

ORDINANCE NO. 2729

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, SUSPENDING THE EFFECTIVE DATE OF PROPOSED REVISIONS OF RATES AND SCHEDULES OF LONE STAR GAS COMPANY WITHIN THE CITY OF MESQUITE FOR 90 DAYS FROM AND AFTER APRIL 5, 1991; PROVIDING FOR THE CONTINUATION OF EXISTING RATES WITHIN THE CITY OF MESQUITE; AND DECLARING AN EMERGENCY.

WHEREAS, on February 28, 1991, Lone Star Gas Company filed with the City of Mesquite, Texas, a Statement of Intent and Petition for Authority to change rates and schedules for natural gas service provided by Lone Star Gas Company within the corporate limits of the City of Mesquite, Texas;

WHEREAS, Lone Star Gas Company proposes that the effective date for the proposed increase in rates and schedules for natural gas service be April 5, 1991; and

WHEREAS, the City Council of the City of Mesquite, Texas, is of the opinion:

- (1) that the necessity of acquiring and considering the evidence attendant to such proposed increase by Lone Star Gas Company cannot be met prior to April 5, 1991;
- (2) that adequate time is not present to schedule and develop the required public hearing on the application prior to April 5, 1991;
- (3) that the time necessary for deliberation of the evidence and public comment by the City Council is insufficient; and

WHEREAS, by reason of all of the foregoing, the City Council is of the opinion that the proposed effective date should be suspended pursuant to Article 1446c, Revised Civil Statutes of Texas, at Section 5.08(d) for 90 days from and after April 5, 1991.

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

SECTION 1. Pursuant to Article 1446c, Revised Civil Statutes of Texas at Section 5.08(d), the effective date of the proposed revisions of rates and schedules of Lone Star Gas Company for natural gas service within the City of Mesquite, Texas, be and the same is hereby suspended for 90 days from and after April 5, 1991. The purpose of such suspension is to provide adequate time in which to provide and develop a full public hearing on the proposed rate increases, acquire and develop all evidence on such proposal, and deliberate the result arising out of such evidence and testimony.


SECTION 2. That the rates in existence and authorized on February 28, 1991, for natural gas service within the corporate limits of the City of Mesquite, be and the same are hereby, continued in full force and effect during the same period of suspension of the proposed revision in rates until final determination of such application by the City Council of this City.

SECTION 3. The operation of Section 5.08 of Article 1446c demands immediate reaction by the City Council of the City of Mesquite, Texas, creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 18th day of March, 1991.


George A. Verner, Sr.
Mayor

ATTEST:


Lynn Prugel
City Secretary

APPROVED


B.J. Smith
City Attorney