

ORDINANCE NO. 137

AN ORDINANCE FIXING DOMESTIC RATES THAT MAY BE CHARGED AND COLLECTED BY AND ALL PERSONS, PARTNERSHIPS AND CORPORATIONS SUPPLYING NATURAL GAS TO THE TOWN OF WILLOW PARK, TEXAS, AND THE CITIZENS AND RESIDENTS THEREOF; CHANGING THE RATES FIXED BY PRIOR ORDINANCE OF THE TOWN OF WILLOW PARK, TEXAS; PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED AND AMENDED; AND FIXING THE EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF WILLOW PARK, TEXAS:

SECTION I - GAS RATES

The interim rate that may be charged for the supply of natural gas to any one domestic consumer for any one month for domestic purposes shall be and is hereby fixed at the following rates, to-wit:

	<u>Gross</u>	<u>Net</u>
For the first 1000 cubic feet or fraction thereof	\$ 4.76	\$4.29
For the next 3 McF	3.21	2.89
For the next 6 McF	3.10	2.79
For the next 15 McF	3.06	2.75
For the next 75 McF	2.90	2.61
All over 100 mcF	2.80	2.52

Minimum charge of \$4.29 per meter per month may be made for supplying natural gas to any one consumer. The above net rates apply when payment is made on or before the tenth (10th) day next following billing date. Thereafter, the gross rate shall apply.

SECTION 2

(a) The amount of each monthly bill computed at the above stated rates shall be subject to the following adjustment: Plus or minus the amount of any increase or decrease, respectively, above or below the base cost to Brazos River Gas Co. of gas sold at \$1.61 per McF; plus the amount equivalent to the proportionate part of any new tax, or any other governmental imposition, rental, fee or charge (except state, county, city and special district ad valorem taxes on net income) levied, assessed, or imposed subsequent to March 19, 1977, upon or allocable to the Company's distribution operations, by any new or amended law, ordinance or contract. Each monthly bill (net or gross) shall be adjusted proportionately. The Company, at its option, may forego the application of any adjustment if such adjustment would result in an increase in the monthly bill; however,

failure of the Company to apply the adjustment shall not constitute a waiver of Company's right, from time to time, or at any time to make any adjustment, in whole or in part, in any subsequent monthly bill.

(b) The term "base cost of gas sold" as used in sub-section 2(a) hereof, covers and includes: (1) The actual purchase price for gas purchased by Brazos River Gas Co. from its suppliers; and (2) An amount not to exceed 10% of purchased volume for lost and unaccounted for gas in the distribution lines of the Brazos River Gas Co., associated with the delivery of service to its customers.

(c) In no event shall the purchased gas adjustment clause provided for in sub-sections 2(a) and 2(b) be construed to authorize any profit to Brazos River Gas Company, for the cost of lost and unaccounted for gas, and any profit thereon is expressly prohibited.

SECTION 3

The above rates shall apply and be effective upon bills rendered and to become due beginning April 1, 1977, and thereafter until otherwise changed by competent authority

SECTION 4

Contemporaneous with any rate adjustment the Brazos River Gas Co. shall certify to the Town of Willow Park, the amount of any increase or decrease in the purchase cost of gas sold.

SECTION 5

All ordinances and parts of ordinances in conflict with this ordinance shall and the same are hereby repealed to the extent of said conflict only. The effect of this ordinance shall be to supersede the rates fixed by prior ordinance or otherwise to Brazos River Gas Co.

SECTION 6

If any section, subsection, paragraph, sentence, clause, phrase or word of this ordinance, or the application thereof, to any person or circumstance, is invalid or unconstitutional, such holding shall not affect the validity of the remaining portion of this ordinance and the Commission hereby declares that it would have passed such remaining portions despite such invalidity or unconstitutionality. The foregoing ordinance was introduced, read and passed at a regular meeting of Commission of the Town of Willow Park, Texas, held on the 19th day of March 1977, and shall take effect and be in full force from date of passage.

Passed and approved this the 19th day of March, 1977.

Signed Z. C. Baker
Z. C. Baker, Mayor

Attest: Owen L. Barger
Owen L. Barger, City Secretary