

ORDINANCE NO. 22-11

AN ORDINANCE TO AMEND SECTION 3-313 OF THE CITY CODE; TO INITIATE A 4.9% INCREASE IN THE TARIFF OF RATES TO BE CHARGED CUSTOMERS FOR CURRENT FROM THE ELECTRIC DISTRIBUTION SYSTEM OF THE CITY; TO PROVIDE FOR BILLING THEREOF; TO REPEAL THE ORIGINAL SECTION 3-313; TO PROVIDE FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; TO PROVIDE FOR A TIME WHEN THIS ORDINANCE SHALL TAKE EFFECT

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEWARD, NEBRASKA:

Section 1. MUNICIPAL ELECTRICAL SYSTEM; RATES. Section 3-313 of the City code is amended to read as follows:

3-313 Municipal Electrical System; Rates and Billing. As a tariff of rates based on monthly consumption by each consumer of current from the Electric Distribution System of the City, the following schedule based on meter readings is established.

One meter shall be installed to service one user. If additional buildings are required for a given user, they shall be interconnected by the customer to obtain one meter. If additional meters and services are requested by the customer, each shall be treated as a separate customer. It will be at the City's sole discretion to determine what installation of service is most appropriate and beneficial to the system as a whole, which decision will be based on, but not limited to, proximity, continuity, similarity and compatibility of service. This requirement shall take effect with the kilowatt hour usage from the 1st day of October, 2002. Any services metered differently prior to this date will be grand fathered in.

RATES:

Summer Rate:

The summer rate shall apply to the Customer's use that appears on the June Billing through September Billing.

Winter Rate:

The winter rates shall apply to the Customer's use that appears on the October Billing through May Billing.

Terms and Conditions:

1. Usage may be fractionalized on the actual days of service for application of a change in rate.
2. Service will be furnished under the City's General Terms and conditions and the City's current Wiring and Metering Specifications Manual Policies, Regulations, Rules and Standards.
3. Extensions made for service under this schedule are subject to the provisions of the City's rules governing Extension of Service and Facilities

4. The rates set forth herein may be increased by the amount of any new or increased governmental tax imposed and levied on transmission, distribution, production, or the sale of electrical power.

**RESIDENTIAL LIGHT, HEAT AND POWER (RE)**

**SUMMER PERIOD:**

A. Monthly rates effective October 1, 2011:

Customer Charge, per month.....\$12.50  
Plus Energy Charge of.....\$0.100

**WINTER PERIOD:**

B. Monthly rates effective October 1, 2011:

Customer Charge, Per Month.....\$12.50  
First 700 kWh, per kWh.....\$0.088  
Over 700 kWh, per kWh.....\$0.055

C. Available:

Within established City limits.

D. Applicable:

To single-family residences and individually metered apartments for all domestic purposes when all service is supplied through a single meter, provided ratings of individual single-phase motors do not exceed five (5) horsepower.

E. Character of Service:

AC, 60 cycles, 120/240 volt, 3 wire, single-phase; or 120 volt, 2 wire.

F. Small Business in Residential District:

Any property located in a Residential Zone of the City which conduct a small business inside the home which is legal under the Zoning Ordinance of the City shall be considered residential for the purposes of this Section.

**GENERAL SERVICE (CE)**

**SUMMER PERIOD:**

A. Monthly rates effective October 1, 2011:

Customer Charge, per month.....\$22.00  
Plus Energy Charge of.....\$0.1000

WINTER PERIOD:

B. Monthly rates effective October 1, 2011:

Customer Charge, per month.....\$22.00

Plus Energy Charge of:

First 1,600 kWh, per kWh.....\$0.0966

Over 1,600 kWh, per kWh.....\$0.0630

C. Available:

Within established City rate areas.

D. Applicable:

To any customer for lighting, heating, and power purposes where all service is taken through a single meter at one location, and where the Customer's demand does not exceed 49 kW for three consecutive months. Rating of individual single-phase motors and other single-phase power and heating units served under this schedule shall not exceed ten (10) horsepower except by special permission.

E. Character of Service:

AC, 60 cycles, 120 volts or 120/240 volts, single-phase; 240 volts, three-phase, three-wire; 120/240, 120/208, volts, or 277/480 volts, three phase, four wire; or at any of the City's standard distribution voltages, as available. Customers requiring service at secondary voltages other than that already established by the City shall be required to provide suitable space for location of the City's transformation, metering and associated equipment. Secondary voltage other than that already established shall be provided by special permission only.

GENERAL SERVICE DEMAND (GD)

SUMMER PERIOD:

A. Monthly rates effective October 1, 2011:

Customer charge, per month.....\$75.00

Demand Charge:

Per kW per month of billing demand.....\$22.00

Plus Energy Charge of:

For all usage, per kWh.....\$0.0460

WINTER PERIOD:

B. Monthly rates effective October 1, 2011:

Customer charge, per month.....\$75.00

Demand Charge:  
Per kW per month of billing demand.....\$15.00

Plus Energy Charge of:  
For all usage, per kWh.....\$0.0340

C. Minimum Bill: shall be the customer charge plus the demand charge

D. Determination of Billing Demand:

The billing demand shall be the greater of 1 or 2 below.

1. The highest measured demand during any fifteen\*\* (15) minute period occurring in the current billing period.

2. Sixty five percent (65%) of the highest measured demand during any fifteen \*\* (15) minute period occurring in June, July, August or September Billings of the preceding eleven (11) months.

\*\* This time period will change automatically to thirty (30) minute period as meters are replaced by the City of Seward.

E. Available:

Within established City rate areas.

F. Applicable:

To existing Customers, or to new Customers with demands of 50 kilowatts, but not more than 500 kilowatts for 3 consecutive months whose entire requirements are taken through one meter, under a contract of standard form. Customers who reach this limit for 3 consecutive months will be billed this rate on the 4<sup>th</sup> month. (Not applicable to resale, stand-by or auxiliary service.)

G. Removal from General Service Demand Rate:

Once a customer is deemed to have met the qualifications to be placed on the General Service Demand rate schedule, it shall remain on the General Service Demand rate for a period of at least twelve months. If the customer's energy and demand usage fall below the 50 kilowatt threshold for twelve consecutive months, the customer will be moved to the appropriate rate schedule for subsequent billing periods.

H. Character of Service:

AC, 60 cycles, single- or three-phase, at any of the City's standard voltages (35,000 volts or less) where the service may be supplied by a single power transformation.

**LARGE POWER (LP)**

Rate: Subject to application of Production Cost Adjustment:

**SUMMER PERIOD:**

A. Monthly rates effective October 1, 2011:

Demand Charge:

Customer charge, per month.....\$100.00

Per kW per month of billing demand.....\$21.00

Plus Energy Charge of:

For all usage, per kWh.....\$0.0330

**WINTER PERIOD:**

B. Monthly rates effective October 1, 2011:

Demand Charge:

Customer charge, per month.....\$100.00

Per kW per month of billing demand.....\$14.50

Plus Energy Charge of:

For all usage, per kWh.....\$0.0275

C. Minimum Bill shall be the customer charge plus the demand charge

D. Determination of Billing Demand:

The billing demand shall be the greater of 1 or 2 below.

1. The highest measured demand (corrected for power factor if required) during any thirty (30) minute period occurring in the current billing period.

2. Sixty five percent (65%) of the highest measured demand (corrected for power factor if required) during any thirty (30) minute period occurring in June, July, August or September Billings of the preceding eleven (11) months.

E. Available:

In the general area served by the City from lines of 35,000 volts or less.

F. Applicable:

To existing Customers, or to new Customers with demands of 500 kilowatts or more for 3 consecutive months whose entire requirements are taken through one meter, under a contract of standard form. Customers who reach this limit for 3 consecutive months will be billed this rate on the 4th

month. (Not applicable to resale, stand-by or auxiliary service).

G. Once a customer is deemed to have met the qualifications to be placed on the Large Power rate schedule, it shall remain on the Large Power rate for a period of at least twelve months. If the customer's energy and demand usage fall below the 500 kilowatt threshold for twelve consecutive months, the customer will be moved to the appropriate rate schedule for subsequent billing periods.

H. Character of Service.

AC, 60 cycles, single- or three-phase, at any of the City's standard voltages (35,000 volts or less) where the service may be supplied by a single power transformation.

I. Power Factor Adjustment:

For loads of 500 kW or more, or at the option of the City power factor adjustments will be made in the billing demand, when the power factor, as determined by test, at the time of the Customer's maximum use is less than 90%. If the power factor, as measured by the electric department, is lower than 90%, the monthly demand charge will be multiplied by the ratio 90% bears to the measured power factor, or at the City's option, the power factor may be corrected at the Customer's expense.

In the general course of maintenance and replacement of equipment, the City may replace existing demand meters with power factor-capable demand meters, at its option, at which point the customer will be subject to power factor adjustments as defined above.

**RURAL RESIDENTIAL LIGHT, HEAT AND POWER (NE)**

**SUMMER PERIOD:**

A. Monthly Rates effective October 1, 2011:

Customer Charge, per month.....\$16.00

Plus Energy Charge of.....\$0.100

**WINTER PERIOD:**

B. Monthly rates effective October 1, 2011:

Customer Charge, per month.....\$16.00

Plus Energy Charge of:

First 900 kWh, per kWh.....\$0.088

Over 900 kWh, per kWh.....\$0.055

C. Available:

In the territory serviced by the City outside of the corporate limits.

D. Applicable:

To rural residences for domestic and other farm uses which may be served from existing distribution lines and where the total required kVA does not exceed that which may be supplied from a fifty (50) kVA distribution transformer. Rating of individual single-phase motors and other single-phase power and heating units served under this schedule shall not exceed ten (10) horsepower except by special permission.

E. Character of Service:

AC, 60 cycles, 120/240 volts, single-phase, three-wire; or 120 volt, two-wire

#### Power Cost Adjustment (PCA)

##### Applicability:

- a. The PCA may be determined from time to time and when approved shall be applied monthly for a period of not more than 12 months. The PCA calculations will be based on the fiscal year (FY) projected and actual 12 months includable expenses and the current Budget actual and projected sales subject to the PCA. The City may invoke the PCA when unexpected increases in the cost of power or other emergencies are estimated to be greater than a 10% deviation in FY power costs budgeted.
- b. At the end of any PCA application period, any under or over collected revenues may be added to the next FY estimate of power costs to determine if another PCA is necessary for the next 12 months or shorter period.

##### Formula for Calculation of the PCA Factor

The following formula is used to determine the Power Cost Adjustment charge when it is invoked. The PCA will be calculated to the nearest one-tenth of a \$1 MWh or 0.1 cents/KWh

When unexpected increases in the cost of power or other emergencies are estimated to be greater than a 10% deviation in FY power costs budgeted the PCA formula is:

PCA = (Total Estimated Cost difference from Budget for Application Period) divided by (Estimated kWh Sales for Application period)

Where:

- Total estimated Cost difference = Revise after Budget the Fuel and Purchased Power + Transmission Expense - Budgeted Fuel and Purchased Power + Transmission Expense
- Application Period = the number of months (1 to 12) that the PCA will be in force
- Estimated KWH sales = Projected KWH retail sales during the Application Period

DELINQUENT BILLS; NOTICE

All bills are delinquent on the fifteenth (15th) day of the month. Thereafter, upon notice to consumer as provided by this Article and by law, and non-payment pursuant to said notice, service shall be discontinued.

RATES EFFECTIVE:

The rates provided herein shall become effective and billings made there from and after the first day of October, 2011 as determined after review of the annual Electric budget.

DISCRIMINATION PROHIBITED

No electric current shall be furnished to any consumer under any other rate than as provided in this Article, and there shall be no discrimination in rates between consumers using equal amounts of current for the same purpose under the same conditions.

SERVICE BEYOND CORPORATE LIMITS

The City, by resolution of its Mayor and Council, shall have the power and authority to contract with any person, persons, association or corporation, to sell electric current for light, heat and power purposes beyond its corporate limits when, in the judgment of the Mayor and Council, it is beneficial to the City to do so.

Section 2. REPEAL. All ordinances or provision or portions of ordinances in conflict here with are hereby repealed.

Section 3. WHEN OPERATIVE. This ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form as required by law.

Passed and approved this 20th day of September, 2011.

THE CITY OF SEWARD, NEBRASKA

ATTEST:

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Joshua Eickmeier, Mayor

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Debra Schaefer  
Administrator Assistant/  
City Clerk-Treasurer