

**RESOLUTION NO. 2009-12-15-1**

**A RESOLUTION SUSPENDING THE OPERATION OF REVISED RATE SCHEDULES, TARIFF CHANGES, AND REVENUE INCREASE PROPOSED BY TEXAS GAS SERVICE COMPANY WITHIN THE VILLAGE OF VINTON, TEXAS, PENDING HEARING AND DECISION BY THE VILLAGE COUNCIL.**

**WHEREAS**, on December 3, 2009, Texas Gas Service Company ("TGS" or the "Company") filed with the Village of Vinton a Statement of Intent to Change Rates, therein proposing to revise certain rate schedules and implement certain tariff changes that would increase the Company's annual base rate revenues within the Village of Vinton by \$14,882. Parallel requests were filed by TGS that same day with all six municipalities (El Paso, Anthony, Clint, Horizon City, Socorro, and Vinton) in the Company's El Paso Service Area ("EPSA"). If granted on a total system basis for the entire EPSA (all six municipalities and their environs), the proposed rate and tariff changes would increase TGS' base rate revenues by \$7,324,044; and

**WHEREAS**, TGS proposed an effective date of January 7, 2010, for said revisions, changes, and revenue increase to become operative; and

**WHEREAS**, in support of its Statement of Intent and requested revenue increase, rate changes, and tariff revisions, TGS submitted a great deal of supporting documentation, including extensive written direct testimony, accounting schedules and data, engineering and financial studies, and other highly technical information; and

**WHEREAS**, under Section 104.107(a)(1) of the Gas Utility Regulatory Act ("GURA"), Texas Utilities Code § 104.107(a)(1), municipalities are authorized to suspend the proposed effective date of requested rate schedules, tariff changes, and revenue increases for a period not to exceed 90 days beyond the effective date proposed by the gas utility; and

**WHEREAS**, the Village Council hereby finds that it cannot complete its review of the merits of TGS' Statement of Intent, proposed rate schedules and tariff revisions, and requested revenue increase before expiration of the effective date proposed by the Company;

**NOW, THEREFORE, BE IT RESOLVED AND ADOPTED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VINTON THAT:**

**PART 1.** The operation of the rate schedules and tariffs proposed by TGS and the Company's proposed effective date of January 7, 2010, shall be and hereby are **SUSPENDED** within the Village of Vinton pursuant to Section 104.107(a)(1) of GURA for 90 days beyond said date (that is, through April 7, 2010), or until adoption by the Village Council of a final rate setting ordinance ruling upon the merits of the Company's Statement of Intent, proposed rate schedules and tariffs, and requested revenue increase, whichever shall first occur.

**PART 2.** Nothing in this Resolution shall be construed as limiting or modifying in any manner the legal right and power of the Village of Vinton to regulate the rates and charges of the Company.

This resolution takes effect on December 15, 2009

**PASSED AND APPROVED ON: December 15, 2009**

  
The Honorable Madeleine Praino, Mayor

ATTEST:   
Jessica Garza, Village Clerk