

SERIES OF 1984

AN ORDINANCE BY THE TOWN OF FLEMING, COLORADO,  
UNDERTAKING TO COMPLY WITH CERTAIN FEDERAL ENERGY  
REGULATORY COMMISSION REGULATIONS ON ARRANGEMENTS  
WITH QUALIFYING COGENERATION AND SMALL POWER PRO-  
DUCTION FACILITIES UNDER SECTION 210 OF THE PUBLIC  
UTILITY REGULATORY POLICIES ACT OF 1978.

WHEREAS, certain obligations are imposed on nonregulated electric utilities by Section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA) and regulations promulgated thereunder by the Federal Energy Regulatory Commission ("FERC"); and,

WHEREAS, the Town of Fleming's electric utility operation is a nonregulated electric utility within the meaning of such statute and regulations; and,

WHEREAS, the Town of Fleming is required by the FERC's regulations, 18 CFR Section 292.401(c), to file a report describing the manner in which the Town will implement Subpart C of 18 CFR Part 292.

BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF FLEMING, COLORADO:

Section 1. The Board of Trustees hereby finds and declares it to be in the public interest and in the interest of the customers of the Town's electric utility that the Town of Fleming undertake to comply with all lawful regulations of the FERC codified in Subpart C of 18 CFR Part 292 dealing with arrangements with qualifying cogeneration and small power production facilities under Section 210 of PURPA.

Section 2. The Town Clerk and the Town Attorney are jointly and severally authorized and directed to file with the FERC a copy of this Ordinance reflecting the Town's compliance with 18 CFR Section 292.401(c).

Section 3. This Ordinance shall be in full force and take effect after its passage, approval and publication as provided by law.

INTRODUCED, READ AND ORDERED POSTED IN THE FOLLOWING  
THREE PLACES BY RESOLUTION ADOPTED UPON FIRST READING THIS  
3rd DAY OF July, 1984.

1. Fleming Town Hall
2. First National Bank
3. Jane's Cafe

POSTED THIS 9 th DAY OF July, 1984.

SECOND READING AND ADOPTED THIS 7 DAY OF August, 1984.

  
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Ralph A. Deines, Mayor

ATTEST: Eileen Caneva  
~~Barbara Corbett~~, Town Clerk  
Eileen Caneva, Acting

RESOLUTION

BE IT RESOLVED: Pursuant to C.R.S. 1973, 31-16-105, as amended, there being no newspaper of general circulation in the Town of Fleming, the Board of Trustees of the Town of Fleming hereby orders posted copies of Ordinance No. 84-2, Series of 1984, a copy of same in the following three public places which are within the limits of the Town of Fleming, Colorado:

1. Fleming Town Hall
2. First National Bank
3. Janes Cafe

ADOPTED BY Unanimous VOTE OF THE MEMBERS OF THE BOARD OF TRUSTEES, TOWN OF FLEMING, COLORADO.