

ORDINANCE NO. 090-019

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, APPROVING RATE SCHEDULES TO BE CHARGED BY TEXAS UTILITIES ELECTRIC COMPANY IN THE TOWN OF ADDISON, TEXAS, PROVIDING FOR SCHEDULES' PROVIDING FOR CONDITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 16, 1990, Texas Utilities Electric Company ("TUEC") filed with the Town of Addison a request for an increase in electric utility rates to be charged within the Town in the amount of approximately \$442.4 million per annum; and

WHEREAS, the Town, having suspended the effective date of such proposed increase from February 20, 1990, and having considered the same at a public hearing, including the evidence and recommendations of the Town's consultants is of the opinion and finds that the existing rates should not be adjusted;

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

SECTION 1. That the requested rates, tariffs and charges of TUEC for electric power and energy sold within the Town be in all respects denied. The Schedules of Rates, as are approved in accordance herewith, are those under which TUEC was operating immediately prior to the request for increase filed on January 16, 1990. TEUC shall be authorized to render electric service

and to collect charges from its customers for the sale of electric power and energy within the corporate limits of the Town until such time as the current Rate Schedules may be changed, modified, amended or withdrawn, with the approval of the City Council.

SECTION 2. Notwithstanding any other provision herein contained, the rates of TUEC within the Town of Addison shall not, in any case, exceed the rates of customers of TUEC in unincorporated areas whether such rates for unincorporated areas are set prior to or after the adoption of this ordinance and it shall be unlawful for TUEC, its agents, servants or employees to collect or attempt to collect higher rates within the Town of Addison than are collected by TUEC within unincorporated areas.


SECTION 3. That the action of the City Council of the Town of Addison enacting this Ordinance constitutes, on the date of its final passage, a final determination of rates for TUEC within the Town of Addison in accordance with Section 43 (e) of the Public Utility Regulatory Act.

SECTION 4. Nothing in this ordinance contained shall be construed now or hereafter as limiting or modifying, in any manner, the right and power of the Town under the law to regulate the rates and charges of TUEC.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

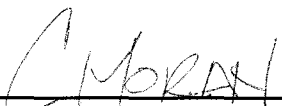
SECTION 6. This ordinance shall take effect and be in force from and after its adoption.

DULY PASSED by the City Council of the Town of Addison, Texas, this the 8th day of May, 1990.



MAYOR

ATTEST:



CITY SECRETARY

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