 4202 - Commercial Service, 4203 - Industrial Sales, and 4204 - Industrial Transportation included in the Tariff for Gas Service in the East Region Distribution System.

**SECTION 3.** The Rate Adjustment Provisions set forth in the Tariff for Gas Service as Rate Schedules 4208-1 Gas Cost Adjustment, 4208-2 Tax Adjustment, and 4208-3 Weather Normalization Adjustment are approved.

**SECTION 4.** The Company shall have the right to collect such reasonable charges as are necessary to conduct its business and to carry out its reasonable rules and regulations. Such miscellaneous service charges are identified in Rate Schedules 9001 through 9007 of the Tariff for Gas Service and are approved. Services for which no charge is set out may be performed and charged for by the Company at a level established by the normal forces of competition.

**SECTION 5.** The aforesaid rate schedules herein approved shall be effective from and after the effective date set forth in the Statement of Intent, if this ordinance is passed and approved on or before that effective date.

**SECTION 6.** The rates set forth in this ordinance may be changed and amended by either the City or Company in the manner provided by law. Service hereunder is subject to the orders of regulatory bodies having jurisdiction, and to the Company's Rules and Regulations currently on file with the City.

**SECTION 7.** Unless otherwise noted herein, other than TXU Gas Distribution (a named party), no person or entity has been admitted as a party to this rate proceeding.

**SECTION 8.** It is hereby found and determined that said meeting at which this ordinance was passed was open to the public, as required by Texas law, and that advance public notice of the time, place and purpose of said meeting was given.

PASSED AND APPROVED on this the 6th day of March, A. D., 2001.

ATTEST:

Mary France  
City Secretary

(Seal)

Darryl Cluni  
Mayor  
City of Cumby, Texas