

ORDINANCE NO. 78-2

AN ORDINANCE PRESCRIBING AND APPROVING RATES TO BE CHARGED BY HOUSTON LIGHTING & POWER COMPANY IN THE CITY OF BEACH CITY, TEXAS; PROVIDING FOR AN EFFECTIVE DATE FOR SUCH RATE SCHEDULES; PROVIDING CONDITIONS UNDER WHICH SUCH RATE SCHEDULES MAY BE CHANGED, MODIFIED, AMENDED OR WITHDRAWN; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND REPEALING ANY OTHER ORDINANCE OR PART OR PARTS THEREOF WHICH MAY BE IN CONFLICT.

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WHEREAS, on July 14, 1978, Houston Lighting & Power Company filed with the City of Beach City a request for an increase in rates to be charged within the City in the amount of 174.9 million per annum on a system-wide basis, an increase of approximately 12.6%; and

WHEREAS, the City suspended the effective date of such proposed rate increase for 120 days beyond August 21, 1978; and

WHEREAS, the City Council entered on a hearing to determine the propriety of the rate increase; and

WHEREAS, the City Council is of the opinion that the Company's rate increase request is unreasonable and excessive, and a lesser increase in rates should be approved for the Company; and

WHEREAS, the City Council finds that a total increase in the amount of \$51.945 million will assure rates which are just and reasonable to both consumers and the Company; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH CITY:

Section 1: That an increase in the rates of Houston Lighting & Power Company for electric power and energy sold within the City of Beach City be approved in an amount such that the adjusted total system-wide operating revenues for the Company be increased \$51.945 million per annum, based on the adjusted test year ending March 31, 1978, which constitutes an increase of approximately 3.68% Such rates as are

approved in accordance herewith, are those under which said Company shall be authorized to render electric service and to collect charges from its customers for the sale of electric power and energy within the corporate limits of the City until such time as said rate schedules may be changed, modified, amended or withdrawn, with the approval of the City Council.

Section 2: That the Company shall determine the cost of service for each customer class by the plant utilization method of cost allocation and shall establish rates and tariffs so that each class contributes to the overall rate of return in the following manner:

High Voltage	-	return 1.25 times the total system return
Large General Service	-	return 1.25 times the total system return
Miscellaneous General Service	-	return 1.15 times the total system return
Residential and Street Lighting	-	sufficient for the sum of all classes to equal the total system required.

Section 3: That the Company shall, within 10 days from the final passage of this ordinance, file with the City of Beach City a revised Schedule of Rates and Tariffs setting forth those rates, tariffs, and charges based upon an increase in total operating revenues as prescribed herein. Such Schedule of Rates and Tariffs may be modified or amended by City Council within 10 days from the date of filing, otherwise same shall be considered approved as filed. Said rates, as approved, shall be effective from and after final passage of this ordinance and shall apply to each customer of the Company within the City from and after each such customer's first regular meter reading following the effective date of this ordinance.

Section 4: That the Schedules of Rates and Tariffs shall be subject to a monthly adjustment for changes in fuel calculated according to the formula presently in effect. That the monthly adjustment for changes in cost of service shall be discontinued.

Section 5: That the action of the City Council enacting this ordinance constitutes, on the date of its final passage, a final determination of rates for sale of electric power and energy by Houston Lighting & Power Company within the City of Baytown in accordance with Section 43(e) of the Public Utility Regulatory Act.

Section 6: Nothing contained in this ordinance shall be construed now or hereafter as limiting or modifying, in any manner, the right and power of the City under the law to regulate the rates and charges of Houston Lighting & Power Company.

Section 7: All ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict only.

Section 8: This ordinance shall take effect immediately from and after its passage.

PASSED AND APPROVED THIS 28th DAY OF NOVEMBER, A.D., 1978.

*Mrs. Perry Barrow, Sr.*  
MAYOR *Pro tem*

ATTEST:

*Mrs. Charlotte Hoffman*  
CITY SECRETARY

APPROVED:

*John LeFebvre*  
ATTORNEY FOR CITY OF BEACH CITY



THE STATE OF TEXAS       §  
COUNTY OF CHAMBERS       §  
CITY OF BEACH CITY       §

I, the undersigned City Secretary of the City of Beach City, Texas, hereby certify that the foregoing is a true and correct copy of Ordinance No. 78-2, Prescribing and approving rates to be charged by Houston Lighting & Power Company in the City of Beach City, Texas, being introduced by Alderman Courtney for approval and adoption; Alderperson Dutton seconded the approval and adoption and Ordinance No. 78-2 was approved and adopted on the 28th day of November, 1978, by the City Council of Beach City, Beach City, Texas, held at the West Chambers County Community Building in said City, on the 28th day of November, 1978, which Ordinance No. 78-2 is on file at the City Secretary's Office for Public Record.

Given under my hand and seal of the said City this 29th day of November, 1978.

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CHARLOTTE HOFFMAN, City Secretary  
City of Beach City, Texas