

ORDINANCE NO. 88-3

AN ORDINANCE ESTABLISHING AND DETERMINING THE EFFECTIVE DATE OF A PROPOSED RATE INCREASE SUBMITTED BY HOUSTON LIGHTING AND POWER COMPANY, IN A STATEMENT OF INTENT TO CHANGE RATES ORIGINALLY SUBMITTED ON NOVEMBER 23, 1988; SUSPENDING THE SCHEDULE OF RATES OF HOUSTON LIGHTING AND POWER COMPANY FOR A PERIOD OF NINETY (90) DAYS FROM THE EFFECTIVE DATE THEREOF; DETERMINING THE NEED FOR A PUBLIC HEARING AND SETTING JANUARY \_\_\_\_\_, 1989 AS THE DATE FOR THE PUBLIC HEARING; PROVIDING FOR THE DELIVERY OF A CERTIFIED COPY OF THIS ORDINANCE TO SAID UTILITY; PROVIDING FOR AN EFFECTIVE DATE FOR THIS ORDINANCE; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH SHALL BE REPEALED TO THE EXTENT OF THE CONFLICT ONLY AND PROVIDING A SAVINGS CLAUSE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF Beach City, TEXAS:

SECTION 1: Houston Lighting & Power Co., A private corporation, is a public utility supplying electricity within the corporate limits of the City of Beach City.

SECTION 2: On the 23rd day of November, 1988, Pursuant to the requirements of Paragraph (a), Section 43, Public Utility Regulatory Act of the State of Texas, codified as Article 1446c, Revised Civil Statutes (1925), said utility filed a Statement of Intent to increase rates with said City as the regulatory authority having original jurisdiction over rate increases within its corporate limits.

SECTION 3: Paragraph (d) of Section 43 of said Act authorizes said City, after delivery to the affected utility of a statement in writing of its reason therefore and pending a hearing and a decision thereon, to suspend the operation of the schedule set forth in said Statement of Intent for a period not to exceed ninety (90) days beyond the date on which the schedule of rates would otherwise go into effect.

SECTION 4: Because the rate request requires comprehensive evaluation and study the City Council of said City has determined on December 14, 1988 that such rates should be suspended for the period not to exceed ninety (90) days beyond the date on which the schedule of rates would otherwise go into effect, and hereby ordains that said rates shall not be effective pending a final decision by the regulatory authority, City of Beach City Texas.

SECTION 5: The City Council of the City of Beach City hereby finds that the true and actual effective date of such schedule set forth in said Statement of Intent is December 29, 1989.

SECTION 6: Paragraph (c) of Section 43 of Said Act requires that if there is a public hearing, said hearing be held at any time within thirty (30) days from the date on which such change would or has become effective.

SECTION 7: A public hearing on the proposed rate increase mentioned above will be held by the City Council of the City of Beach City beginning on Monday, the \_\_\_\_\_ day of January, 1989, beginning at 6:35 o'clock p.m. at the City Council Chambers in the Community Building of said City located at 12723 Tri City Beach Road, Beach City, Texas, notice of which will be mailed to all parties before \_\_\_\_\_, 198\_\_\_\_ by the City Secretary.

SECTION 8: The City Secretary of said City shall cause written notice of such hearing to be published once in a newspaper having general circulation within the corporate limits of said City, and the official newspapers thereof, and that a copy of such public notice be sent to Houston Lighting and Power Company.

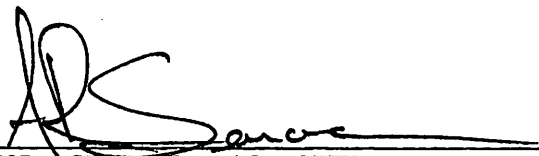
SECTION 9: Pending the hearing and decision, the schedule of rates mentioned above be and the same are hereby suspended for a period not to exceed ninety (90) days beginning the 29th day of December, 1988, that is, such suspension shall be until the 28th day of March, 1989, and that a copy of this ordinance containing this suspension and the reasons therefore be immediately mailed or hand-delivered by the City Secretary of said City to Houston Lighting and Power Company.

SECTION 10: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

SECTION 11: If any part or portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

SECTION 12: Upon the affirmative vote of all Councilmembers present, the rule requiring ordinances to be read on two separate days is hereby suspended and this ordinance shall be passed and become effective from and after the date of its adoption on its first reading.

PASSED AND APPROVED on first and final reading, this the 14th, day of December, 1988.



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MAYOR, CITY OF BEACH CITY

ATTEST:

Margaret Gainer  
CITY SECRETARY