

RESOLUTION NO. 03-06-D1

A RESOLUTION OF THE CITY OF JEWETT, TEXAS, DENYING TXU GAS COMPANY'S REQUEST TO CHANGE RATES IN THIS MUNICIPALITY, AS A PART OF THE COMPANY'S STATEWIDE GAS UTILITY SYSTEM; PROVIDING A REQUIREMENT FOR A PROMPT REIMBURSEMENT OF COSTS INCURRED BY THE CITY; PROVIDING AN EFFECTIVE DATE; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING FOR NOTICE OF THIS RESOLUTION TO TXU GAS COMPANY.

WHEREAS, on or about May 23, 2003, TXU Gas Company (the "Company") filed with the CITY of JEWETT ("City"), a Statement of Intent to change gas rates in all municipalities within the Company's statewide gas utility system effective May 23, 2003; and

WHEREAS, the City, has exclusive original jurisdiction to evaluate the Company's Statement of Intent as it pertains to the distribution facilities located within the City, pursuant to Texas Utilities Code §§ 102.001(b) and 103.001; and

WHEREAS, the Texas Utilities Code § 103.022 provides that costs incurred by the City in ratemaking activities are to be reimbursed by the regulated utility;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JEWETT, TEXAS:

SECTION 1. The Company's Statement of Intent to change gas rates within the City, as part of the Company's statewide gas utility system, be denied in all respects.

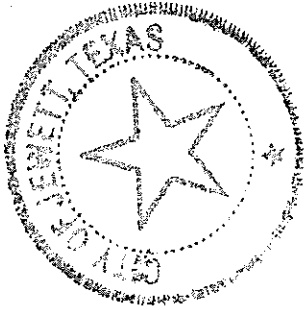
SECTION 2. The costs incurred by the City in reviewing the Company's application be promptly reimbursed by the Company. These costs and the Company's costs may be recovered in a surcharge to customers within the City.

SECTION 3. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

SECTION 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

SECTION 5. A copy of this Resolution, constituting final action on the Company's application be forwarded to the appropriate designated representative of the Company within 10 days as follows: Austry L. Warren, Director of Gas Rates, TXU Business Services, 1601 Bryan Street, Dallas, Texas 75201-3402.

DULY PASSED and approved by the City Council of the CITY of JEWETT, Texas, on this the 11 day of JUNE, 2003.



APPROVED:

Just Kirkpatrick
Mayor

ATTEST:

Debra L. Shelton

APPROVED AS TO FORM:

, CITY ATTORNEY