

ORDINANCE NO. 2

AN ORDINANCE FIXING AND DETERMINING THE GENERAL SERVICE RATE TO BE CHARGED FOR SALES OF ELECTRICITY TO RESIDENTIAL AND COMMERCIAL CONSUMERS WITHIN THE CITY OF POST OAK BEND, KAUFMAN COUNTY, TEXAS, AND PROVIDING FOR THE MANNER IN WHICH SUCH RATE MAY BE CHANGED, ADJUSTED AND AMENDED.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS:

SECTION ONE: Effective with the first electric bills rendered from and after the date of final passage of this ordinance, the maximum general service rate for sales of electricity rendered to residential and commercial consumers within the City Limits of Post Oak Bend by the Kaufman County Electric Cooperative, Inc., a Texas Corporation, its successors and assigns, herein called "Company" is hereby fixed and determined as shown in exhibits attached hereto and made a part hereof for all purposes.

In addition to the aforesaid rates, net rates, penalties and other provisions made a part of such rates attached hereto and made a part hereof for all purposes, the Company shall have the right to collect such reasonable charges as are necessary to conduct its business and to carry out its reasonable rules and regulations in effect.

SECTION TWO: The rate set forth in Section One may be changed and amended by either the City or Company furnishing electricity in the manner provided by law. Service hereunder is subject to the orders of regulatory bodies having jurisdiction and to the Company's rules and regulations currently on file in the Company's office.

SECTION THREE: The Company shall use reasonable diligence to provide a constant and uninterrupted supply of electric power and energy; but if such supply shall fail or be interrupted, or become defective through act of God or the public enemy or by accident, strikes, labor troubles, or by actual elements or inability to secure rights of way, or other permits needed or for any other cause beyond the reasonable control of the Company, the Company shall not be liable therefor and same shall not be a breach of this franchise.

SECTION FOUR: It is hereby found and determined that the meeting at which this ordinance is passed is open to the public as required by Texas law and that said meeting was given and that this rate ordinance is in compliance with the applicable general criteria issued by proper governmental authority.

PASSED AND APPROVED on this the 1st day of April,  
A.D., 1979.

Al Ray  
Mayor, City of Post Oak Bend, Texas

Attest:

Lynne L. Hammonck  
Secretary