

wholesale electric generation facilities which are the actual end user of such gas and do not intend to resell the gas to customers that are subject to the franchise fee.

Section 3. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional.

ATTEST:

PASSED AND APPROVED the 5th day of March, 2002.

Frances Franco
Clerk

Daniel R. Watson
Mayor

The Arkansas Western Gas Company, a corporation, hereby accepts and agrees to the terms and conditions of Ordinance No. 160 this 14th day of March, 2002.

ARKANSAS WESTERN GAS COMPANY

By: Charles B. [Signature]
Senior Vice President