

Ordinance #2008 - 06

AN ORDINANCE AMENDING THE EXISTING GAS FRANCHISE BETWEEN THE CITY COUNCIL OF THE CITY OF RIESEL, TEXAS AND ATMOS ENERGY CORPORATION TO PROVIDE FOR A DIFFERENT CONSIDERATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY ATMOS ENERGY CORPORATION; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Atmos Energy Corporation ("Company") is engaged in the business of furnishing and supplying gas to the general public in the City of Riesel, including the transportation, delivery, sale, and distribution of gas in, out of, and through the City of Riesel for all purposes, and is using the public streets, alleys, grounds, and rights-of-ways within the City of Riesel for that purpose under the terms of a franchise ordinance duly passed by the governing body of the City of Riesel and duly accepted by Company or its predecessor in interest; and

WHEREAS, the City of Riesel and Company desire to amend said franchise ordinance to provide for a different consideration;

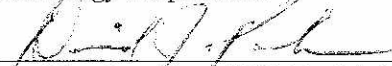
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIESEL, McLENNAN COUNTY, TEXAS THAT:

- Section 1. The Consideration payable by Company for the rights and privileges to Company by the franchise ordinance duly passed by the governing body of this City and accepted by Company or its predecessor in interest is hereby changed to be five percent (5%) of the Gross Revenue, as defined in the franchise ordinance.
- Section 2. Franchise payments shall be made on the dates prescribed in the existing franchise and shall be for the rights and privileges of the respective period during which the payment is made.
- Section 3. This Ordinance shall take effect on May 1, 2008. The Company shall, within thirty (30) days from the receipt of this Ordinance, file its written acceptance of this Ordinance with the Office of the City Secretary in substantially the following form:

To the Honorable Mayor and City Council:

Atmos Energy Corporation, acting by and through the undersigned authorized officer, hereby accepts in all respects, on this the 13th day of May, 2008, Ordinance 2008-06 amending the current gas franchise between the City of Riesel and Atmos Energy Corporation.

Atmos Energy Corporation

By: 
Vice President, Mid-Tex Division

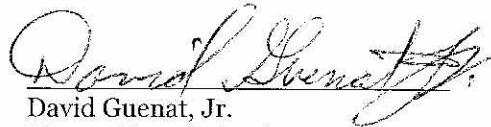
- Section 4. In all respects, except as specifically and expressly amended by this Ordinance, the existing franchise ordinance heretofore duly passed by the governing body of the City of Riesel shall remain in full force and effect.
- Section 5. The City of Riesel shall provide a copy of this Ordinance to Mr. David Park, VP of Rates and Regulatory Affairs, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1800, Dallas, Texas 75240, no later than ten (10) business

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days after its final passage and approval.

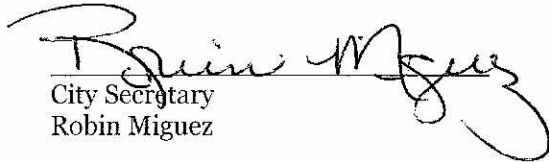
Section 6. It is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that the public notice of the time, place and purpose of said meeting was given as required.

DULY PASSED AND APPROVED by the City Council of the City of Riesel on this 6th day of May 2008.



David Guenat, Jr.
Mayor, City of Riesel

Attested:



City Secretary
Robin Miguez