

ORDINANCE NO. 3245

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 NINETY (90) DAYS FROM AND AFTER AUGUST 17, 1998; PROVIDING FOR THE CONTINUATION OF EXISTING RATES WITHIN THE CITY OF MESQUITE; AND DECLARING AN EMERGENCY.

WHEREAS, on July 10, 1998, Lone Star Gas Company filed with the City of Mesquite, Texas, a Statement of Intent 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; and

WHEREAS, Lone Star Gas Company proposes that the effective date for the proposed increase in rates and schedules for natural gas service be August 17, 1998; 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 August 17, 1998;
- (2) that adequate time is not present to schedule and develop the required public hearing on the application prior to August 17, 1998; and
- (3) that the time necessary for deliberation of the evidence and public comment by the City Council is insufficient;

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 the Gas Utility Regulatory Act, Vernon's Texas Codes Annotated, Utilities Code Section 104.107 (a) (1); and

WHEREAS, notice of the foregoing reasons has been delivered to Lone Star Gas Company by sending them a copy of this ordinance before passage and a finalized copy will be delivered to them after passage;

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

SECTION 1. Pursuant to the Gas Utility Regulatory Act, V.T.C.A., Utilities Code, Section 104.107 (a) (1), 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 ninety (90) days from and after August 17, 1998. 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 effect on July 10, 1998, 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 period of suspension of the proposed revision in rates until final determination of such application by the City Council of the City of Mesquite.

SECTION 3. That the Gas Utility Regulatory Act, V.T.C.A., Utilities Code Section 104.106 requires quick action by the City Council of the City of Mesquite, Texas creates an urgency and an emergency for the preservation of the of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of August, 1998.



Mike Anderson  
Mayor

ATTEST:

APPROVED:



Ellen Williams  
City Secretary



B.J. Smith  
City Attorney