

RESOLUTION NO. 2010-09-01

RESOLUTION ADOPTING THE NEW RATE "SCHEDULE NM" FOR NET METERING PURPOSES AND THE "THIRD REVISED" SHEET NOS. 38 AND 39.

WHEREAS, the Board of Directors of the Electric Department and System Enterprise of the City of Fort Morgan hereby finds and declares it to be in the public interest and in the interest of the customers of the City's electric utility that the Enterprise adopt the rate schedule for net metering, effective October 1, 2010; and,

WHEREAS, Article VII, Sec. 3 of the *Charter of the City of Fort Morgan* gives City Council the "power by ordinance to fix and regulate rates, fares and charges for service by public utility corporations . . ."; and,

WHEREAS, pursuant to Sec. 22B-7, *Code of the City of Fort Morgan*, "[c]harges for the supply of electric. . . service[s] shall be, from time to time, established by resolution of the City Council"; and,

WHEREAS, pursuant to C.R.S. §40-2-124, the City shall allow a customer-generator's retail electricity consumption to be offset by the electricity generated from eligible energy resources on the customer-generator's side of the meter that are interconnected with the facilities of the municipally owned utility; and,

WHEREAS, pursuant to C.R.S. §40-3.5-104 and the City's adopted tariff sheets, notice of this new rate schedule was given by the municipality on the 7th day of September at a Public Hearing held at 7:00 p.m. at Historic City Hall located at 110 Main Street, Fort Morgan, CO 80701; and,

WHEREAS, the "Third Revised" Sheet Nos. 38 and 39 shall be incorporated into the published tariff of electric rates of the City of Fort Morgan, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY BOARD OF THE ELECTRIC DEPARTMENT AND SYSTEM ENTERPRISE OF THE CITY OF FORT MORGAN, COLORADO:

SECTION 1 Effective September 7, 2010, for all utility bills generated pursuant to this new rate schedule on or after such date, the City hereby adopts the NM Rate Schedule proposed in the Rate Schedule for the Electric Supply Charge by the City of Fort Morgan to Residential, Commercial, and Municipal Customers, hereby adopts the "Third Revised" Sheet Nos. 38 and 39.

SECTION 2. The new rates shall be effective beginning October 1, 2010.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 7th day of September 2010, the vote upon roll call being as follows:

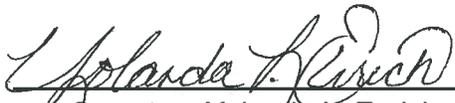
Ayes: Mayor McAlister, Councilmembers Deal, Powers, Shaver, Forstedt, Brayn and Nation.

THE BOARD OF THE ELECTRIC DEPARTMENT AND SYSTEM ENTERPRISE OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: 
Chairman Terry McAlister

ATTEST:


Secretary Yolanda L. Eurich

STATE OF COLORADO)
COUNTY OF MORGAN) ss. **CERTIFICATE**
CITY OF FORT MORGAN)

I, Yolanda L. Eurich, Secretary of the Board of the Electric Department and System Enterprise of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 7th day of September, 2010.


Secretary Yolanda L. Eurich