

ORDINANCE NO. 1996-03

AN ORDINANCE APPROVING, RATIFYING, CONFIRMING AND ACCEPTING SHEET C29 AND SHEET E16 -- REAL TIME PRICING (RTP) PILOT PROGRAM -- FILED BY CENTRAL POWER AND LIGHT COMPANY AS AN ADDITION TO THE TARIFF MANUAL FOR THE FURNISHING OF ELECTRICITY AND ELECTRIC SERVICE WITHIN THE CITY OF PENITAS, TEXAS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, in accordance with Article 1446c-0, Section 2.101(a), V.A.T.S., on the 13th day of March 1996, Central Power and Light Company filed its application for approval of Sheet C29 and Sheet E16 -- Real Time Pricing (RTP) Pilot Program; and

WHEREAS, Central Power and Light Company has appeared before the City Council in public hearing requesting approval of such pilot program as an addition to its Tariff Manual for furnishing electricity and electric service within the City and a public hearing has been held on such application; and

WHEREAS, the City Council, after hearing all evidence and arguments regarding such pilot program as requested in the application filed on March 13, 1996, has determined that such pilot program is fair and reasonable and should be approved and accepted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PENITAS:


SECTION 1 That the application for approval of Sheet C29 and Sheet E16 -- Real Time Pricing (RTP) Pilot Program -- filed with the City on March 13, 1996, by Central Power and Light Company as an addition to its Tariff Manual for the furnishing of electricity and electric service within the City is granted.

SECTION 2 If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance for it is the definite intent of this City that each of such be given full force and intent for its purpose.

SECTION 3 This Ordinance and the rates for electric service adopted herein shall be and become effective for service rendered on and after the 3rd of April 1996 and concurrent with the service of this Ordinance on Central Power and Light Company as the Order of this City Council.

SECTION 4 That all Ordinances, Resolutions or parts of Ordinances or Resolutions in conflict herewith are repealed to the extent of such conflict. Provided, however, this Ordinance does not affect or modify any Ordinance previously adopted by the City with respect to the Statement of Intent to Increase Rates filed by Central Power and Light Company with the City on November 6, 1995.


PASSED AND APPROVED as of this 2nd day of April 1996.



 Mayor for the City of

Penitas, Texas

ATTEST:



 City Secretary

The above and foregoing Ordinance was read, passed and adopted at the meeting of the governing body of this City on the 2nd day of April 1996 by the following vote:

	Aye	No
<u>Alfonso Chapa</u>	<u>X</u>	<u> </u>
<u>Baldemar Ramirez</u>	<u>X</u>	<u> </u>
<u>Roel Cardenas</u>	<u>X</u>	<u> </u>
<u>Ramiro Loya</u>	<u>X</u>	<u> </u>
<u>Roberto Cardenas</u>	<u>absent</u>	<u> </u>

State of Texas
County of Hidalgo ss.

I, the undersigned, City Secretary of the City of Penitas, Texas, do certify that the foregoing is a true and correct copy of Ordinance No. 1996-0 passed and approved on the 2nd day of April 1996, as same appears in the official records of the City of Penitas, Texas, of which records I am the lawful custodian.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY OF PENITAS, Texas, this 2nd day of April 1996.

Nereyda V. Peña
City Secretary for the City of
Penitas, Texas