

**RESOLUTION NO. R2024-27**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, RESPONDING TO THE APPLICATION OF ATMOS ENERGY – MID-TEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY’S PARTICIPATION IN COORDINATION WITH OTHER CITIES IN A COALITION OF CITIES KNOWN AS THE ATMOS TEXAS MUNICIPALITIES; REQUIRING THE REIMBURSEMENT OF COSTS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.**

**Whereas**, on or about February 23, 2024, Atmos Energy – Mid-Tex Division (Atmos-MidTex) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (“GRIP”), resulting in a requested increase in the monthly customer charge as shown in the table below:

<b>Rate Schedule</b>	<b>Current Customer Charge</b>	<b>Proposed 2023 Interim Rate Adjustment</b>	<b>Adjusted Charge</b>	<b>Increase Per Bill</b>
Rate R – Residential Sales	\$41.23 per customer per month	\$6.73 per customer per month	\$47.96 per customer per month	\$6.73
Rate C – Commercial Sales	\$114.34 per customer per month	\$22.32 per customer per month	\$136.66 per customer per month	\$22.32
Rate I – Industrial Sales	\$2,079.40 per meter per month	\$412.61 per meter per month	\$2,492.01 per meter per month	\$412.61
Rate T – Transportation	\$2,079.40 per meter per month	\$412.61 per meter per month	\$2,492.01 per meter per month	\$412.61

and

**Whereas**, the City has a duty to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

**Whereas**; the application to increase rate by Atmos-MidTex is complex; and

**Whereas**, it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in Atmos-MidTex's rate application are correctly done, and whether Atmos-MidTex's rate application otherwise conforms to the requirements of Texas Utilities Code 104.301, commonly referred to as the GRIP statute; and

**Whereas**, the effect date proposed by Atmos-MidTexas is April 23, 2024, but a suspension by the City will mean that the rate increase cannot go into effect prior to June 7, 2024.

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section one. Findings.** That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

**Section two. Approval.** The City suspends the requested effective date by Atmos-MidTex for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application, and to determine whether Atmos-MidTex's application otherwise conforms to the requirements of the GRIP statute.

**Section three. Authorization.** The City continues to act in coordination with a group of cities known as the Atmos Texas Municipalities in its review of Atmos-MidTex's rate. The City authorizes the law firm of Herrera Law & Associates, PLLC to represent the City in connection with Atmos-MidTex's application to increase rates.

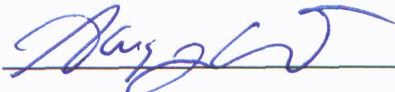
**Section four. Authorization Prerequisite.** Atmos-MidTex is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos-MidTex's rate increase application within 30 days of receipt of invoice for such expenses to the extent allowed by law.

**Section five. Open Meetings.** 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.

**Section six. Effective date.** This resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the 23<sup>rd</sup> day of April 2024.

CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

