RESOLUTION NO. R-2023-079

**A RESOLUTION BY THE CITY OF ROUND ROCK, TEXAS, ("CITY")
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 24, 2023, 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:

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	$34.29 per customer per month	$5.09 per customer per month	$39.38 per customer per month	$5.09
Rate C – Commercial Sales	$94.22 per customer per month	$16.63 per customer per month	$110.85 per customer per month	$16.63
Rate I – Industrial Sales	$1,772.54 per meter per month	$306.86 per meter per month	$2,079.40 per meter per month	$306.86
Rate T – Transportation	$1,772.54 per meter per month	$306.86 per meter per month	$2,079.40 per meter per month	$306.86

and

WHEREAS, the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS, the application to increase rates 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' rate application are correctly done, and whether Atmos-MidTex' application otherwise conforms to the requirements of Texas Utilities Code § 104.301, commonly referred to as the GRIP statute; and

WHEREAS, the effective date proposed by Atmos-MidTex is April 25, 2023, but a suspension by the City will mean that the rate increase cannot go into effect prior to June 9, 2023.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS THAT:

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. 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' application otherwise conforms to the requirements of the GRIP statute.

Section 3. The City continues to act in coordination with a group of cities known as the Atmos Texas Municipalities in its review of Atmos-MidTex' rates.

Section 4. The City authorizes the law firm of Herrera Law & Associates, PLLC, to represent the City in connection with Atmos-MidTex' application to increase rates.

Section 5. Atmos-MidTex is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos-MidTex' rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

Section 6. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7.   This resolution shall be effective immediately upon passage.

RESOLVED this 23rd day of March, 2023.

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CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

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MEAGAN SPINKS, City Clerk