

## ORDINANCE NO. 238-88

AN ORDINANCE FIXING DOMESTIC RATES THAT MAY BE CHARGED AND COLLECTED BY AND ALL PERSONS, PARTNERSHIPS AND CORPORATIONS SUPPLYING NATURAL GAS TO THE CITY OF WILLOW PARK, TEXAS, AND THE CITIZENS AND RESIDENTS THEREOF; CHANGING THE RATES FIXED BY PRIOR ORDINANCE OF THE CITY OF WILLOW PARK, TEXAS; PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED AND AMENDED; FIXING THE EFFECTIVE DATE; AND REPEALING ORDINANCE NO. 182.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WILLOW PARK, TEXAS:

### SECTION 1.

The interim, rate that rate 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:

	NET	GROSS
For the first (1) Mcf or fraction thereof	\$3.85	\$7.61
For the next 29 Mcf, each	\$3.92	\$4.36
Over 30 Mcf, each	\$3.44	\$3.82

Minimum, charge of \$6.85 per meter per month may be made for supplying natural gas to any one customer. The above net rates apply when payment is made on or before the fifteenth (15th) day next following billing date. Thereafter, the gross rate shall apply.

### SECTION II.

(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 Company of gas sold at \$2.00 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 April 20, 1988, 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 Company from its suppliers; and (2) An amount not to exceed 5% of the purchased volume for lost and unaccounted for gas in the distribution lines of the Brazos River Gas Company, associated with the delivery of service to its customers.

(c) In no event shall the purchased gas adjustment clause provided for in subsections 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 III.

The above rates shall apply and be effective upon bills rendered and to become due beginning May 1, 1988, and thereafter until otherwise changed by competent authority.

### SECTION IV.

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

### SECTION V.

The effect of this ordinance shall be to repeal Ordinance No. 182, passed and approved May 9, 1983 to Brazos River Gas Company, in its entirety.

### SECTION VI.

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 Council hereby declares that it would have passed such remaining portions despite such invalidity or unconstitutionality. The foregoing ordinance was introduced, read and passed at the regular meeting of the Board of Aldermen of the City of Willow Park, Texas, held on the 18<sup>th</sup> day of May, 1988, and shall take effect and be in full force from date of passage.

*J. Mark Bumpas*

Mark Mumpas, Mayor  
City of Willow Park, Texas

Attest:

Aref Hassan

Aref Hassan  
City Administrator