

RESOLUTION NO. _____

AN RESOLUTION OF THE CITY OF KYLE, TEXAS SUSPENDING THE PROPOSED GAS RELIABILITY INFRASTRUCTURE PROGRAM INTERIM RATE ADJUSTMENT OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, INC.; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY’S LEGAL COUNSEL

WHEREAS, the City of Kyle, Texas (“City”), is a general law city operating pursuant to the laws of the State of Texas; and

WHEREAS, pursuant to Texas Utilities Code Section 103.001, the City of Kyle is a regulatory authority having exclusive original jurisdiction over the rates, operations and services of a gas distribution utility in the City limits of the City of Kyle; and

WHEREAS, pursuant to Chapter 51, Section 51.001 of the Local Government Code, the City of Kyle may adopt a resolution that is necessary or proper for carrying out a power granted by law to the municipality; and

WHEREAS, Texas Gas Service Company, (“TGS”) a Division of ONE Gas, Inc., an Oklahoma corporation, is a gas distribution utility operating within the City of Kyle, Texas; and

WHEREAS, TGS initially filed its 2016 Gas Reliability Infrastructure Program Interim Rate within the City on February 21, 2017, which was subsequently withdrawn on March 1, 2017; and

WHEREAS, on March 3, 2017, TGS re-filed its 2016 Gas Reliability Infrastructure Program Interim Rate within the City proposing that the rate adjustment be effective 60 days from that date;

WHEREAS, pursuant to Texas Utilities Code Section 104.301, during the 60 day period, the City may act to suspend the implementation of the proposed adjustment for up to 45 days;

WHEREAS, the City Council has determined that additional time and information is needed for it to study the proposed rate adjustment and tariffs and the reasons therefore; and

WHEREAS, the City Council has determined that it is in the best interest of its citizens and ratepayers to suspend the proposed rate adjustment; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS THAT

A. FINDINGS OF FACT

The foregoing recitals are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein and such recitals, as findings of fact, are hereby approved.

B. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

C. EFFECTIVE DATE

This resolution shall become effective from and after its passage.

D. COPY OF RESOLUTION TO TGS

Within 10 days after passage, a copy of this Resolution shall be sent Stephanie Houle, Texas Gas Service Company, Barton Skyway IV, 1301 S. Mopac, Suite 400, Austin, Texas 78746.

PASSED AND APPROVED this _____ day of _____ 2017, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of the City of Kyle, Texas. by the City of Kyle, Texas.

By: _____
R. Todd Webster, Mayor

ATTEST:

By: _____
Jennifer Vetrano, City Secretary

APPROVED AS TO FORM:

Frank Garza, City Attorney