

ACCEPTANCE OF ORDINANCE NO. 118

CITY OF GEM LAKE, RAMSEY COUNTY, MINNESOTA

ACCEPTANCE OF GAS FRANCHISE:

WHEREAS, the City Council of the City of Gem Lake, Ramsey County, Minnesota, on the 15th day of June, 2010, passed and adopted Ordinance No. 118, entitled:

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF GEM LAKE, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES.

which Ordinance was duly published according to law on the 23rd day of June, 2010, in the White Bear Press, a newspaper circulated in and serving as the legal newspaper for the City of Gem Lake, County of Ramsey, and State of Minnesota, and which Ordinance is not effective unless accepted in writing by Northern States Power Company, a Minnesota corporation.

NOW THEREFORE, Northern States Power Company, a Minnesota corporation, for itself and its successors and assigns, does hereby accept all the terms and conditions of said Ordinance.

IN WITNESS WHEREOF, Northern States Power Company, a Minnesota corporation has caused this document to be executed in its corporate name by its duly authorized persons and its corporate seal to be hereto affixed this 23rd day of July, 2010.

Attest:





Patrice D. Blaeser
Assistant Secretary

Northern States Power Company, a Minnesota corporation

By: 

Laura McCarten, Authorized Agent
Regional Vice President, NSP - Minnesota

**CITY OF GEM LAKE, RAMSEY COUNTY, MINNESOTA
ORDINANCE NO. 118**

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THE CITY COUNCIL OF THE CITY OF GEM LAKE ORDAINS:

SECTION 1. DEFINITIONS.

For purposes of this Ordinance, the following capitalized terms listed in alphabetical order shall have the following meanings:

- 1.1 **City.** The City of Gem Lake, County of Ramsey, State of Minnesota.
- 1.2 **City Utility System.** Facilities used for providing non-energy related public utility service owned or operated by City or agency thereof, including sewer and water service, but excluding facilities for providing heating, lighting or other forms of energy.
- 1.3 **Commission.** The Minnesota Public Utilities Commission, or any successor agency or agencies, including an agency of the federal government, which preempts all, or part of the authority to regulate Gas retail rates now vested in the Minnesota Public Utilities Commission.
- 1.4 **Company.** Northern States Power Company, a Minnesota corporation, d/b/a Xcel Energy, its successors and assigns.
- 1.5 **Gas.** "Gas" as used herein shall be held to include natural gas, manufactured gas, or other form of gaseous energy.
- 1.6 **Gas Facilities.** Pipes, mains, regulators, and other facilities owned or operated by Company for the purpose of providing gas service for public use.
- 1.7 **Notice.** A written notice served by one party on the other party referencing one or more provisions of this Ordinance. Notice to Company shall be mailed to the General Counsel, 414 Nicollet Mall, 5th Floor, Minneapolis, MN 55401. Notice to the City shall be mailed to the City Administrator, 4200 Otter Lake Road, Gem Lake, Minnesota 55110-3763. Either party may change its respective address for the purpose of this Ordinance by written notice to the other party.

