

ORDINANCE 2005-7

**AN ORDINANCE OF THE CITY OF CUMBY, TEXAS,
APPROVING ATMOS ENERGY CORP, MID-TEX DIVISION'S
REQUEST TO AUTHORIZE THE COMPLIANCE TARIFFS FOR
THE ANNUAL GAS RELIABILITY INFRASTRUCTURE
PROGRAM RATE ADJUSTMENT IN THIS MUNICIPALITY.**

WHEREAS, The City of Cumby ("City") as a regulatory authority, has previously approved by ordinance or operation of law the Atmos Energy Corp., Mid-Tex Division's ("Company") application requesting the annual gas reliability infrastructure program rate adjustment for customers on the Company's system-wide distribution system; and

WHEREAS, the City has determined that the Company's annual gas reliability infrastructure program rate adjustment within the City limits should be amended;

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

SECTION 1. That the Company's request to authorize the compliance tariffs attached hereto as Exhibit A, for an annual gas reliability infrastructure program rate adjustment with respect to customers served from the Company's distribution facilities located inside the City, as part of the Company's system-wide gas utility system, is approved in all respects.

SECTION 2. That the existing annual gas reliability infrastructure program rate adjustment approved by the City is hereby found, after reasonable notice and hearing, to be unreasonable and shall be changed as hereinafter ordered. The changes resulting from this Ordinance are hereby determined to comply with the provisions of TEX. UTIL. CODE ANN § 104.301 and 16 TEX. ADMIN. CODE § 7.7101.

SECTION 3. That this Ordinance shall become effective immediately from and after its passage, as the law and charter in such cases provide.

SECTION 4. That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 5. That a copy of this Ordinance, constituting final action on the Company's request to authorize the compliance tariffs for the annual gas reliability infrastructure program rate adjustment, shall be forwarded to the Company's designated

representative within 10 days at the following address: Richard Reis, Atmos Energy Corp., Mid-Tex Division, 300 S. St. Paul Street, 8th Floor, Dallas, Texas 75201.

DULY PASSED and approved by the City Council of Cumby, Texas on this the _____ day of _____, 2005.

APPROVED:

Mayor
City of Cumby

ATTEST:

City Secretary

APPROVED AS TO FORM:

CITY ATTORNEY