

ORDINANCE NO. 0040

DENYING THE RATE INCREASE SOUGHT IN THE FILING OF FEBRUARY 15, 1989, AND ESTABLISHING AS CURRENT RATES FOR ELECTRICITY AND THE FURNISHING OF ELECTRIC SERVICE THOSE RATES OF CENTRAL POWER AND LIGHT COMPANY PRESENTLY IN EFFECT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Article 1446c, Section 43, V.A.C.S. on the 15th day of February, 1989 Central Power and Light Company filed its Statement of Intent to Increase Rates effective March 22, 1989; and

WHEREAS, the City Council, after hearing all evidence and arguments regarding such new rates, and carefully considering the same, finds that such new rates as requested in the Statement of Intent to Increase Rates filed February 15, 1989, are not reasonable and that the rates presently charged by Central Power and Light Company are just and reasonable and sufficient to reasonably enable such Company to earn a reasonable return in the City of Indian Lake in respect to the Company's original cost rate base, using the test year ending September 20, 1988;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDIAN LAKE;

SECTION 1 That the request for change in rates, as specified in the Statement of Intent to Increase Rates filed with the City of Indian Lake, is denied in its entirety.

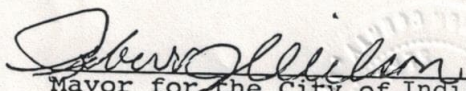
SECTION 2 That the charges for electricity and electric service within said City shall be those set forth in the Electric Rate Schedules and Service Rules and Regulations currently charged by Central Power and Light Company.

SECTION 3 If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance for it is the definite intent of this City that each of such be given full force and intent for its purpose.

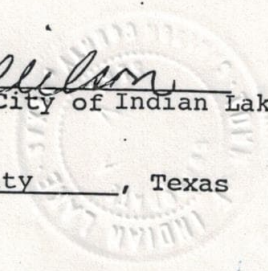
SECTION 4 This Ordinance and the terms herein shall be and become effective on and after the 13th day of March, 1989, and concurrent with the service of the same on Central Power and Light Company as the Order of this City Council as required by Article 1446c, Section 43(f), V.A.C.S.

SECTION 5 That all Ordinances, Resolutions or parts of Ordinances or Resolutions in conflict herewith are repealed to the extent of such conflict.

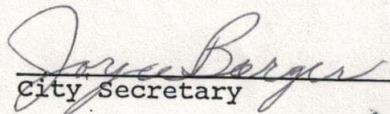
PASSED AND APPROVED as of this 13th day of March,  
1989.

  
Mayor for the City of Indian Lake,

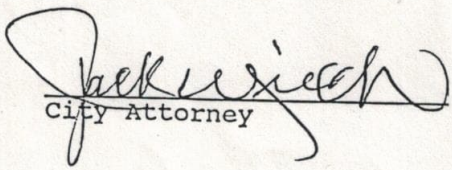
Cameron County, Texas



ATTEST:

-   
City Secretary

Approved as to legal form on this 13th day of March,  
1989.

  
City Attorney

The above and foregoing Ordinance was read, passed and adopted at the meeting of the governing body of this City on the 13th day of March, 1989, by the following vote:

	Aye	No
<u>Muriel Alexander</u>	<u>X</u>	<u>      </u>
<u>Jesse G. Davis</u>	<u>X</u>	<u>      </u>
<u>Mildred Gilmore</u>	<u>X</u>	<u>      </u>
<u>Geraldine Lemon</u>	<u>X</u>	<u>      </u>
<u>Barbara J. McKinley</u>	<u>X</u>	<u>      </u>

State of Texas §

County of Cameron §

I, the undersigned, City Secretary of the City of Indian Lake, Texas, do certify that the foregoing is a true and correct copy of Ordinance No. 0040 passed and approved on the 13th day of March, 1989, as same appears in the official records of the City of Indian Lake, Texas, of which records I am the lawful custodian.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY OF INDIAN LAKE, Texas, this the 14 day of March, 1989.

James Berger  
City Secretary for the City  
of Indian Lake, Texas