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The Right of Municipalities to Provide Utility Service within Annexed Areas

*Steve Glammeyer, P.E., City of Delta,
Director of Utilities/Public Works
Dan Hodges, Colorado Association of Municipal Utilities,
Executive Director
Craig Johnson, Fairfield and Woods PC,
Managing Director*





City of Delta: Incorporated 10/24/1882
Located on the West slope of Colorado
Population: 9,000+/-



History of Delta Electric System

- April 27, 1897- Delta City Council passes ordinance to approve installation of an electric light plant and 20 year franchise with Bristol/Burshaw.
- January 1, 1903 – First lights were energized!
- By 1910 Delta population almost triples
- By mid-1930's population surpasses 3,000

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History of Delta Electric System (cont.)

- 1933 – Taxpayers ask Council to investigate federal funding of Municipal power plant.
- 1935 – Municipal Light and Power Department established.
- 1938 – 3 Fairbanks/Morse diesel generators installed

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History of Delta Electric System (cont.)

2 of the Original
1936 Fairbanks-
Morse Engines



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History of Delta Electric System (cont.)

- Between 1939 and 1956 – 4 additional Fairbanks/Morse Engines were added



Original Control Panel

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History of Delta Electric System (cont.)

- 1967 – Delta’s energy demand outgrows generation capacity and Delta connects to the “grid”.
- Delta has many purchase power contracts with various entities over the years.
- Today, Delta purchases power from the Western Area Power Administration and the Municipal Energy Agency of Nebraska.

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Why Are We Here?

- In 2012, a new Maverik Fueling and Convenience Store was locating in Delta.
- Current State law allows a Municipal Electric utility to compete for new electric customers
- Craig will cover the details later, as only an attorney can!

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Why Are We Here? (cont.)

- City of Delta submits a bid to Maverik to serve their power needs.
- City of Delta Wins!
- Delta-Montrose Electric Association loses.
- Delta-Montrose Electric Association doesn't understand why it doesn't get to serve the development.
- Delta-Montrose Electric Association sues Delta.

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Where are we today?

- City of Delta gets very strong favorable opinion in Delta County District Court
- Delta-Montrose files appeal of District Court decision
- Awaiting decision of Colorado Court of Appeals

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