



February 20, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Authorize the issuance of a refund check in the amount of \$59,311 to gas utility customer American Textile Maintenance Company pursuant to Long Beach Municipal Code Section 15.40.075 Refund of Gas Utility Charges. (District 4)

**DISCUSSION**

American Textile Maintenance Company is a large industrial gas utility customer located at 1340 Orizaba Avenue in Long Beach. For the month of November 2006, the invoice for American Textile Maintenance Company was inadvertently calculated at a gas volume rate per decatherm rather than per therm. The customer subsequently submitted an overpayment of \$59,311 to the City. Once the customer was notified by LBGO of the overpayment, the customer submitted a written request for a refund.

This matter was reviewed by Deputy City Attorney Richard Anthony on January 30, 2007 and Budget and Performance Management Bureau Manager David Wodynski on February 8, 2007.

**TIMING CONSIDERATIONS**

City Council action is requested on February 20, 2007 to avoid further delay in processing the refund.

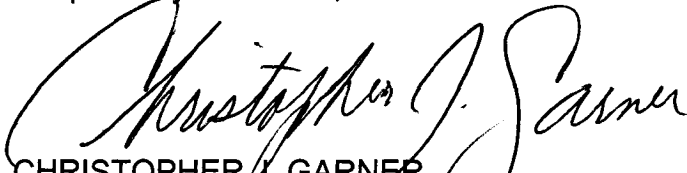
**FISCAL IMPACT**

The source of the funding for the refund will be gas revenues. Sufficient funds are currently budgeted in the Gas Fund (EF 301) and in the Long Beach Gas and Oil Department (EN) to process the refund.

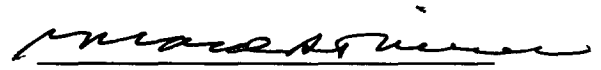
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

  
CHRISTOPHER J. GARNER  
DIRECTOR OF LONG BEACH GAS AND OIL

APPROVED:

  
GERALD R. MILLER  
CITY MANAGER