

ORDINANCE NO. 024-81

AN ORDINANCE DENYING THE APPLICATION OF HOUSTON LIGHTING & POWER COMPANY FOR AUTHORITY TO CHANGE RATES TO BE CHARGED IN THE CITY OF Orchard, TEXAS; AND PROVIDING FOR THE SURRENDER OF ORIGINAL JURISDICTION TO REGULATE UTILITY RATES TO THE PUBLIC UTILITY COMMISSION OF TEXAS.

WHEREAS, on July 6, 1981 Houston Lighting & Power Company (HL&P) filed with the City of Orchard, Texas, an application for authority to change rates to be charged within the City in the amount of some \$248 million per year on a systemwide basis; and

WHEREAS, the City Council, having reviewed the Company's rate filing package and supporting testimony, is of the opinion that the rate application should be denied in all particulars; and

WHEREAS, Section 17(a) of the Public Utility Regulatory Act, Article 1446c, Texas Revised Civil Statutes, gives the governing body of each municipality exclusive original jurisdiction over electric rates within its municipal boundaries; and

WHEREAS, the City of Orchard no longer wishes to exercise original jurisdiction over electric rates; and

WHEREAS, Section 17(b) of Article 1446c, Texas Revised Civil Statutes, authorizes the City to surrender said original jurisdiction to the Public Utility Commission of Texas;

NOW, THEREFORE,

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

Section 1. That the City Council of the City of Orchard denies the application of Houston Lighting & Power Company for authority to change rates to be charged within the City.

Section 2. That this ordinance constitutes the final action of the City Council of the City of Orchard

in determining the rates for sale of electric power and energy by HL&P within the City in accordance with Section 43(f) of the Public Utility Regulatory Act.

Section 3. That the City Council orders HL&P to continue in effect the rates set forth in rate schedules previously made effective for sale of electric power and energy within the City until such time as said rate schedules may be changed, modified, amended or withdrawn as provided by law.

Section 4. That the City Council of the City of Orchard hereby surrenders original jurisdiction to regulate electric utilities within the municipal limits of the City to the Public Utility Commission of Texas as provided by the laws of the State of Texas.

Passed and approved at a meeting duly convened by the City Council of the City of Orchard, Texas, this the 8th day of July, 1981.

Eugene L. Deming
Mayor

ATTEST:

Aimee Bollom
City Secretary

(City Seal)

N O T I C E

On the 8 th day of July, 1981, the Board of Commissioners of the City of Orchard, State of Texas, passed an ordinance, the descriptive caption of which is as follows:

DENYING THE APPLICATION OF HOUSTON LIGHTING & POWER COMPANY FOR AUTHORITY TO CHANGE RATES TO BE CHARGED IN THE CITY OF ORCHARD, TEXAS; AND PROVIDING FOR THE SURRENDER OF ORIGINAL JURISDICTION TO REGULATE UTILITY RATES TO THE PUBLIC UTILITY COMMISSION OF TEXAS.

This will therefore give notice by publication of the passage of said ordinance as directed by City Charter.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 8th day of July, 1981.



Aimee Bollom

CITY SECRETARY
CITY OF ORCHARD, STATE OF TEXAS

THE STATE OF TEXAS §
COUNTY OF FORT BEND §
CITY OF ORCHARD §

AIMEE BOLLUM, City Secretary of the City of Orchard, Texas, hereby certifies that she gave notice of the passage of the foregoing and attached Ordinance by causing the descriptive caption to be published in the Herald Coaster, a newspaper of general circulation published in the City of Rosenberg, Texas, and that the same was published in said newspaper on the 15th day of July, 19 81.

GIVEN UNDER MY HAND AND SEAL of said City, on the 17th day of July, 19 81.

Aimee Bollom
AIMEE BOLLUM, City Secretary
City of Orchard, Texas

