

## **RESOLUTION NO. 08 09 01**

### **A RESOLUTION APPROVING THE TOTAL RATE INCREASE OF 9.88% AS OUTLINED IN THE RATE SCHEDULE FOR THE GAS SUPPLY CHARGE, AND ADOPTING THE "FOURTH REVISED" SHEET NO. 10.**

**WHEREAS**, the Board of Directors of the Natural Gas 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 natural gas utility that the Enterprise adopt the rate increase proposed in the Rate Schedule for the Gas Supply Charge by the City of Fort Morgan to Residential, Commercial, and Municipal Customers, effective October 1, 2008; and,

**WHEREAS**, Article VII, Sec. 3 of the *Charter of the City of Fort Morgan* gives the council "power by ordinance to fix and regulate rates, fares and charges for service by public utility corporations and to change the same every five years; provided, that rates, fares or charges shall not be changed without examination by competent inspectors . . ."; and,

**WHEREAS**, the rate increase and revisions have been recommended by competent inspectors, McFadden Consulting Group, Inc.; and,

**WHEREAS**, pursuant to C.R.S. §40-3.5-104 and the City's adopted tariff sheets notice of this increase was given by the municipality on August 22, 2008 of the Public Hearing on September 23, 2008, at 7:00 p.m. at Historic City Hall located at 110 Main Street, Fort Morgan, CO 80701; and,

**WHEREAS**, the "Fourth Revised" Sheet No. 10 shall be incorporated into the published tariff of gas rates of the City of Fort Morgan, Colorado.

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:**

1. Effective October 1, 2008, for all utility bills generated on or after such date, the City hereby adopts the rate increase proposed in the Rate Schedule for the Gas Supply Charge by the City of Fort Morgan to Residential, Commercial, and Municipal Customers, hereby adopts the "Fourth Revised" Sheet No. 10.

2. The new rates shall be effective beginning October 1, 2008.

**PASSED, APPROVED AND ADOPTED** this 23<sup>rd</sup> day of September 2008, upon a roll call vote by the Council of the City of Fort Morgan, Colorado.

Ayes: Mayor Darnell; Councilmembers Deal, McAlister, Powers, Schafer and Shaver

Nays: None.

Absent: Councilmember Simmons

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

ATTEST:

By: Jack Danner  
Mayor

Andrea Strand  
City Clerk

STATE OF COLORADO            )  
COUNTY OF MORGAN         ) ss  
CITY OF FORT MORGAN        )

**CERTIFICATE**

I, Andrea Strand, City Clerk 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 Council of Fort Morgan, Colorado, 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, since its adoption, been rescinded or amended in any respect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 24<sup>th</sup> day of September, 2008.

[SEAL]

Andrea Strand  
Andrea Strand, City Clerk