

ORDINANCE NO. 163, 2018  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF FORT COLLINS  
TO CLARIFY UTILITY ACCOUNTS, BILLING AND  
COLLECTION PRACTICES REGARDING NET METERING

WHEREAS, the City Council is empowered and directed by Article XII, Section 6, of the City Charter to fix, establish, maintain and provide for the collection of such rates, fees or charges for utility services furnished by the City as will produce revenues sufficient to pay the costs, expenses and other obligations of the electric utility, as set forth therein; and

WHEREAS, Chapter 26 of the City Code regulates and governs the provision of utility services, and sets forth definitions and terms for applying fees and bill-credits for delivery of specified utility services; and

WHEREAS, such provisions require periodic updating and modification for purposes of clarification and to ensure that the Code remains a dynamic document capable of responding to issues identified by staff, customers, and citizens and changing technology for and manner of delivering utility services; and

WHEREAS, Fort Collins Utilities staff has identified provisions of Chapter 26 of the Code where clarification of the service fee and bill-credit practices for customer solar generation projects are required to better inform customers and align with current utility practices; and

WHEREAS, on December 6, 2011, City Council adopted Ordinance No. 166, 2011, enacting a rate structure designed to encourage energy conservation measures toward meeting City Energy Policy and Climate Action Plan goals; and

WHEREAS, the adopted rate structure changed to a seasonal tiered rate structure that resulted in a higher rate per kilowatt hour in the summer months, and created a corresponding seasonal adjustment in the net-metering credit calculations in Chapter 26 of the Code; and

WHEREAS, on November 6, 2012, City Council adopted Ordinance No. 114, 2012, which funded a specific solar incentive program and effectively created a replacement rate methodology to that previously described in “parallel generation” subsections of Sections 26-464 through 26-469 of the Code (“Rate Sections”); and

WHEREAS, in subsequent annual rate updates, City Council adopted adjustments to “net metering”, “net metering-community solar projects”, and “renewable resources” portions of the Rate Sections, rendering obsolete “parallel generation” terms in those sections; and

WHEREAS, Utilities staff has determined the “parallel generation” subsections in the Rate Sections have been effectively replaced by more specific subsections of the Rate Sections and removal of the “parallel generation” will clarify interpretation and application of the rates and bill-credits associated with net metering, community solar projects, and renewable resources; and

WHEREAS, the City Council has determined it is desirable to maintain appropriate utility service billing practices and the recommended clarification of such practices in the City Code, as set forth herein, is in furtherance of the benefits available to utility ratepayers.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 26-464(k) of the Code of the City of Fort Collins is hereby deleted in its entirety and subsection (k) shall be reserved for future use.

Section 3. That Section 26-465(k) of the Code of the City of Fort Collins is hereby deleted in its entirety and subsection (k) shall be reserved for future use.

Section 4. That Section 26-466(l) of the Code of the City of Fort Collins is hereby deleted in its entirety and subsection (l) shall be reserved for future use.

Section 5. That Section 26-467(m) of the Code of the City of Fort Collins is hereby deleted in its entirety and subsection (m) shall be reserved for future use.

Section 6. That Section 26-468(p) of the Code of the City of Fort Collins is hereby deleted in its entirety and subsection (p) shall be reserved for future use.

Section 7. That Section 26-469(q) of the Code of the City of Fort Collins is hereby deleted in its entirety and subsection (q) shall be reserved for future use.

Introduced, considered favorably on first reading, and ordered published this 4th day of December, A.D. 2018, and to be presented for final passage on the 18th day of December, A.D. 2018.

\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 18th day of December, A.D. 2018.

ATTEST:

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Mayor

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City Clerk