

**WEST TEXAS GAS, INC.**  
**211 N. COLORADO**  
**MIDLAND, TEXAS 79701-4696**  
**(432) 682-4349**

Rate Book #3

Page No. 1

Canceling: Rate Book #2 Sheet No. Page No. 1A

Applies to OKLAHOMA

STANDARD RATE SCHEDULE

**NATURAL GAS SERVICE**  
**SCHEDULE NO. 600**  
**RESIDENTIAL SERVICE**

APPLICABILITY

Applicable to residential consumers for all purposes and to all other consumers not otherwise specifically provided for.

TERRITORY

All territory served by the Company in the State of Oklahoma.

RATE

The following rates (excluding gas costs) apply to service through one meter.

Monthly Customer Charge	\$8.00
First 0.1 Mcf	\$3.75
Commodity Charge per Additional Mcf	\$5.2570

Note: Meter reading will be recorded in hundreds of cubic feet (0.1 Mcf) or multiple thereof.

In addition to the above rates, the bill will include the cost of purchased gas in accordance with the provisions of the Deferred Fuel Accounting Rider.

Lost, Used, and Unaccounted For Gas (LUFG): An additional amount will be billed to customers in accordance with the provisions of the LUFG Rider.

Public Utility Assessment Payment: An additional amount will be billed to customers in accordance with the provisions of the Public Utility Assessment Rider.

Franchise Payment: An additional amount of 2.00% of gross amount due for gas service will be billed only to customers served within the corporate limits of cities imposing a franchise payment.

Late Payment Fee: A charge of one and one half percent (1.5%) will be added to the bill if not paid within 20 days after billing.

CONDITIONS

1. All gas sold under this rate schedule will be used solely in the State of Oklahoma.

Order Issued December 3, 2008

Effective December 3, 2008

Rates Authorized by OCC #562841

CAUSE # PUD 2008-00143

Issued by Richard D. Hatchett, Vice President

APPROVED  
October 18, 2019  
DIRECTOR  
of  
PUBLIC UTILITY DIVISION

WEST TEXAS GAS, INC.  
211 N. COLORADO  
MIDLAND, TEXAS 79701-4696  
(432) 682-4349

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Applies to OKLAHOMA

STANDARD RATE SCHEDULE

NATURAL GAS SERVICE  
SCHEDULE NO. 601  
COMMERCIAL SERVICE

APPLICABILITY

Applicable to Commercial consumers for all purposes and to all other consumers not otherwise specifically provided for.

TERRITORY

All territory served by the Company in the State of Oklahoma.

RATE

The following rates (excluding gas costs) apply to service through one meter.

Monthly Customer Charge	\$25.00
Commodity Charge per Mcf	\$2.8120

Note: Meter reading will be recorded in hundreds of cubic feet (0.1 Mcf) or multiple thereof.

In addition to the above rates, the bill will include the cost of purchased gas in accordance with the provisions of the Deferred Gas Cost Accounting Rider.

Lost, Used, and Unaccounted For Gas (LUFG): An additional amount will be billed to customers in accordance with the provisions of the LUFG Rider.

Public Utility Assessment Payment: An additional amount will be billed to customers in accordance with the provisions of the Public Utility Assessment Rider.

Franchise Payment: An additional amount of 2.00% of gross amount due for gas service will be billed only to customers served within the corporate limits of cities imposing a franchise payment.

Late Payment Fee: A charge of one and one half percent (1.5%) will be added to the bill if not paid within ten days after the first (1<sup>st</sup>) day of the month following the month of billing.

CONDITIONS

1. All gas sold under this rate schedule will be used solely in the State of Oklahoma.

APPROVED

JAN 15 2009

DIRECTOR OF  
PUBLIC UTILITIES

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Rate Book #3 Page No. 3

Canceling: Rate Book #2 Sheet No. Page No. 3A

Applies to OKLAHOMA

STANDARD RATE SCHEDULE

NATURAL GAS SERVICE  
SCHEDULE NO. 602  
PUBLIC AUTHORITY SERVICE

APPLICABILITY

Applicable to Public Authority consumers for all purposes and to all other consumers not otherwise specifically provided for.

TERRITORY

All territory served by the Company in the State of Oklahoma.

RATE

The following rates (excluding gas costs) apply to service through one meter.

Monthly Customer Charge	\$40.00
Commodity Charge per Mcf	\$4.4840

Note: Meter reading will be recorded in hundreds of cubic feet (0.1 Mcf) or multiple thereof.

In addition to the above rates, the bill will include the cost of purchased gas in accordance with the provisions of the Deferred Gas Cost Accounting Rider.

Lost, Used, and Unaccounted For Gas (LUFG): An additional amount will be billed to customers in accordance with the provisions of the LUFG Rider.

Public Utility Assessment Payment: An additional amount will be billed to customers in accordance with the provisions of the Public Utility Assessment Rider.

Franchise Payment: An additional amount of 2.00% of gross amount due for gas service will be billed only to customers served within the corporate limits of cities imposing a franchise payment.

Late Payment Fee: A charge of one and one half percent (1.5%) will be added to the bill if not paid within ten days after the first (1<sup>st</sup>) day of the month following the month of billing.

CONDITIONS

1. All gas sold under this rate schedule will be used solely in the State of Oklahoma.

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Applies to OKLAHOMA

STANDARD RATE SCHEDULE

**NATURAL GAS SERVICE  
SCHEDULE NO. 603  
AGRICULTURAL/IRRIGATION SERVICE**

**APPLICABILITY**

Applicable to Agricultural/Irrigation consumers for all purposes and to all other consumers not otherwise specifically provided for.

**TERRITORY**

All territory served by the Company in the State of Oklahoma.

**RATE**

The following rates (excluding gas costs) apply to service through one meter.

Monthly Customer Charge	\$50.00
Commodity Charge per Mcf	\$2.2630

Note: Meter reading will be recorded in hundreds of cubic feet (0.1 Mcf) or multiple thereof.

In addition to the above rates, the bill will include the cost of purchased gas in accordance with the provisions of the Deferred Gas Cost Accounting Rider.

**Lost, Used, and Unaccounted For Gas (LUFG):** An additional amount will be billed to customers in accordance with the provisions of the LUFG Rider.

**Public Utility Assessment Payment:** An additional amount will be billed to customers in accordance with the provisions of the Public Utility Assessment Rider.

**Franchise Payment:** An additional amount of 2.00% of gross amount due for gas service will be billed only to customers served within the corporate limits of cities imposing a franchise payment.

**Late Payment Fee:** A charge of one and one half percent (1.5%) will be added to the bill if not paid within ten days after the first (1<sup>st</sup>) day of the month following the month of billing.

**CONDITIONS**

1. All gas sold under this rate schedule will be used solely in the State of Oklahoma.

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Applies to OKLAHOMA

STANDARD RATE SCHEDULE

NATURAL GAS SERVICE  
DEFERRED GAS COST ACCOUNTING

Tariff Rider, Deferred Gas Cost Accounting

- (a) Applicability. This purchased gas adjustment clause applies to all Residential, Commercial, Public Authority, and Agricultural/Irrigation customers of West Texas Gas, Inc. (the "Company") in the State of Oklahoma.
- (b) Adjustment Dates. Adjustments hereunder shall be made effective at the beginning of each billing month. Not less than five days before rendering any customer bills for a particular billing month, the Company shall file with the Oklahoma Corporation Commission a report setting forth the amount of the adjustment to be applied to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers' bills during the next complete billing month and the basis for the calculation thereof.
- (c) Amount of the Adjustment. The amount of the adjustment to be made for each billing month shall be the sum of (i), (ii), (iii), and (iv) below.
- (i) Commodity rate. The commodity rate shall be established monthly, and shall equal the forecasted cost of gas to the Company, excluding demand related charges, but including any transportation charges paid by the Company for Residential, Commercial, Public Authority, and Agricultural/Irrigation customers. The Company will use prudent accounting practice to estimate the monthly cost of gas by utilizing monthly spot gas indexes, existing gas supply contracts, and other available industry pricing data.
- (ii) Average demand charge rate. The average demand charge rate shall be based on the most current annual demand charges for Residential, Commercial, Public Authority, and Agricultural/Irrigation customers on the effective date of this tariff and shall be re-established at least annually. The rate shall equal the actual demand charges for Residential, Commercial, Public Authority, and Agricultural/Irrigation customers for the latest twelve month period divided by actual mcf sales to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers for the latest twelve month period.

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Applies to OKLAHOMA

STANDARD RATE SCHEDULE

Deferred Gas Cost Accounting Rider (continued)

Upon a change in the Company's supplier(s)' demand charge rate, the average demand charge rate shall equal the annualized new demand charges applicable to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers divided by actual mcf sales to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers for the latest twelve month period. The demand charge rate may be changed quarterly if it is determined that there is an over or under collection greater than 15% during an annual period.

- (iii) **Commodity Surcharge Rate.** A commodity surcharge rate, established at the end of each month, shall be computed as provided in Paragraph (d) of this clause. The adjustment shall be applied to each mcf of gas delivered to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers and shall be included in the total bill to be paid.
- (iv) **Demand Surcharge Rate.** A demand surcharge rate, established annually, shall be computed as provided in Paragraph (d) of this clause. The adjustment shall be applied to each mcf of gas delivered to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers and shall be included in the total bill to be paid.
- (d) **The Deferred Gas Cost Account.** The Company shall maintain a Deferred Gas Cost Account to assure that over a period of time there are no over or under collections as a result of the operation of this clause. Entries shall be made in the Deferred Gas Cost Account each month for the following items:
  - (i) **Deferred Commodity Cost.** An amount equal to the difference between the average actual cost of gas per mcf purchased in any accounting month, excluding demand related charges, and the sum of the commodity rate and commodity surcharge rate billed to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers during the same accounting month multiplied by the volumes sold to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers during that accounting month.
  - (ii) **Deferred Demand Charge Cost.** An amount equal to the difference between the actual cost of demand related charges incurred in any accounting month and the sum of the average demand charge rate and demand surcharge rate multiplied by the volumes sold to Residential, Commercial, Public Authority, and Agricultural/Irrigation customers during the accounting month.
  - (iii) Any refunds or special charges approved by the Oklahoma Corporation Commission, as entered in the Deferred Gas Cost Account pursuant to such approval.

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Applies to OKLAHOMA

STANDARD RATE SCHEDULE

**Deferred Gas Cost Accounting Rider (continued)**

The balance in the Deferred Gas Cost Account shall be determined after all entries have been made for each month. Each of the monthly reports referred to in Paragraph (b) of this clause shall indicate the balance in the Deferred Gas Cost Account as of the end of the month preceding the month in which the report is rendered, and shall include details of all entries made therein with respect to such prior month. Separate accounting and reporting shall be maintained for deferred commodity costs and deferred demand charge costs.

**Calculation of Commodity Surcharge Rate.** After making all of the monthly entries in the Deferred Gas Cost Account, as provided in this paragraph, the balance shall be determined and the commodity surcharge rate shall be established by dividing the balance described in subparagraphs (i) and (iii) above by the most recent twelve month sales volume, adjusted for any known and measurable change. The commodity surcharge rate will be applied to billings for the upcoming billing period after the commodity surcharge rate is filed with the Oklahoma Corporation Commission.

**Calculation of Demand Surcharge Rate.** After making all of the entries in the Deferred Gas Cost Account with respect to any twelve month period ending September, as provided in this paragraph, the balance shall be determined and the demand surcharge rate established by dividing the balance described in subparagraph (ii) above by the estimated mcf sales in the twelve month period in which the demand surcharge is to be applied, using the sales of that period, one year prior, as a basis for such estimation. The demand surcharge rate will be applied to billings for twelve accounting months beginning after the demand surcharge rate is filed with the Oklahoma Corporation Commission.

The Deferred Gas Cost shall not include the cost to the utility of gas lost or used in operations.

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Rate Book #3  
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Sheet No. 12a

Applies to OKLAHOMA

**NATURAL GAS SERVICE  
LOST, USED, AND UNACCOUNTED FOR GAS  
GENERAL SERVICE**

**Tariff Rider, Lost, Used, and Unaccounted For Gas**

A tariff rider referred as to the "Lost, Used, and Unaccounted For Gas (LUGF) Tariff Rider" shall be applicable to all customers (Residential, Commercial, Public Authority, Agricultural/Irrigation, and Transportation) of WTG in the State of Oklahoma. This rider shall be calculated in the manner as set forth below.

A. The Company shall be allowed to recover the actual cost of gas supply that is lost, used, or unaccounted for in operations (LUGF), up to a maximum loss not to exceed 5% of total system throughput volume of the Company's Oklahoma Properties. This tariff rider shall permit the pass-through of a monthly LUGF Surcharge to be included on regular customer billings.

B. The initial LUGF Surcharge for the Company shall be calculated as follows –

- i. The initial LUGF Surcharge will be based on 1% of total estimated annual system throughput volume (Estimated LUGF Mcf).
- ii. The estimated LUGF Mcf calculated in (i) above will be valued at an estimated cost utilizing the gas futures market, industry indexes, and any known and reasonable changes to arrive at the estimated annual cost of LUGF (Estimated LUGF Dollars).
- iii. Estimated LUGF Dollars from (ii) above divided by total estimated system throughput volume shall equal the LUGF Surcharge per Mcf to be applied to customer billings.
- iv. The LUGF Surcharge will remain unchanged until September 30, 2009.

C. The Company shall recalculate its LUGF Surcharge based on information available as of May 31<sup>st</sup> of each year and file a report with the Commission during July of each year reflecting the following –

- i. The monthly difference between actual Mcf volume purchased or received into the system versus actual Mcf volume sold or delivered to customers will equal Actual LUGF Mcf.
- ii. The Actual LUGF Mcf per month multiplied by the weighted-average cost of gas for each applicable month will equal Actual LUGF Dollars.
- iii. The accumulated difference between Actual LUGF Dollars versus Estimated LUGF Dollars for the period ending May 31<sup>st</sup> will equal the over-collection or under-collection of LUGF to be added to Estimated LUGF Dollars for the next succeeding 12-month period beginning October 1<sup>st</sup>.
- iv. Interest will be calculated on the over-collection or under-collection balance at a Commission-approved interest rate.
- v. The new LUGF Surcharge to be effective October 1<sup>st</sup> will be calculated annually using the same methodology as outlined in (B), adjusted for any over-collection or under-collection in (C)(iii) and (iv) above.

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WEST TEXAS GAS, INC.  
211 N. COLORADO  
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APPLIES TO OKLAHOMA

**NATURAL GAS SERVICE  
PUBLIC UTILITY ASSESSMENT RIDER  
OKLAHOMA CORPORATION COMMISSION**

**APPLICABILITY**

This rider applies to all Residential, Commercial, Public Authority, Agricultural/Irrigation, and Transportation monthly customer billings rendered, and shall be included as a part of the customer charge, minimum bill charge or other applicable monthly charge as set out on each individual rate schedule.

**COMPUTATION:**

$RA = (A + O/URA) / (AMCB \times Y)$ , where

RA = Rider Amount

A = Annual assessment amount as billed by the Commission pursuant to OAC 165:5-3

O/URA = Over/Under recovery amount determined by subtracting the total amount of the assessment collected pursuant to the above formula for the previous July 1 through June 30 period from the total Commission assessment for that fiscal year period.

AMCB = Estimated Average Number of Monthly Customer Billings

Y = Number of months in assessment time period.

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APPLIES TO OKLAHOMA

**TRANSPORTATION OF CUSTOMER-SECURED NATURAL GAS  
RATE SCHEDULE T-1**

TRANSPORTATION OF CUSTOMER-SECURED NATURAL GAS

1. APPLICABILITY This rate schedule is available to any Large Volume customer for transportation of natural gas by the Utility from any existing interconnection between the Utility and a gas supply pipeline (herein called receipt point) to the delivery point(s) on the Utility's system throughout its Oklahoma service territory under the following conditions. (Large Volume customer shall be defined as any customer using at least 2,500 Mcf per year through a single meter setting.)
  - 1.1 The Utility has available capacity to render the requested service without construction of any additional facilities, except as provided by Section 7 hereof.
  - 1.2 The customer has demonstrated to the Utility's satisfaction the assurance of natural gas supplies and third party transportation agreements with quantities and for a term compatible with the service being requested from the Utility.
  - 1.3 The customer and the Utility have executed a Transportation Agreement.
  - 1.4 Any applicable deferred balances associated with the customer's jurisdictional account with the Utility, positive or negative, shall be settled and will not effect any of the Utility's remaining jurisdictional sales customers.
2. RATES
  - 2.1 A discount from the following rates may be offered at the sole discretion of the Utility if such discount is in the best interest of the company and its ratepayers.

Maximum Transportation Rate:

A monthly customer charge of \$47.58.

A transportation commodity charge of \$0.837 per Mcf.

Plus additional amounts as set out in the Public Utility Assessment Rider, LUFG, and Franchise Payment, if applicable.

Meter reading will be recorded in hundreds of cubic feet (0.1 Mcf) or multiples thereof.

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APPLIES TO OKLAHOMA

**RATE SCHEDULE T-1 (Continued)**

2.2 The Utility may adjust from time to time the applicable unit transportation rate to any individual customer; provided, however, that such adjusted rate shall not exceed the applicable maximum rate nor shall be less than the applicable minimum rate.

2.3 The charges specified in this rate schedule are subject to adjustment for the applicable proportionate part of any taxes, assessments or governmental impositions which are assessed and are not otherwise included in the Utility's rates.

**3. Minimum Transportation Charge:**

3.1 A monthly customer charge of \$50.00, plus additional amounts as set out in the Public Utility Assessment Rider, LUGF, and Franchise Payment, if applicable.

**4. ADMINISTRATIVE PROCEDURES**

4.1 Processing Requests for Transportation Service. Requests for transportation hereunder shall be made by, and shall be deemed to be complete upon, the customer providing the following information to the utility.

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APPLIES TO OKLAHOMA

**RATE SCHEDULE T-1 (Continued)**

- (a) Gas Quantities - The Maximum Daily Quantity applicable to the Receipt Point and the maximum quantity per day applicable to each delivery point, and estimated total quantities to be received and transported over the delivery period should be stated individually in both mcfs and therms for each Receipt.
- (b) Delivery Point(s) - Points of Delivery by the Utility to the customer.
- (c) Term of Service - (i) Date service requested to commence; and (ii) Date service requested to terminate; and (iii) Minimum term for transportation service shall be twelve (12) months.
- (d) Performance - A letter from the customer certifying that the customer has or will have title to the gas to be delivered to the Utility for transportation and has entered into or will enter into those arrangements necessary to assure all upstream transportation will be in place prior to the commencement of service under a Transportation Agreement. The customer's agent, if any, must be named. Upon receipt of all of the information specified above, the Utility shall prepare and tender to the customer for execution a Transportation Agreement. If the customer fails to execute the Transportation Agreement within thirty (30) days of the date tendered, the customer's request shall be deemed null and void.

**5. OPERATING PROCEDURES**

- 5.1 Scheduling of Gas Receipts and Deliveries. The customer shall be responsible for contacting the Utility to arrange the scheduling of receipts and deliveries hereunder; provided, however, that the customer may designate one (1) other party to serve as his agent for such purpose. The customer or customer's agent shall maintain communications with the Utility dispatcher at all times to ensure the coordination of receipts and deliveries of natural gas both across the utility's distribution system and supplier pipeline systems.
- 5.2 The Utility may require additional information or enforce other operating procedures as deemed necessary in the Utility's sole judgment, in order to coordinate gas volumes and the movement of gas through the suppliers pipeline system to the Utility's Distribution System in the State of Oklahoma. These additional operating procedures may be enforced upon verbal notice to each customer or their agent with twenty-four hour notice of implementation.

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APPLIES TO OKLAHOMA

**RATE SCHEDULE T-1 (Continued)**

- 5.3 Other Procedures. The Utility reserves the right to impose, at any time, any reasonable operating conditions upon the transportation of the customer's gas which the Utility, in its sole good faith judgment, deems necessary to maintain the safe and efficient operation of its distributions system, or to make the operating terms and conditions of service here under compatible with those of Supplier pipelines.

**6. OPERATIONAL BALANCING**

- 6.1 The quantities of gas scheduled by the customer and confirmed by the Utility may from time to time be greater or less than the quantities of gas actually delivered resulting in inadvertent over-or-under deliveries relative to scheduled volumes in a given month, (hereinafter referred to as "Operational Imbalances").

- 6.2 The Utility and customer shall receive and deliver thermally equivalent gas volumes, less fuel if applicable, as nearly as practicable at uniform hourly and daily rates of flow. Volume differences between monthly receipts and deliveries shall be accumulated and recorded in a customer account. The Utility and customer shall manage monthly receipts or deliveries so that the account balance shall be kept as near to zero as practicable.

- 6.3 Each month the Utility and customer shall settle any imbalance by payment on either an "in-kind" or "cash-out" basis, which shall be at the sole discretion of the Utility.

Should the Utility determine to utilize an "in-kind" method of settlement for an imbalance, the Utility and customer will mutually agree upon a payback plan that will satisfy the imbalance within sixty (60) days from the end of the month in which the imbalance occurs, or within such longer period of time as is mutually agreed to by the parties.

Should the parties be unable to agree to an "in-kind" settlement plan, and/or the Utility determines to utilize a "cash-out" method of settlement for an imbalance, the Utility will calculate the settlement amount based on a relative daily or monthly spot gas indexes and cash payment shall be due and payable from the owing party within fifteen (15) days of the receipt of the invoice.

- 6.4 Upon termination of a transportation agreement between the Utility and customer, any imbalances shall be eliminated within thirty (30) days from the date of termination.

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APPLIES TO OKLAHOMA

**RATE SCHEDULE T-1 (Continued)**

**7. FACILITY ADDITIONS**

- 7.1 Any facilities that must be installed by the Utility to serve the customer will be constructed in accordance with the Rules of Service as approved from time to time by the Oklahoma Corporation Commission. Telemetering facilities, if required by the Utility to perform transportation service for the customer, will be installed at customer expense. Further, any existing special surcharges or minimum bill provisions designed to recover the cost of facilities for any customer shall remain in effect and / may serve to increase maximum allowable transportation rate levels pursuant to this tariff schedule.

**8. THIRD PARTY CHARGES**

- 8.1 The customer shall reimburse the Utility for any charges rendered or billed to the Utility by any upstream transporter and gas gatherers, either before or after termination of the Transportation Agreement, which the Utility, in its sole good faith judgment, determines have been incurred because of the transportation of customer's gas hereunder and should, therefore, appropriately be borne by the customer. Such charges, whether levied in dollars or gas, may include, but shall not be limited to, stand by charges or reservation fees, prepayments, applicable taxes, applicable fuel reimbursement, shrinkage, lost and unaccounted for volumes, G.R.I surcharges, penalty charges, and filing fees. The customer will reimburse the Utility for all such charges incurred by the Utility as rendered, irrespective of the actual quantities of natural gas delivered to the customer.

**9. CONDITIONS**

- 9.1 Subject in all respects to all applicable laws, and to the rules and regulations of the Oklahoma Corporation Commission from time to time in effect.
- 9.2 Transportation of customer owned natural gas hereunder shall be limited to natural gas of equal or higher quality than natural gas currently available from the Utility's supplier(s). All gas delivered by the Utility to the customer shall be deemed to be the same quality as that gas received by the Utility for transportation.
- 9.3 With respect to the Utility's capacity to deliver gas at any particular time, the curtailment priority of any customer served under Rate Schedule T-1 service of this schedule shall be the same as the curtailment priority established for other customers served pursuant to the Utility's rate schedule which would otherwise be available to such customer.
- 9.4 Copies of all transportation agreements pursuant to this rate schedule shall be on file in the Utility's local district offices and will be made available for inspection upon the request of the Oklahoma Corporation Commission.

APPROVED

JAN 15 2009

Order Issued December 3, 2008

Effective December 3, 2008

Rate Authorized by OCC #562841

CAUSE # PUD 2008-00143

Issued By: Richard D. Hatchett, Vice President

DIRECTOR OF  
PUBLIC UTILITIES



WEST TEXAS GAS, INC.  
211 N. COLORADO  
MIDLAND, TEXAS 79701-4696  
(432)682-4349

Rate Book #3  
Canceling Rate Book #2

Page # 15

Sheet No. 24

APPLIES TO OKLAHOMA

**NATURAL GAS SERVICE  
SCHEDULE OF MISCELLANEOUS SERVICE FEES**

CONNECT CHARGES	
Business Hours	\$50.00
After Hours	\$70.00
RETURNED CHECKS	\$25.00
RECONNECT FEES	
Business Hours	\$50.00
After Hours	\$70.00

APPROVED

JAN 15 2009

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211 N. COLORADO  
MIDLAND, TEXAS 79701-4696  
(915) 682-4349

Rate Book #2 Sheet No. 1  
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WEST TEXAS GAS, INC.  
RULES AND REGULATIONS

RULE 1 GENERAL

(a) The Company Rules shall apply to all gas service furnished by the Company to its consumers in its Oklahoma Service Area.

(b) The Company Rules shall remain in effect until modified, amended or deleted by order of the Commission after notice and hearing, upon application of the Company, a consumer or the Commission staff. No employee, agent or representative of the Company is authorized to modify the Company Rules.

(c) The Company Rules supersede and replace all previous rules and regulations of the Company.

(d) It is intended that the Company Rules comply in all respects with the Commission Rules. In case of conflict, the Commission Rules shall govern, except where the Commission has suspended or excused compliance therewith by an order after notice and hearing, in which event the Company Rules shall govern.

(e) The Company Rules shall be applied uniformly to all consumers.

(f) Whenever the Company and an applicant or a consumer are unable to agree on the terms and conditions under which such applicant or consumer is to be served or the proper interpretation of the Company Rules, either party may file an application with the Commission for a proper order, after notice and hearing.

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RULE 2 DEFINITION OF TERMS

For the purpose of these rules, unless the context clearly indicates otherwise, the following terms shall have the meanings given below:

- (a) "ANSI" means the American National Standards Institute, Inc.
- (b) "Applicant" shall mean a prospective consumer who has applied in writing, if required by the Company, for gas service from the Company.
- (c) "Business day" means Monday through Friday, excluding all legal holidays and any other holidays observed by the Company.
- (d) "Commission" shall mean the Corporation Commission of Oklahoma.
- (e) "Commission Pipeline Safety Standards" shall mean the rules, regulations and requirements, including minimum Federal safety standards, governing the construction, maintenance and operation of gas transmission and distribution pipelines in Oklahoma, as promulgated from time to time by the Commission.
- (f) "Commission Rules" shall mean the general rules and regulations governing the operation of public utility gas companies within the State of Oklahoma as promulgated from time to time by the Commission.
- (g) "Company" shall mean West Texas Gas, Inc.
- (h) "Company Distribution Main Extension Policy" shall mean the rules and regulations for distribution main extensions, as approved by the Commission and filed as a part of the Company Rules.
- (i) "Company Rules" shall mean the rules and regulations of which these definitions form a part.
- (j) "Complaint" means an oral or written communication by a consumer or an interested party requesting an investigation and/or remedial action regarding the Company's billing or service procedures.

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RULE 2 Continued

(k) "Consumer" shall mean any person, firm, corporation, trust or other entity, the Federal government or any agency thereof, the State of Oklahoma or any agency or political subdivision thereof in whose name gas service of any nature from Company is rendered, as evidenced by the signature on the application or contract for that service, or by the receipt and/or payment of bills issued in their name regardless of the identity of the actual user of the service.

(l) "Corporation Commission" means the Oklahoma Corporation Commission.

(m) "Cubic Foot" of gas for the purpose of measurement to a consumer shall mean the amount of gas occupying one cubic foot in volume at a pressure base which shall be stated in the Company's tariffs on file with and approved by the Commission.

(n) "Distribution system" means any pipeline, meter, metering station, valve, regulator, regulating station and/or delivery station which receives gas from a transmission system, gathering line, or other gas supply source for service to one or more consumers.

(o) "Distribution main" means a distribution line that serves as a common source of supply to service lines.

(p) "FERC" means the Federal Energy Regulatory Commission.

(q) "Gas" shall mean manufactured gas, natural gas, other hydrocarbon gas, or any mixture of gases produced, transmitted, distributed or furnished by a utility unless otherwise specifically designated.

(r) "Gas supply source" means gas from the wellhead, any type of storage, processing plant, or other provider of gas.

(s) "Gathering line" means a pipeline that transports gas from a current production facility to a transmission pipeline, or main.

(t) "Gathering system" means a pipeline system bringing gas from the wellhead to an aggregating point or transmission line.



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RULE 2 Continued

(u) "Handicapped Consumer" shall mean those consumers with physical disabilities who notify the Company to have the Handicapped Account identification added to their account.

(v) "Interested party" means any individual or entity with appropriate authority acting on behalf of a particular consumer or group of consumers.

(w) "Legal Holiday" shall mean only those days declared legal holidays by law or proclamation of the Governor of Oklahoma.

(x) "Meter" means any device that measures the quantity of gas transferred from one party to another.

(y) "Meter shop" means a shop used for the inspection, testing and repair of meters.

(z) "Municipality" means an incorporated city or town in the State of Oklahoma.

(aa) "P.s.i.a." means pounds per square inch absolute.

(bb) "Pipe" means any tubing used in the gathering, transportation, or distribution of gas which meets the specifications of the U.S. Department of Transportation (U.S.D.O.T.)

(cc) "Point of Delivery" shall mean the point where pipes owned, leased or under license by a consumer connect to the Company's pipes or at the outlet side of the meter, whichever is furthest up stream in the piping system.

(dd) "Point of Service" shall mean the outflow side of the meter unless otherwise agreed to between the Company and consumer or applicant.

(ee) "Premises" means any piece of land or real estate, or any building or other structure or portion thereof, or any facility where gas service is furnished to a consumer.

(ff) "Private Line" shall mean a line other than a consumer service line owned by someone other than the Company through which the owner of the line and/or other consumers receive gas service.

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RULE 2 Continued

(gg) "Regulator" means a device used to reduce the gas pressure.

(hh) "Residence" means any dwelling unit containing kitchen appliances, permanent sewer or septic facilities and water service. A weekend cabin and a mobile home are residences when used as such. An individual room in a hotel or motel is not a residence.

(ii) "Senior Citizen" shall mean those consumers 65 years of age or older who notify the Company to have the Senior Citizen Account identification added to their account.

(jj) "Service line" means a line that branches off a distribution main or distribution line to transport gas from the common source of supply to utility meters or the connection to a consumer's piping, whichever is farther downstream, or the connection to a consumer's piping if there is no utility meter.

(kk) "Special contract" means a written Commission-approved agreement between Company and a consumer for the provision of gas service on terms and conditions which are different from those authorized by a tariff.

(ll) "Subdivision" means any land, wherever located, whether improved or unimproved, contiguous or not, which is divided into lots or proposed to be divided, for the purpose of disposition pursuant to a common promotional scheme or plan of advertising.

(mm) "Tariff" means every rate schedule, or provision thereof, and all terms, conditions, rules and regulations for furnishing gas service filed with the Commission and approved by the Director of the Public Utility Division.

(nn) "Therm" means 100,000 British thermal units of heat.

(oo) "Transmission pipeline" means a pipeline other than a gathering line that:

(i) Transports gas from a gathering line or storage facility to a distribution center or storage facility;

(ii) Operates at a hoop stress of 20% or more SMYS; or,

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RULE 2 Continued

(iii) Transports gas within a storage field.

(pp) "U.S.D.O.T." means the United States Department of Transportation.

(qq) "Utility" means any person, firm, partnership, or corporation, furnishing gas service to the public in Oklahoma and subject to the regulatory jurisdiction of the Commission pursuant to 17 O.S. (1991) § 152, et. seq.

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RULE 3 GAS SERVICE

(a) The company shall furnish gas service to consumers under the terms and conditions of the Tariffs, the Commission Rules, the company Rules, and the Company Distribution Main Extension Policy.

(b) When an applicant desires natural gas service from a Company owned production, gathering or transmission line, or an extension therefrom, which is not a part of the Company's distribution system the Company may make a tap on the line and furnish the consumer with natural gas service pursuant to the Tariffs and the Company Rules. Taps from lines not owned by the Company may be made only upon consent of the Company owning such lines. The Company may discontinue or abandon such service upon thirty days written notice to the consumer at his last known address, when the Company is required or authorized to remove, abandon or relocate the production, gathering or transmission line from which the gas service is furnished. The Company may be authorized to discontinue or abandon a production, gathering or transmission line and an extension therefrom, when such line is not a significant portion of the Company's system, or the line is being discontinued or abandoned as a part of a program of routine retirement or replacement of the Company's system.

(c) The Company may refuse to serve or reinstate service to a consumer until the consumer has complied with all applicable state, municipal or other regulations governing such gas service, the Commission Rules and the Company Rules in accordance with the following provisions:

- 1) The utility may refuse to provide service to an applicant or consumer from whom there remains owing an unpaid account for service of a similar character previously supplied to such applicant or consumer at any location within that utility's service territory by a gas utility governed by this Chapter, or a judgment arising from an unpaid account remains unpaid in the applicant's name.
- 2) The utility shall not deny service to a consumer for failure to pay any obligation to the utility except the amount due for utility service. Utilities

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RULE 3 Continued

shall not deny service to a consumer for nonpayment of an amount past due for more than three (3) years if the utility cannot substantiate the charges with a copy of the consumer's complete billing history reflecting usage, consumption and relevant charges.

- 3) The utility may refuse to provide service to an applicant for misrepresentation of identity or facts for the purpose of obtaining service or use of an alias, trade name, business name, relative's name or another person's name as a device to escape payment of an unpaid obligation for utility service provided to the consumer.
- 4) The utility shall provide documentation to the consumer indicating the reason(s) that service is being withheld, upon request of the consumer.
- 5) The utility may refuse to provide service to an applicant when the applicant is not in compliance with a Commission order, a deferred payment agreement, or an extension agreement with the utility entered into with respect to service previously rendered by the utility to the applicant.
- 6) The utility may refuse to provide service to an applicant when the applicant has not paid the utility an approved fee, charge, or deposit as provided for in this Subchapter or the utility's approved tariffs.
- 7) The utility may refuse to provide service to an applicant when the applicant has not furnished adequate assurance of payment in the form of a deposit or other security for service within twenty (20) days of an order for relief under the United States Bankruptcy Code, U.S.C.A. Title 11 Section 366.
- 8) The utility may refuse to provide service to an applicant when there is evidence that the applicant is using service in an unauthorized manner or is tampering with the equipment furnished and owned by the utility.

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RULE 3 Continued

- 9) The utility may refuse to provide service to an applicant when the applicant has not provided acceptable proof of identity. Acceptable proof of identity may include the following:

- i) Driver's license or state identification care.
- ii) Military identification.
- iii) Employment identification.
- iv) Social security card.
- v) Current student identification card.
- vi) Passport.
- vii) Birth Certificate.
- viii) Any other verifiable proof which would establish identify.

- 10) The utility may refuse to provide service when:

- i) The applicant is not in compliance with all state and/or municipal regulations governing the service for which applied.
- ii) The applicant is not in compliance with the utility's tariffs which have been approved by this Commission.
- iii) The service applied for is of such character that it is likely to unfavorably affect the service of other consumers.
- iv) The connection of utility service to the applicant's equipment would create a hazard.
- v) The applicant is causing or threatening injury to a utility employee or an employee's family to retaliate for or prevent an act the utility performs in the course of business.
- vi) The applicant is causing or threatening damage to utility's property.



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RULE 3 Continued

(d) Neither the signing of an application for gas service, nor the depositing of any sum of money by an applicant or a consumer shall be construed as obligating the Company to furnish gas service until the Company has had a reasonable amount of time, not to exceed five (5) working days, in which to determine whether the applicant is in compliance with all applicable requirements and is entitled to the service requested.

(e) Service under more than one of the Tariffs is available to any consumer at a single point of delivery, provided such consumer meets all the requirements for availability thereunder. Service under each rate schedule will generally be metered separately.

(f) If temporary service is rendered, the consumer shall pay, in addition to all other applicable charges, the cost of installing and removing all Company-owned facilities, less any salvage value of the material so used. The Company may require an advance payment of such cost.

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RULE 4 CONTRACTS AND AGREEMENTS

(a) The furnishing of service and the acceptance thereof by the consumer constitutes a contract between the Company and the consumer incorporating therein the provisions of the Tariffs and the Company Rules, as they may apply and as the same may be amended or changed from time to time, subject to all lawful orders, rules and regulations of any duly constituted governmental authority having jurisdiction over the subject matter thereof.

(b) Subject to Commission approval by order after application, the Company and a consumer or an applicant may enter into a special contract which contains rates and provisions different from the Tariffs and Company Rules. After such special contract has been filed with and approved by the Commission, it becomes the lawful rates, rules and regulations under which the particular service is rendered insofar as it differs from otherwise applicable provisions.

(c) A contract for gas service, either standard or special, shall become operative on the day the Company installs its facilities on the consumer's property, unless the terms of the applicable contract otherwise specify.

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RULE 5 CONSUMER DEPOSITS

(a) The Company may require a deposit from a consumer for service at the time of application for service. The deposit made by the consumer with the Company at the time of application for service shall not constitute an advance payment to cover service bills, but for all purposes it is to be considered as security for the payment of monthly bills or other proper charges.

The deposit shall not be more than one-sixth ( $1/6$ ) the estimated annual bill. The deposit may be paid by the applicant one-half ( $1/2$ ) prior the commencement of services and one-half ( $1/2$ ) over the first billing period.

(b) The Company shall not require a deposit of a residential consumer who has received the same or similar type of classification of service for twelve (12) consecutive months and service was not terminated for nonpayment, nor was payment late more than twice, nor was a check for payment dishonored. The consumer's twelve (12) month service period must have been within eighteen (18) months prior to the application for new service.

(c) A present consumer may be required to post a deposit as a condition of continued service if:

(1) Undisputed charges have become delinquent (delinquent meaning a payment not received on or before the due date as posted on the bill) in two (2) out of the last twelve (12) billing periods; or,

(2) The consumer has had service disconnected during the past twelve (12) months pursuant to Commission Rule 165:45-11-11; or,

(3) Has present a check subsequently dishonored.

(d) The Company shall pay interest on all deposits at the rate calculated by the Director of Public Utility Division as stated in the most recent notification to the Company by the Director of the Public Utility Division, all in accordance with the provisions of Commission Rule 165:45-11-1(e).

(e) If refund of deposit is made within thirty (30) days, of receipt of deposit, no interest payment is required. If the Company retains the deposit more than thirty (30) days, payment of interest shall be made retroactive to the date of deposit.

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RULE 5 Continued

(f) Accrued interest shall be paid on all active deposits through December 31st of each year. The interest payment will then be applied each year as a credit against January's current billing. The deposit shall cease to draw interest on the date it is returned or credited to the consumer's account. No interest shall accrue on a deposit after final discontinuance of service.

(g) Each consumer posting a cash deposit shall receive a nonassignable receipt in writing at the time of making the deposit or within ten (10) days thereafter. When a consumer pays a deposit as a portion of a bill for service, payment of the bill shall serve as a receipt for payment of the deposit. If the deposit is not paid by the due date, the amount of the deposit will become a part of the past due amount owed and monies paid shall be applied to the oldest past due amount. When a consumer makes application for the return of deposit plus any unpaid interest, or any balance to which he/she is entitled, and is unable to produce the original receipt, the Company will return the deposit or balance when the consumer furnishes reasonable personal identification.

(h) The Company will review all deposits at least annually. The Company shall automatically refund the deposit for residential service, with accrued interest, after twelve (12) months satisfactory payment of undisputed charges and where payment was not late more than twice; provided, however, that service has not been disconnected within the twelve (12) month period. Payment of a charge shall be deemed not satisfactory if made by a check subsequently dishonored. Refunds will be paid by a credit against the consumer's current billing.

(i) The amount of the deposit with accrued interest, shall be applied to any unpaid charges at the time of a discontinuance of service. The balance, if any, shall be returned to the consumer within thirty (30) days by mailing it to the consumer's last known address.

(j) The utility may withhold refund or return the deposit pending the resolution of a dispute with respect to charges secured by such deposit.

(k) The utility company shall keep records to show:

1) The name, account number, and address of each depositor;

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RULE 5 Continued

- 2) The amount of the deposit and date received; and,
- 3) Each transaction concerning the deposit.

(l) Such records shall be retained for two (2) years after the deposit and/or interest is refunded or applied.

(m) The deposit made by the consumer with the utility at the time of application for gas service shall not constitute an advance payment to cover service bills, but for all purposes is to be considered as security for the payment of monthly bills or other proper charges.

(n) In the event that the Company should sell or transfer all or any part of its customer base, it would file with an application of transfer a verified list of all consumers for whom a deposit is being held, the date such deposit was made, the amount thereof, and the unpaid interest thereon.

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RULE 6 CONSUMER BILLINGS, SELECTION OF RATES AND RECORDS OF GAS SUPPLIED

(a) Following the reading of a consumer's service meter, the Company shall bill such consumer as promptly as possible for all gas consumed. The Company shall read or cause to have read each service meter at approximate monthly intervals and not less than ten times each year on approximately the same day of each reading period. If a meter cannot be read due to causes beyond the control of the Company, the Company may submit an estimated bill based upon the consumer's reading, past service records, or similar consumer's readings in the area.

(b) The Company does not assume responsibility for selecting the rate most advantageous to the consumer. However, at the consumer's request, the Company will assist the consumer in determining which of its rates may be most advantageous to the consumer. The selection of an appropriate rate shall not be retroactive, and shall remain in force for a period of at least one year unless the Company determines that the rate selected is inapplicable to the type of service for the gas being used.

(c) The Company shall:

- (1) Maintain maps, plans or records of its transmission and distribution systems with such other information as may be necessary to enable the Company to advise prospective consumers and others entitled to the information as to the service available in any locality; and
- (2) Annually transmit to each of its nonresidential consumers a statement that the rate tariff on which they are served is available upon request and a statement that the Company will review upon request the applicable rate tariff to determine if the consumer is receiving rate tariff that is best suited to the consumer.

(d) At least once a year, the Company shall include in its consumer mailing disconnection information, which states all the rights, listed in the "Disconnection Notice". For residential consumer, it shall also include a statement that advises the consumer that there are agencies providing assistance to consumers for their utility bills as well as provide the location of pay agents upon the consumers request.

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RULE 7 SERVICE CONNECTIONS AND CONSUMER PIPING

(a) Upon application by any bona fide applicant for service, the Company shall at its own expense, furnish and install a stop cock and a service line of suitable capacity to the meter location; provided, however, that where by written agreement between the Company and the consumer, the meter is located at a point other than at the property line or curb line of the consumer served, the Company shall install the service line up to the property or curb line, and the Company shall also install or cause to be installed at the expense of the consumer the necessary additional piping between the property line and the meter to be constructed, operated and maintained in accordance with the Commission Pipeline Safety Standards. Prior to commencement of installation of such piping, the Company shall advise and collect from the consumer the cost of the piping to be installed or caused to be installed by the Company between the property line and meter. Any such agreement hereafter made shall be in writing, signed by the consumer first taking service thereunder, and shall be binding upon all consumers subsequently receiving service at the premise.

(b) Consumer shall cause all piping necessary to provide the connection between the various points of consumption and the Point of Service to be properly installed at no expense to the Company and shall cause such property to be maintained at all times in good and safe condition at no expense to the Company.

(c) No gas service shall be furnished to a new residential living unit unless the line between the Company's gas service line and the first house connection to such residence is 1-1/4 inches inside diameter or greater, except for a mobile home where the line to the first house connection must be one inch inside diameter or greater, and is equipped with a suitable gas shutoff cock.

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RULE 7 Continued

(d) The yard line, piping and appliance installation used by consumer shall conform to requirements of the applicable city or town ordinances. In towns, villages and suburban territory, where there are not applicable regulations as to gas service, the consumer's yard line, piping and appliance installation shall comply with the National Fuel Gas Code, NFPA No. 54, 1974, also known as ANSI Z223.1-1954 (adopted by State Fire Marshall Commission on October 24, 1974), and future amendments or supplements thereto. Except for certain servicing of consumer appliances in accordance with policies on file with the Commission; the Company has no obligation to inspect, operate, or maintain consumer's yard line, piping or appliance installation.

(e) The Company shall have the right to inspect a new installation prior to furnishing service, and the right to inspect an existing installation under reasonable conditions and may refuse or discontinue service until the provisions of the Company Rules are complied with. Service may be refused or discontinued immediately whenever a test reveals loss of gas through leakage from the yard line, piping or appliance used by the consumer.

(f) A single point of delivery may at the Company's option be used to supply a single building, or a single group of buildings, under one management or control where each building is an integral part of and necessary to the operation of the institution.

(g) Where the Company and consumer cannot agree upon the location, dimensions, and type of equipment to be installed, the Commission shall, upon application of either the consumer or the Company and after notice and hearing, designate the installation to be made.

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RULE 8 METERS AND REGULATORS

(a) The Company shall provide and install service meters, pressure gauges (if needed) and regulators to regulate and measure the gas delivered to the consumer. Such meters and equipment shall be installed on the consumer's premises at a location provided by the consumer and suitable to the Company. The Company shall have access to such meters and equipment at all times and the right to remove the same when gas service is discontinued or terminated pursuant to the Company Rules.

(b) No residential meter shall hereafter be installed inside a residence.

(c) The service meter and regulator shall be installed as near as possible to the property line or curb line of the premises serviced, except where the Company and the consumer agree in writing on a different location, as provided for in Rule 7 above. Title to all the meters and regulating equipment shall remain in the Company, no matter where located.

(d) After installation, the location of the meter on the consumer's premises shall not be changed except by the Company with its consent, and at the sole expense of the consumer, unless such change is for the convenience of the Company in which event the Company shall bear the expense.

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RULE 9 MEASUREMENT OF GAS SERVICE UNDER HIGH PRESSURE

(a) When gas is measured through positive or linear meters at a pressure greater than the pressure base used for measurement, such meters shall either be equipped with reliable pressure-volume recording gauges or compensating devices, as necessary or as reliable pressure-volume recording gauges or compensating devices, as necessary or as otherwise required by the Commission, for accurately determining, in accordance with contracts or other tariff provisions, the quantity of gas that has passed through the meter, or the dial reading of the meter shall be multiplied by a correction factor.

(b) In computing the volume of gas on a given pressure base from a pressure volume chart, the multiplier shall be obtained by the weighted average method, which consists of determining the average pressure for each unit volume indicated on the chart.

(c) In computing the volume of gas at a given pressure base from an orifice meter chart or charts, the average static pressure and the average differential pressure shall be determined for periods not exceeding one (1) hour. Where pressure variations are extreme during the hour, such average should be based on measurements taken at no more than fifteen (15) minute intervals.

(d) The calculation of volume shall be made in accordance with the Ideal Gas Law corrected for deviations from Boyle's Law all in accordance with methods and tables generally recognized by and commonly used in the natural gas industry.

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RULE 10 METER TESTING ON REQUEST OF A CONSUMER

(a) If a written request of a consumer is received at an office of a utility, the utility shall, within twenty (20) calendar days, test the accuracy of the meter through which the consumer is being served.

(b) A charge may be made for a meter test requested by the consumer if it is found to test within limits of accuracy prescribed by OAC 165:45-5-12. The utility may make the charge if prescribed in the utility's Commission-approved tariffs.

(c) A consumer may make a written request to be present when the Company conducts the test on the meter, and have an expert or other representative present at the time. The Company shall conduct the test only in the presence of the persons requested during regular working hours of the Company.

(d) A written report stating the name of the consumer requesting the test, the date of the request, the location of the premises where the meter has been installed, the type, make, size and serial number of the meter, the date of removal, the date tested, and the result of the test, shall be supplied to such consumer within ten days after the completion of the test.

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RULE 11 ADJUSTMENT OF BILLS FOR METER ERROR

(a) Fast Meters. Whenever any meter tested by the Commission or the Company is found to have an average error of more than two percent (2%) fast (or in favor of the Company), the Company shall refund to the consumer the overcharge based upon the corrected meter reading for a period equal to one-half ( $\frac{1}{2}$ ) the time elapsed since the last previous test, but not to exceed six (6) months, unless it can be established that the error was due to some cause, the date of which can be fixed with reasonable certainty, in which case the charge shall be computed from that date.

(b) Slow Meters: Whenever any meter tested by the Commission or the Company is found to have an average error of more than two percent (2%) slow (or in favor of the consumer), the Company may charge for the gas consumed, but not included in bills previously rendered, based upon the corrected meter reading for a period equal to one-half ( $\frac{1}{2}$ ) of the time elapsed since the last previous test, but not to exceed six (6) months, unless it can be established that the error was due to some cause, the date of which can be fixed with reasonable certainty, in which case the charge shall be computed from that date.

(c) Non-Registering Meters: If a meter is found not to register or to register intermittently for any period, the Company may charge for an estimated amount of gas used which shall be calculated by averaging the amounts registered over corresponding periods in previous years, or in the absence of such information, over similar periods preceding or subsequent thereto.

(d) Incorrect Register, Regulator or Multiplier on Meters: If a meter is found to have an incorrect register, regulator or multiplier, the error shall be corrected. Where the error is adverse to the consumer, the Company shall refund the excess charged for the amount of gas incorrectly metered over the period of time the erroneous reading was used in billing the consumer. Where the error is adverse to the Company, the Company may charge the consumer the undercharge for the amount of gas incorrectly metered for the period of time the meter was used in billing the consumer, and, if necessary, the Company may receive payment in installments over a reasonable period of time. The Company shall allow the consumer to pay any unbilled amount over the same period of time in which the under billing took place.

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RULE 11 Continued

(e) Notwithstanding the provisions set forth in (a)-(d) above, any corrections for billing as set forth in said subsection shall not exceed a period of three (3) years from the date of discovery.

(f) Scope: This Section shall not apply to routine testing and replacement of meters pursuant to OAC 165:45-5-13.

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RULE 12 LIMITATION ON USE OF GAS SERVICE

(a) The Tariffs are based on an exclusive use of the Company's service and except for standby service, no other gas service from any other source shall be used on the premises by a consumer in conjunction with, or supplementary to, the Company's service unless agreed to in writing by the Company.

(b) Gas service shall not be used by a consumer for any purpose not specified in the application for service, the applicable Tariff or the service contract.

(c) Gas service furnished to a consumer shall not be resold or caused to be resold by such consumer except pursuant to such consumer's tariffs on file with and approved by the Commission authorizing such resale, unless the consumer is exempt by law from such requirements.

(d) Gas delivered by the Company to a consumer shall not be transported or caused to be transported across any state line by such consumer.

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RULE 13 SERVICE INTERRUPTIONS AND CURTAILMENTS

(a) It shall be the duty and responsibility of the Company to make reasonable efforts to notify all affected consumers when the gas supply is to be turned off or on after having been turned off.

(b) Whenever service is interrupted, other than under emergency conditions, the interruption shall be made whenever possible at a time which will cause the least inconvenience to consumers. Where feasible, the utility shall give advance notice to consumers who will be affected (including hospitals, police, fire and installations responsible for public health and safety).

(c) The Company shall keep a record of any condition resulting in an interruption of service affecting its entire system or major division thereof, including a statement of the time, duration and cause of any such interruption and such record shall be available to the Commission or its representative upon request.

(d) The Company shall use diligence in the operation and maintenance of its equipment and facilities so as to furnish the consumer with a continuous supply of gas consistent with the type of service being rendered; provided however, the Company shall not be liable to the consumer for damages resulting from interruption of service, when such interruption is made to make repairs, changes or adjustments in the Company's equipment or facilities or for damages resulting by reason of failure or depletion of the Company's gas supply, Acts of God or the public enemy, or other acts or conditions beyond the reasonable control of the Company.

(e) The Company reserves the right at any and all times to discontinue immediately, in whole or in part, the supply of gas to the consumer in accordance with the Company's Order of Curtailment as set forth in the Tariffs; or pursuant to any lawful order, rule or regulation of any duly constituted authority having jurisdiction over such supply of gas to the consumer (including, but not limited to, curtailment because of the end use made of the gas by the consumer), and shall not be liable for damages resulting from such discontinuation of service. The consumer shall discontinue his use of gas in whole or in part when requested by the Company.

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RULE 13 Continued

(f) For the purpose of this Section, the following definitions shall apply:

Residential Service: Service to consumers which consists of direct natural gas usage for space heating, air conditioning, cooking, water heating or similar domestic uses whether in single or multiple dwelling units.

Commercial Service: Service to consumers engaged primarily in the sale of furnishing of goods or services, including institutions, local and federal government agencies, irrigation pumping, and those consumers not otherwise provided for, except service for uses involving manufacturing or electrical power generation.

Industrial Service: Service to consumers engaged primarily in a process which changes raw or unfinished material into another form of product, including the generation of electric power. This classification shall embrace all consumers included in Division A (except Major Groups 01 and 02 and Industry 0723) and Division D and Group 491 (as respects power generation only) of the Standard Industrial Classification Manual of the Federal Office of Management and Budget.

Boiler Fuel Gas: Gas used for boiler fuel, to generate steam or hot water, regardless of the end use to which the steam or hot water is put.

Small Commercial or Industrial Service: Delivery on an average day through a single meter of less than fifty (50) mcf of gas to a consumer for commercial or industrial purposes as defined above.

Average Day: The annual demand of a given consumer for gas divided by 365. Demand is considered to be equivalent to consumption in the prior twelve month period in cases where there has been no curtailment of service. Otherwise, demand is considered to be actual metered deliveries during this period plus estimated curtailed volumes.

Systems: Any group of interconnected pipelines or mains owned or operated by the Company and so situated that they will be unaffected by changes in operation of any other such group of facilities.

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RULE 13 Continued

(g) Curtailments shall be made in accordance with the following priorities and conditions:

Priority 1 - All Residential Service

Priority 2 - All small commercial and industrial service (less than 50 MCFD in an average day) and all irrigation pumping regardless of usage.

Priority 3 - All other commercial service.

Priority 4 - Industrial service, other than boiler fuel, for usage through one meter of more than 50 MCFD but less than 200 MCFD on an average day.

Priority 5 - Industrial service, other than boiler fuel, for usage through one meter of more than 1500 MCFD on an average day.

Priority 6 - Industrial service, other than boiler fuel, for usage through one meter of more than 1500 MCFD on an average day.

Priority 7 - Industrial boiler fuel for usage through one meter of more than 50 MCFD but less than 200 MCFD on an average day.

Priority 8 - Industrial boiler fuel for usage through one meter of more than 200 MCFD but less than 1500 MCFD on an average day.

Priority 9 - Industrial boiler fuel usage through one meter of more than 1500 MCFD on an average day.

(h) Curtailments shall be made ratably insofar as feasible within each Priority group served by the same system; provided, however, that the Company may provide by Tariffs for two or more subgroups within any priority group other than Priorities 1 and 2. Total curtailments during a calendar year shall be made to the end that, insofar as feasible, all consumers within a priority group or subgroup receive volumes in the same proportion that each consumer's total

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RULE 13 Continued

requirements during such year bears to the total requirements of all consumers in that priority group or subgroup during such year.

(i) The Company shall notify in advance each consumer to be curtailed under the provisions of this Section of the extent and the amount of the curtailment required from him. If after such notification, any consumer (other than a consumer in Priorities 1 and 2) fails to curtail during the required period or to the amount required, such consumer shall pay a penalty of \$10.00 per MCF for all volumes taken in excess of the authorized amount. In addition, the Company shall have the right to disconnect any consumer who fails to curtail as notified without further notice if service to consumer in Priority Group 1 or 2 is threatened.

(j) This curtailment procedure may be suspended by the Company during any emergency when life or property is endangered.

(k) The Company may cause emergency interruption of service without notice when required by failure of equipment, unexpected and prolonged increase in load, fire, storm, strike, or other cause beyond its control. The Company shall establish and train employees in emergency procedures designed to prevent or shorten service interruption where conditions require interruption of service. The Company may, in good faith, select the areas or consumers whose service it so be interrupted as emergency conditions require.

The Company will prepare and maintain a plan for scheduled interruptions, emergency interruptions, and restoration of service, which is consistent with OAC 165:45-9-2.

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RULE 14 EQUALIZED MONTHLY PAYMENT PLAN FOR RESIDENTIAL CONSUMER

(a) The Equalized Monthly Payment Plan (EMP) will be offered, in writing, to residential consumers during the month of April of each year. However, a consumer may request participation anytime by telephone, mail, or in person at a Company business office.

(b) Only residential consumers may elect to participate in the Company's Equalized Monthly Payment Plan for payment of charges for gas service. Any customer with more than \$50 of outstanding balance will not be allowed to participate in the Equalized Monthly Payment Plan. The Plan year shall be the 12 months ending each year with the consumer's July bill. The Plan monthly payment shall be determined as follows:

(1) For consumers electing to commence with the August bill, the monthly payment shall be 1/11 of the estimated charges for the consumer's plan year.

(2) For consumers electing to commence with the September or later bill, the monthly payment shall be 1/10th, 1/9th, 1/8th, declining successively each month as applicable, of the estimated charges for gas service for the remaining number of months of the Plan year from commencement in the Plan until the next following July bill. Succeeding years shall be computed on the annual basis as in subparagraph (1) above.

(c) The estimated charges for gas service for the plan year, or the remainder of the plan year, shall be based upon the most recent available prior 12-month period at the same service location; or, if there is not at least 12 months prior service at the same service location, then the charges shall be based upon consumption of similar residential units in the same area. The estimated charges for service shall be adjusted to current rates and for other known changes.

(d) The Company reserves the right to adjust the remaining monthly plan payments of any consumer at any time for changes in conditions or rates.

(e) The Company shall advise each consumer in the plan of the monthly plan payment to be paid by the consumer. Each consumer in the plan will receive a regular monthly gas bill which will reflect actual consumption and charges for that billing month and the amount of any debit or credit balance before the payment of that month's plan payment. The consumer shall continue to pay the monthly plan payment amount each month for gas service, notwithstanding the current gas service charge shown on the bill.

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(f) Any other charges incurred by the consumer shall be paid monthly when due in addition to the monthly plan payment.

(g) The July gas bill for each consumer in the Plan shall be handled as follows:

(1) Any amount due the Company up to the monthly plan payment shall be paid in full by the due date shown on the bill.

(2) If the balance due the Company exceeds the monthly plan payment, a payment equal to that amount will be paid and the excess shall be utilized in computing the next plan year's monthly plan payment.

(3) Any balance due the consumer shall also be utilized in computing the next plan year's monthly plan payments.

(h) Interest will not be charged the consumer on accrued debit balances nor paid by the Company on accrued credit balances.

(i) Any amount due the consumer or due the Company will be settled and paid at the time a consumer, for any reason, ceases to be a participant of the plan.

(j) Any consumer's participation in the plan may be discontinued by the Company if the monthly plan payment has not been paid on or before the due date of the next monthly plan payment.

(k) If any consumer in the plan shall cease, for any reason, to participate in the plan, then the Company may refuse that consumer's re-entry in the plan until the next following August.



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RULE 15 DISCONTINUANCE OF SERVICE

I. DEFINITIONS

1. "Due Date for Utility Bills" - A date prescribed on a bill which is not less than twenty (20) days from the date the bill is mailed to the consumer. Where meters are read by the consumer, the bill shall be due not less than twenty (20) days after the bill is mailed.
2. "Disconnect Notice" - A statement with a heading in bold letters no less than ½" in size stating that this is a cut-off notice. It shall contain, in non-technical language, the following information:
  - (a) The words "DISCONNECTION NOTICE" or "CUT OFF NOTICE" in bold print no smaller than one-half inch (½") tall.
  - (b) The name and address of the consumer.
  - (c) A statement of the reason for the proposed disconnection of service.
  - (d) The date on or after which service will be disconnected unless appropriate action is taken.
  - (e) The telephone number in bold print of the utility company where the consumer may make an inquiry.
  - (f) The approved charges for reconnection.
  - (g) A statement that the consumer must contact the utility company regarding the disconnection, prior to contacting the Commission's Consumer Services Division.
  - (h) The address and telephone number of the Commission's Consumer Service Division, in print size which is smaller than the print size used for the utility company's telephone number.

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- (i) A statement that advises the consumer of the availability of a deferred payment agreement.
  - (j) A statement that advises the consumer of the elderly/handicapped notification.
  - (k) A statement that advises the consumer of the life-threatening certificate.
  - (l) A statement that advises the consumer of the availability of the 20-day financial aid assistance delay.
  - (m) A statement that advises the consumer there are agencies providing assistance to consumers for their utility bills as well as provide the location of pay agents upon the consumer's request.
3. "Deferred Payment Plan" - A just and equitable plan offered by the Company and accepted by the consumer which provides for the payment of the balance of any outstanding bills.

The payments need not be equal in size and shall be based on the following factors:

- (a) Consideration of the consumer's verified gross income less employer deductions;
- (b) Size of the delinquent account;
- (c) Consumer's ability to pay;
- (d) Consumer's payment history with the Company;
- (e) Length of time and reason why the debt has not been paid;
- (g) Other extraordinary expenses of the consumer, loss of income through unemployment or illness; and

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- (h) Any other relevant factors concerning the circumstances of the consumer.
- 4. (a) Whenever there is a dispute between the Company and consumer as to the following, the matter may be brought by either party to the Commission's Consumer Services Division:
  - (1) The existence of or seriousness of a life-threatening situation.
  - (2) The existence of elderly or handicapped status.
  - (3) The question of financial assistance or guarantee of payment by a federal, state or local social service agency.
  - (4) Provision of a deferred payment agreement.
  - (5) The terms and conditions of payment of any part of a bill as rendered.
  - (6) The proper interpretation of Section 165:45-11-20.
- (b) The Commission's Consumer Services Division shall review the matter and issue an informal review decision in writing setting forth the terms and conditions for continued service, disconnection of service, or deferred payment plan agreement. If it is the desire of the consumer, a third-party may represent the consumer, if the consumer is available for verification. If the dispute can be resolved by telephone with the party seeking review, the review decision need not be in writing unless requested by either party. During any period of time when a disconnection dispute is before the Commission or in mediation, the Company shall suspend disconnection procedures.

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- (c) If the Commission's Consumer Services Division is unable to resolve the dispute to the mutual satisfaction of the parties, either party may file a complaint with the Commission for final determination.
  - (d) Whenever the consumer informs the Company that the consumer disputes a charge for service, the Company will investigate the dispute promptly and thoroughly, and make a diligent effort to reach a satisfactory settlement. If the consumer is dissatisfied with the decision of the Company, the consumer may report the dispute to the Commission's Consumer Services Division. Upon complaint by the consumer to the Commission, disconnection of service shall be held in abeyance provided the consumer pays the portion of the bill which is not in dispute.
- 5. "Service Violation Disconnection Notice" - A statement that clearly indicates in non-technical language:
  - (a) The reason for service disconnection;
  - (b) The date of pending disconnection;
  - (c) A statement that if the consumer disputes the reason for disconnection they may contact the utility.
  - (d) The Company address and telephone number;
  - (e) A statement that if the consumer wishes to protest disconnection they may contact the Commission's Consumer Services Division, Jim Thorpe Building, Oklahoma City, Oklahoma 73105, (405) 521-2331 for mediation.
- 6. "Elderly or Handicapped Consumer" - Those consumers with physical disabilities or any over 65 years of age who notify the Company that they wish to be included in the Commission notification procedures available to them. This shall be offered to consumers during initial application of service and annually thereafter.

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II. DISCONTINUANCE OF SERVICE

- a. Discontinuance of Service by Consumer - A consumer may be required to give up to five (5) days written notice, excluding legal holidays, Saturdays and Sundays, of intention to discontinue service or to have account closed and shall be responsible for all charges for service until the expiration thereof. This 5-day written notice provision may be waived by the Company. Such disconnection closing of the account does not relieve the consumer of obligations incurred prior to disconnection. At the time the consumer requests disconnection or closing of the account, the Company will advise the consumer of any reconnection and/or service fees, if any reconnection and/or service fee applies pursuant to the Company's approved tariff.
- b. Discontinuance of Service by Company - The Company may discontinue service for one of the following reasons:
  - (i) Nonpayment of all or any portion of undisputed utility bills.
  - (ii) Failure to comply with the terms and conditions of a settlement agreement or any type of deferred payment agreement or with a Commission order.
  - (iii) Failure to post a deposit as prescribed in OAC 165:45-11-1.
  - (iv) Failure to make application for service.
  - (v) Misrepresentation of identify or facts for the purpose of obtaining service or use of an alias, trade name, business name, relative's name or another person's name as a device to escape payment of an unpaid obligation for utility service provided to the consumer.
  - (vi) Violation of any rule or regulation of the Commission or Commission-approved rule of the Company.

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- (vii) Unauthorized use of gas accomplished through bypassing of the Company's measuring equipment or tampering with pipes, meters, or other Company equipment.
- (viii) Whenever the Company has reason to believe that continued service will create a condition on the consumer's premises that is dangerous to persons or property.
- (ix) Refusal to grant access at reasonable times for the purpose of installation, inspection, maintenance, replacement, or reading of Company equipment installed upon the premises of the consumer, or maintaining any obstruction that would deny access for these purposes.
- (x) Potential adverse effect of the service required by the consumer on the service to other consumers of the Company, provided the consumer has been notified and given a reasonable opportunity to correct the adverse effect.
- (xi) Abandonment of the premises served.
- (xii) Upon request of the consumer pursuant to OAC 165:45-11-10.
- (xiii) Causing injury or threatening to cause injury to an employee of the Company or the family of an employee of the Company or the property of the Company for the purpose of preventing a Company employee from engaging in activities authorized by law or in retaliation for such activities.
- (xiv) Violation of the Company's rules regarding the operation of nonstandard equipment or unauthorized attachments, if the consumer was notified first and given a reasonable opportunity to comply with the rules.

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- (xv) Violation of federal, state, or local laws or regulations through use of the service.
- (xvi) Causing damage to Company property.
- (xvii) A condition exists which poses a health or safety hazard.
- c. Whenever conditions as described in B.(viii) through B.(xvii), service may be discontinued immediately and without prior notice.
- d. In the causes of discontinuance enumerated in B.(vi), B.(vii), and B.(viii) the Company shall give a minimum of twenty-four (24) hours notice either by personal contact or by leaving a "Service Violation Disconnection Notice" at the involved residence.
- e. Where discontinuance is sought for the reason stated in B.(1) service will not be discontinued until:
  - (i) Five (5) business days after a "Cut-Off Notice" has been delivered to their residence or billing address; or
  - (ii) Ten (10) days after mailing a "Cut-Off Notice" postpaid to the consumer at premises where service is rendered or, to the address designated by the consumer; or
  - (iii) Twenty (20) days after the date of mailing or personal delivery of the "Cut-Off Notice" when consumer is awaiting financial assistance, including social security income, from a government or private social agency and has notified the Company of such within the periods specified in E.(i) and E.(ii). The Company may request verification from the involved social agency.

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- f. The Company shall permit residential consumers to designate a consenting individual or agency to receive by mail or personal delivery, third-party notice of disconnection.
- g. No less than once a year the Company shall include in its consumer mailings disconnection information which states all the rights listed in the "Cut-Off Notice", additionally it shall include a list of all social and governmental agencies which have requested their name, address and telephone number be given to consumers with regard to supplying financial aid.
- h. Where a master metered apartment complex, building or trailer court is subject to disconnection, a Cut-Off Notice shall be posted by the Company in a common area of the premises at least five (5) business days prior to disconnection of service. If the tenants wish to continue service and notify the Company of such within the five (5) days, the Company shall work with the tenants by suspending termination if they are aware that payment by the landlord is forthcoming; provided that where future payments by the landlord are not assured the Company shall make available to tenants the opportunity to enter into a payment plan that will allow continuation of service.
- i. The Company shall not terminate service for the reason listed as B.(i) above:
  - (i) Failure to pay for a different kind or classification of service.
  - (ii) Failure to pay a bill correcting a previous under billing, due to misapplication of rates, unless the Company offers the consumer a deferred payment agreement as provided elsewhere in this Chapter.
  - (iii) Failure of a previous owner or occupant of the premises, or user of the service to pay an unpaid or delinquent account, except where the previous occupant remains an occupant or user of the utility service.

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- (iv) Failure of a consumer to pay any portion of an estimated billing which the consumer disputes, except where the consumer fails to allow a Company representative access to the meter or the consumer regularly reads the consumer's own meter and fails to supply a current meter reading.
- (v) If a current consumer in good standing who accepts an additional household member owing a previous bill to the Company unless that additional household member is listed on the lease arrangements or another utility service as a responsible party, or unless the household member shared service with the subscriber at a different or same location.
- (vi) If a consumer or potential consumer has a previously unpaid account from a different utility beyond the boundaries of the Company's service territory.
- (vii) Pending verification, service cannot be withheld nor disconnected from a consumer whose name was used to obtain service at another location without the consumer's permission or knowledge.
- (viii) Nonpayment of an amount past due for more than three (3) years if the Company cannot substantiate the charges with a copy of the consumer's complete billing history reflecting usage, consumption and relevant charges.
- (ix) Failure to pay a past due amount to another utility.
- j. The Company shall not disconnect service to a residential consumer for non-payment of utility bills until the responding consumer is offered a Deferred Payment Plan. Such a payment plan shall be subject renegotiation if financial circumstances change during the payment period. At any time preceding, during or subsequent to payment plan negotiations the consumer or Company may request the Commission's Consumer Services Division to make a determination concerning disconnection either through formal or informal mediation.

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- k. The Company employee sent to disconnect service must make a reasonable effort to make personal contact with the consumer at the residence and shall be authorized to receive payment of past due bills; and upon the receipt thereof, cancel the discontinuation order. If payment is offered by check and the Company's records indicate the consumer has a history of dishonored checks, then the Company employee may contact the bank involved for verification of sufficient funds in the account to cover the check. If the account does not contain sufficient funds for payment, then the Company employee may reject the offered check for payment of past due bills.
- l. Receipt of a subsequently dishonored negotiable instrument in response to a notice of discontinuance shall not constitute payment of the consumer's account, and after consumer is notified of such, the Company shall allow one (1) business day for the consumer to make payment, in cash, cashier's check or money order or a check from a special service agency, before discontinuance.
- m. During the time period from November 15 through April 15, or during other periods of severe weather order by the Commission, the Company shall not discontinue utility service used or needed for the primary heating source, by any residential consumer for reasons specified in B.(i) above until:
  - (i) The Company provides a "Disconnect Notice" as specified in paragraph (e) above, and
  - (ii) The Company attempts contact with the consumer to offer the consumer a "Deferred Payment Plan"; and
  - (iii) The Company attempts contact with the consumer to ascertain whether a life-threatening situation would exist if discontinuation of utility service occurs; and

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(iv) The following additional requirements are met:

(1) When Contact With the Consumer is NOT Made:

If contact is not made, the Company shall leave notice at the premises where utility services are rendered. The notice shall include explanation of postponement of discontinuation of utility service as provided below.

(2) When Contact With the Consumer is Made:

(a) The Company must explain that a "Deferred Payment Plan" is available;

(b) Where the Company and consumer cannot reach agreement on the "Deferred Payment Plan" the Company must notify the consumer that unless discontinuation of utility service would create a life-threatening situation, discontinuance is subject to occur after two (2) business day;

(c) If the consumer does not enter into a payment plan and indicates discontinuance of service would create a life-threatening situation, the life-threatening situation will be determined and handled as follows:

(1) For purposes of this Section, a life-threatening condition is defined as one where the consumer or other permanent resident of the household is dependent upon equipment that is prescribed by a physician, operates on gas, and is needed to sustain the person's life. Examples of life-sustaining equipment would be: kidney dialysis machine, iron lung, oxygen concentrators, and certain other

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oxygen machines, cardiac monitory, heating and air conditioning equipment, or any other equipment that is prescribed by a licensed medical doctor. If battery back-up is normally available for the life-sustaining equipment, then it is not considered a life-threatening medical condition. The following are not considered to be life-sustaining equipment: hot water heater, refrigerator, range/stove, nebulizers that are battery driven or self-contained, battery driven sleep apnea monitors, battery-driven cardiac monitors.

- (2) When a consumer to whom service is provided is unable to pay the account in full, the Company shall suspend disconnection of service, or reconnect if disconnected, if the consumer notifies the utility that disconnection of service will give rise to a life-threatening condition for the consumer or other permanent resident of the household should gas service be terminated, and within thirty (30) calendar days of the initial notification the consumer shall return the Medical Certificate described in (3) of this subsection.
- (3) The consumer shall use a Medical Certificate Form, which verifies the existence of a life-threatening condition. This form is provided by the Company at no cost to the consumer. The form shall provide certification by a licensed medical doctor or osteopath. The consumer may choose the appropriate medical personnel. A copy of the form

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is included in the Appendix A. The service account name holder shall sign the Medical Certificate Form at the appropriate space, indicating knowledge that a permanent resident of the household is applying for the life-threatening situation certificate and further acknowledging the responsibility for payment of the bills rendered for gas service.

- (4) Completion of (2) and (3) of this subsection will suspend disconnection of gas service to the specified residence for a period of thirty (30) days from the initial notification. This 30-day period allows the consumer to pay the account in full or enter into a deferred payment agreement with the utility and/or make alternative arrangements for the person(s) named on the certified form as having the life-threatening condition. After thirty (30) days, normal collection action will resume. The 30-day period may be extended by the Company at the request of the service account name holder for one (1) additional contiguous 30-day period, but only if necessitated by the life-threatening condition (as indicated on the Medical Certificate Form). The request for the additional 30-day extension must be made before the end of the initial 30-day period. The Company is not required to furnish service to the customer beyond a total of sixty (60) days for the life-threatening condition without full payment of the account or acceptable payment arrangements on any unpaid balance.

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- (5) Verification of the medical condition of the consumer by the utility may include the following:
  - (a) Company personnel may visit the consumer's residence with the consumer's permission to verify that life-sustaining equipment is being used.
  - (b) Company personnel may verify the doctor's signature and clarify the medical terms of the diagnosis, which is the reason for the life-threatening certificate.
- (6) The collection abeyance in no way absolves the consumer from full responsibility for the payment in full of the natural gas used, and is intended for the purpose of providing the consumer an opportunity to maintain utility service during the life-threatening situation within the prescribed time frames.
- (7) Failure of the service account name holder to fully comply with this subsection may result in denial of life-threatening status and renewed collection activities of the Company, to include termination of service to said residence.
- (8) Any consumer who uses this subsection to avoid disconnection or for reconnection of service and does not fulfill the required documentation will be subject to disconnection.

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- (9) If a consumer provides false or misleading information to the Company in order to avail the consumer of the provisions applicable to the financial assistance delay, deferred payment agreement, life-threatening situation or Commission notification procedure for elderly and/or handicapped consumers, the false information shall be grounds for disconnection of service by the Company.
- (10) Reconnection or continuance of service under this Section shall not in any way relieve the consumer of the consumer's liability incurred for gas service.
- (d) The above mentioned certificates are effective for one (1) billing period and may be renewed;
- (e) If the certificate is renewed the Company may request, at consumer's expense, verification of the life-threatening situation by a medical or osteopathic doctor. The consumer shall have the option of selecting who will make the verification.
- (f) Upon receiving the certificate, the Company shall postpone the discontinuation of service, or reconnect as soon as possible previously discontinued service pending final determination;

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- (g) If there is any dispute between the Company and the consumer regarding the minimum payment plan or the question of a life-threatening situation, the matter may be brought by either party, to the Commission for final determination. If the Commission shall find against the consumer, the consumer shall pay all charges allowed by Commission rules or tariffs of the Company approved and on file with this Commission.
- n. The Company may discontinue service to a consumer on the date specified in the notice of discontinuation, or within thirty (30) days hereafter, during regular business hours, so long as disconnection does not occur within the last two (2) hours of the business day; nor shall service be disconnected on a holiday, nor noon (12:00 p.m.) on Fridays until Monday morning.
- o. After disconnection of service the Company shall reconnect service to any consumer upon guarantee from any social or government agency that payment will be made. The consumer shall be liable for all utility services rendered.
- p. When disconnection has occurred during a time period specified in paragraph (M), the Company upon entering into a deferred payment plan with the consumer for receipt of past due bills, or upon receipt of payment of the past due bill, shall reconnect service within forty-eight (48) hours, if requested by consumer, unless this is made impossible by an intervening Act of God. The Company shall file with the Commission a tariff indicating the rate for these reconnects and after approval thereof shall be authorized to charge the rates.
- q. At any time prior to discontinuance of "Elderly or Handicapped" consumers, the Company shall notify the Commission's Complaint, Investigation and Mediation Department by telephone at least five (5) days before disconnection. The telephone call shall be followed by written memorandum mailed the day of the telephone call, containing the names of the involved parties and all other pertinent information relating to the proposed discontinuance.

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- r. When the utility shall permanently discontinue delivery of gas service to any consumer's premises, the Company shall have the right at any reasonable time thereafter, to enter upon the premises and remove its meter and any other of its property there located.
- s. During any period of time when a disconnection dispute is before the Corporation Commission, for formal or informal mediation, the Company shall suspend disconnection procedures. This shall apply to causes of discontinuance enumerated in B(i), (ii), (iii), (iv) and (v).
- t. Delays to disconnection of residential service:
  - (i) Limitations on disconnection. After notice and hearing, the Commission may issue an order that may include limitations on disconnection of residential utility service used or needed for the primary heating or cooling source.
  - (ii) Temporary ban on disconnections. The Commission shall have the authority to order a temporary ban on any or all disconnections during periods of extremely severe weather or when circumstances exist such that disconnection could create a situation dangerous to the life or health of consumers or to property.
  - (iii) Severe weather. If the high temperature is actually, or predicted to be, 32 degrees Fahrenheit or below on the day of disconnection or the nighttime low is predicted to be 20 degrees Fahrenheit or less, the Company shall suspend its disconnection of service if the gas service is used for heating purposes. If the service is utilized for cooling and the temperature is actually or predicted to be, 103 degrees heat index or higher on the day of disconnection, the Company shall suspend its disconnection of service

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activity. Nothing in this Section shall prohibit the Company from establishing a higher temperature threshold for residential heating purposes below which it will not discontinue utility service or from establishing a lower temperature threshold for residential cooling purposes above which it will not discontinue utility service.

(iv) Financial assistance delay. When a residential consumer has applied for and is awaiting financial assistance, including social security income, from a federal, state, or local social service agency, and the company has initiated written notice of disconnection, it shall delay disconnection of service for a period of at least twenty (20) days from the date when such notice was either delivered or mailed to the premises where service is rendered, provided:

- (a) The reason for disconnection is for nonpayment of the utility bill.
- (b) The consumer has notified the Company that the consumer has applied for and is awaiting financial assistance.
- (c) Verification from the involved agency is provided in a form as prescribed by the utility upon its request.
- (d) If the expected financial assistance is less than the amount owed for services, the Company may require the consumer to enter into a deferred payment agreement as prescribed pursuant to Rule 15, I, Section 3, Deferred Payment Plan of this rule.
- (e) Under no conditions is the utility required to furnish service to the consumer unless there is reasonable expectation of payment for such service except where other rules of this Commission apply.

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RULE 16 GAS SERVICE THROUGH PRIVATE LINE

(a) Gas Service may be furnished to one or more consumers through a private line pursuant to this Rule. Prior to commencement of gas service to consumer to be served under this Rule, the Company, on behalf of itself and the consumers to be served from the private line, shall be furnished with the written consent and agreement of the owner thereof for the use of such private line by such consumers. Such written consent and agreement must allow for the use of the private line to transport gas for furnishing and measuring gas service to the consumers to be connected to such private line, the agreement of the owner thereof to hold the Company harmless from any loss, claim or damage by virtue of use of such private line and such other terms as the Company may reasonably require. In addition, the consent and agreement may list the points of delivery where the owner has agreed to allow consumers to receive service from the private line.

(b) Whenever service being furnished to a consumer is dependent on the availability to consumer of the use of a private line, the company's obligation to furnish gas service is subject to continued availability to such consumer of the use of such private line and the Company private line service agreement. The Company shall not be responsible or liable for any curtailment or termination of gas service to a consumer because a private line used by the consumer is for any reason unavailable to the consumer for use in receiving such gas service.

(c) Gas service to a consumer on a private line shall be provided under the same terms as gas service is provided to the class of consumers which includes such consumer, unless otherwise specifically herein provided.

(d) Gas service shall be deemed delivered to a consumer on a private line at the location of the master meter, the point of connection of the private line and the Company's system, with the consumer billing for gas consumption to be the sum of: (i) the amount of gas measured by the meter installed on the private line for such consumer and (ii) such consumer's proportionate share of the difference between the amount of gas measured to all consumers on the private line.

(e) In addition to the Company's other rights to discontinue service under the Company Rules, the Company may discontinue service to a consumer served from a private line upon thirty (30) days written notice to such consumer.

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RULE 17 MOBILE HOMES AND PARKS

(a) No Company shall be required to furnish gas service to a mobile home park until the Company has been furnished, at no cost to the Company, the necessary easements. Such easements may terminate when the property ceases to be used as a mobile home park if the Company no longer needs the easement to maintain service to other consumers adjacent to or beyond the park.

(b) A mobile home shall be served by an individual meter under the same terms as a single residence. Service to mobile home parks existing on or before the effective date of this Chapter may continue to be provided with a single or multiple meter.

(c) From and after the effective date of the Rules, all new mobile homes and parks shall be served in accordance with the Company Rules and the Company Distribution Main Extension Policy, provided however, that mobile homes and parks not served in such manner as of the effective date shall be converted only upon order of the Commission after notice and hearing.

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RULE 18 EXTENSION OF DISTRIBUTION MAINS

I. (a) General - The Company will extend its distribution mains to serve consumers within the corporate limits of a municipality served by the Company, or any recorded addition thereof, or within a reasonable distance from the Company's existing distribution system, in accordance with the provisions of OAC 165:45-3-4 of the Corporation Commission of Oklahoma.

(b) Free Extensions - The Company will extend its distribution system, as needed, up to 100 feet per consumer without cost to the party requesting service. In arriving at the length of such main extension necessary to render service to the party, the distance shall be measured along lines of proper construction from the nearest distribution main with adequate capacity.

(c) Extension Above Free Limit -Advance - If the extension necessary to furnish service is greater than allowed as a free extension under (b) above, the Company may require an advance of the cost of the main extension over the free limit. The Company shall not arbitrarily or with disparity impose the obligation of requiring an advance, but rather shall determine whether to require an advance and the amount thereof on a case-by-case basis. Whenever such advance is made, the Company will refund to the party who made the advance an amount equal to the cost of 100 feet of free extension for each additional consumer whose service line is connected to such main within a period of ten (10) years from the making of the extension. This refund will cease after ten (10) years from the making of the extension, but the total of all refunds shall not exceed the original advance. No refunds will be made for consumers connected to future extensions tied into such an extension. The advance shall not draw interest.

(d) Extensions Above Free Limit - Revenue Basis - The Company may make extensions above the free limit upon receipt of a lesser advance or no advance when the gross anticipated annual revenue from an extension will provide the Company with an adequate return on its investment, pursuant to the following formula:

- (i) Residential, Commercial and Industrial Consumer - WTG will furnish all of the necessary mainline extension facilities provided the job will not exceed a maximum of five (5) times the annual adjusted gross revenue to be obtained from the new consumer who will be served from the new facilities. Deposit refund shall be made under the same terms as (c) above.

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RULE 18 Continued

TCJ = > AGR x 5

TCJ = Total Cost of the Job

AGR = Adjusted gross revenue (total estimated annual revenue of consumer less average cost of purchased gas and applicable revenue taxes).

- (ii) Agricultural/irrigation consumer - WTG will furnish all of the necessary main extension facilities when the Company has entered into an agreement (form attached as Exhibit "A"), provided the total cost of the job, including services and meter settings, is not in excess of the maximum allowable investment using the following formula. Annually, on the anniversary of the completion date of the project covered by this Agreement and subject to the provisions thereof, WTG shall distribute "advances" collected the past year that are in surplus of any WTG "maximum allowable advance". Refunds on an extension made on a revenue basis shall be made on per irrigation well basis or in the case of a Large Agricultural Business, a volume basis.

PVP =  $\frac{\text{AGR-OMC-D-AT}}{\text{RR}}$

PVP = Present Value of Project

AGR = Adjusted Gross Revenue (Estimated Annual Revenue Less Average Cost of Purchased Gas and Applicable Revenue Taxes)

OMC = Operating and Maintenance Cost

D = Depreciation Expense

AT = Ad Valorem Taxes

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RULE 18 Continued

RR = Highest Rate of Return Before Income Taxes allowed by  
Commission in last twelve months

- (a) Within sixty (60) days after the project has been completed, a True Cost Statement will be compiled by WTG and a copy will be provided to all applicants. The True Cost Statement will comply with OAC 165:45-3-4(f).
- (b) When the True Cost Statement reflects that an excess deposit has been accepted, the excess amount of deposit shall be refunded as soon as the number of consumers allowed in the Natural Gas Line Extension Agreement are connected. When the True Cost Statement reflects that the deposit accepted is less than the deposit required, the difference shall be deducted from the first refunds, and the applicant shall be advised of on the True Cost Statement.
- (c) WTG may elect, after computing the "Present Value of Project", to reduce the amount of deposit required to make the project financially attractive to its consumers and thereby creating a Maximum Allowable Allowance.
- (d) Because of the deposits that have been made by the WTG consumer for the construction of a mainline extension, any prospective new irrigation or agriculture consumer will not have the right to claim service under OAC 165:45-3-3 without making a deposit of comparable dollar amount that has been paid by previous depositors for a period of ten (10) years. \*This is an exception to current OCC rules.
- (e) Extension Above Free Limit - Special Contract - In lieu of making an extension pursuant to (c) or (d) above, the Company may make an extension above the free limit with a lesser advance or no advance when the Company has entered into an agreement (form attached as Exhibit "B") whereby the party proposing to provide the advance guarantees a minimum annual revenue from the extension to the Company. Such an agreement shall be deemed a special contract governed by OAC 165:45-15-2.

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RULE 18 Continued

- (f) Determining Cost of Extension - In determining the amount of advance, if any, which shall be made for an extension pursuant to this rule, the total construction cost of the extension shall first be determined in accordance with the approved system of accounting for gas utilities and from such total construction cost there shall be deducted;
- (1) Costs incident to any increase in size of the main in excess of that required to adequately and satisfactorily provide service, costs incident to future expansion or to continue a construction plan of the utility, and costs necessary to correct inadequate capacity;
- (2) The total construction cost of that portion of the extension constituting a free extension, which includes meters, service regulators, stopcocks, and service connectors.

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RULE 19 MISCELLANEOUS

(a) The consumer shall not interfere with, adjust, repair, connect or disconnect or in any way tamper with the meter, regulator, regulator station, meter house, or other equipment of the Company, whether upon the consumer's premises or elsewhere, nor shall the consumer permit others to do so.

(b) In case of loss or damage to the property of the Company as a result of the intentional or negligent acts or omissions of the consumer, or consumer's agents, tenants, employees or invitees, the consumer shall pay the Company the cost of repairing or replacing such property.

(c) Immediate notice shall be given to the Company by the consumer in the event that escaping gas is detected on the consumer's premises.

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