

1   **ORDINANCE NO.** \_\_\_\_\_  
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3                       **AN ORDINANCE TO AMEND LITTLE ROCK, ARK., ORDINANCE NO.**  
4                       **11,366 (MARCH 4, 1963), AS AMENDED, TO PROVIDE FOR LEVYING A**  
5                       **FRANCHISE FEE TO BE PAID BY CENTERPOINT ENERGY ARKLA;**  
6                       **TO PROVIDE FOR THE PAYMENT THEREOF; AND FOR OTHER**  
7                       **PURPOSES.**  
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9               **WHEREAS**, CenterPoint Energy ARKLA ("the Gas Company") is authorized by franchise ordinance  
10 to operate a Gas Distribution System and appurtenances thereto, used in or incident to the rendition of gas  
11 service to the City of Little Rock, Arkansas ("the City") and the inhabitants residing therein; and,

12               **WHEREAS**, the Gas Company is now and will be occupying the streets, alleys and rights-of-way of  
13 the City for the purpose of operating, maintaining and extending its gas services to the City and supplying  
14 the City and consumers therein gas service; and,

15               **WHEREAS**, the City is legally authorized to impose, and the Gas Company is obligated to pay a just  
16 and reasonable Franchise Fee in connection with the operations in the City.

17               **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY**  
18 **OF LITTLE ROCK, ARKANSAS:**

19               **Section 1.** Section 1 of Little Rock, Ark., Ordinance No. 11,366 (March 4, 1963) is hereby amended  
20 to read as follows:

21                     CenterPoint Energy ARKLA (the Gas Company) shall on a monthly basis pay a Franchise  
22                     Fee in an amount equal to 5.2% of the Gas Company's gross revenues as paid to it during  
23                     the calendar year 2022 and each year thereafter by all of its customers, including but not  
24                     limited to industrial, residential and commercial customers located within the corporate  
25                     limits of the City of Little Rock or the sum of Two Million, One Hundred Thousand Dollars  
26                     (\$2,100,000.00) per year, whichever is greater. The auditor of the Gas Company shall  
27                     certify said gross revenues.

28               **Section 2.** Payments to the City by CenterPoint Energy ARKLA of the amounts as provided for in  
29 Section 1 hereof shall be made monthly on or before the 15<sup>th</sup> day of each month.

30               **Section 3.** CenterPoint Energy ARKLA shall also be subject to the relocation policy set forth in Little  
31 Rock, Ark., Rev. Code §§2-350 – 357 (1988).

32               **Section 4.** All ordinances and parts of ordinances that conflict herewith are hereby repealed; provided,  
33 however, only to the extent that the same are in direct conflict herewith. Except as provided, nothing herein  
34 shall be construed to alter or change the terms or conditions of the present franchise under which the Gas

1 Company is operating.

2 **Section 5. *Effective Date.*** Because an ordinance of this nature remains in effect until abandoned, and  
3 in light of the language of the current Section 1 of this ordinance, it is noted that the Franchise Fees set  
4 forth in Section 1 of this ordinance shall be in full force and on January 1, 2022.

5 **PASSED: December 21, 2021**

6 **ATTEST:**

**APPROVED:**

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Susan Langley, City Clerk

\_\_\_\_\_ **Frank Scott, Jr., Mayor**

10 **APPROVED AS TO LEGAL FORM:**

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**Thomas M. Carpenter, City Attorney**

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