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## **RESOLUTION NO. 1611R.03**

### **A RESOLUTION AND ORDER BY THE CITY OF SAN ELIZARIO TO SUSPEND TEXAS GAS SERVICE RATE INCREASE AND AUTHORIZING INTERVENTION IN THE TEXAS GAS SERVICE RATE CASE PROCEEDING**

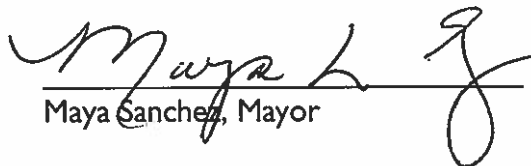
- WHEREAS, Texas Gas Service Company ("TGS" or the "Company"), a division of ONE Gas, Inc., distributes natural gas within the city limits of the City of San Elizario ("City") pursuant to a franchise granted to ONE Gas, Inc. by the City, and is a gas utility; and
- WHEREAS, on March 30, 2016, TGS filed before the Texas Railroad Commission a *Statement of Intent of Texas Gas Service Company, A Division of ONE Gas, Inc. to Increase Gas Utility Rates Within the Unincorporated Areas of the El Paso Service Area (EPSA), Permian Service Area (PSA), and Dell City Service Area (DCSA)* in Docket No. 10506, specifying that a rate increase and rate change should be effective 35 days from that date; and
- WHEREAS, pursuant to the Gas Utility Regulatory Act, Texas Utilities Code Section 103.001, the City has exclusive original jurisdiction over the rates, operations, and services of the TGS within the City; and
- WHEREAS, the City Council has determined that additional time and information is needed for it to study the proposed rate changes and tariffs and the reasons therefore; and
- WHEREAS, pursuant to Section 104.107 of the Act, the City, as regulatory authority, has the right to suspend the proposed rate change subject to the City's jurisdiction for a period of 90 days after the proposed date the change would otherwise be effective; and
- WHEREAS, the City Council further finds it appropriate to authorize intervention of the City in the rate case proceeding and address other matters relating to the proceeding; and
- WHEREAS, the City Council has determined that it is in the best interest of its citizens and ratepayers to suspend the proposed rate change.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of San Elizario, Texas, that:

1. The foregoing recitals are hereby adopted as facts and incorporated fully herein.
2. The rate increase identified in the Statement of Intent by TGS be and is hereby suspended for 90 days after the effective date for the rate increase subject to the City's jurisdiction as specified in the filing.
3. The Mayor or his designee shall so notify TGS of this suspension and order.
4. The City Council authorizes its attorneys to file a motion of intervention in the TGS rate case, Docket No. 10506, before the Texas Railroad Commission.
5. The Mayor or his designee and the city's attorneys are authorized to coordinate and work with all other cities in the area on negotiating a rate change in the regulatory proceedings.
6. The City Council waives any existing or potential conflict of interest that may apply to the Bojorquez Law Firm and all of its attorneys in conjunction with their representation of the City of San Elizario in the matter of the Texas Gas Service Company.
7. This Resolution and Order shall be effective immediately upon passage and adoption.

PASSED, ADOPTED, AND SO ORDERED this, the 12<sup>th</sup> day of April, 2016, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of San Elizario, Texas.

CITY OF SAN ELIZARIO, TEXAS

  
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Maya Sanchez, Mayor