

**RESOLUTION NO. 10-11**

**A RESOLUTION SETTING A BALLOT TITLE AND SUBMITTING TO THE ELECTORATE ON APRIL 5, 2011 A MEASURE REGARDING GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION TO PUBLIC SERVICE COMPANY OF COLORADO AND GRAND VALLEY RURAL POWER LINES, INC.**

**RECITALS.**

State law requires a public utility to enter into a franchise agreement with local governments to serve customers in its jurisdiction. The proposed franchise agreements are contracts that provide Xcel Energy and Grand Valley Power with a non-exclusive right to furnish, sell, distribute and transport gas and electricity within the City and to all residents of the City. It also allows access to the City rights-of-way to acquire, construct, install, locate, maintain, operate and extend equipment to distribute and transport gas and electricity. It outlines fees that the utilities pay to the City in exchange for grant of this franchise. For the most part, the Colorado PUC reviews and approves the utilities' power supply portfolio and is tasked with overseeing and approving the rates charged to the customers.

The current franchise agreements with Xcel Energy (Public Service Company of Colorado) and Grand Valley Power (Grand Valley Rural Power) were approved in 1992 and will expire in 2012. The proposed ordinance would establish a new, 20-year franchise agreement with each utility to be placed on the ballot at the April, 2011 Municipal election.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE FOLLOWING QUESTION BE PLACED ON THE APRIL 5, 2011 BALLOT:**

**CITY OF GRAND JUNCTION REFERRED MEASURE B**

Shall the City of Grand Junction grant franchises to Public Service Company of Colorado, d/b/a Xcel Energy and to Grand Valley Rural Power Lines, Inc. by People's Ordinance No. 37?

*AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION TO PUBLIC SERVICE COMPANY OF COLORADO, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO FURNISH, SELL AND DISTRIBUTE GAS AND ELECTRICITY TO THE CITY AND TO ALL PERSONS, BUSINESSES, AND INDUSTRY WITHIN THE CITY AND THE RIGHT TO ACQUIRE, CONSTRUCT, INSTALL, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID CITY ALL FACILITIES REASONABLY NECESSARY TO FURNISH, SELL AND DISTRIBUTE GAS AND ELECTRICITY WITHIN THE CITY AND THE RIGHT TO MAKE REASONABLE USE OF ALL STREETS AND OTHER PUBLIC*

PLACES AND PUBLIC EASEMENTS AS HEREIN DEFINED AS MAY BE NECESSARY; AND FIXING THE TERMS AND CONDITIONS THEREOF; AND


AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF GRAND JUNCTION TO GRAND VALLEY RURAL POWER LINES, INC., ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO FURNISH, SELL AND DISTRIBUTE ELECTRICITY TO THE CITY AND TO ALL PERSONS, BUSINESSES, AND INDUSTRY WITHIN THE CITY AND THE RIGHT TO ACQUIRE, CONSTRUCT, INSTALL, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID CITY ALL FACILITIES REASONABLY NECESSARY TO FURNISH, SELL AND DISTRIBUTE ELECTRICITY WITHIN THE CITY AND THE RIGHT TO MAKE REASONABLE USE OF ALL STREETS AND OTHER PUBLIC PLACES AND PUBLIC EASEMENTS AS HEREIN DEFINED AS MAY BE NECESSARY; AND FIXING THE TERMS AND CONDITIONS THEREOF.

FOR THE ORDINANCE \_\_\_\_\_


AGAINST THE ORDINANCE \_\_\_\_\_

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Adopted this 31<sup>st</sup> day of January, 2011.

  
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President of the Council

ATTEST:

  
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City Clerk