ORDINANCE NUMBER 15-020

An ordinance to establish electric utility rates in the City of Beatrice, Nebraska, in accordance with Section 26-41 of the Beatrice City Code; to repeal Ordinance Number 14-033 and all other ordinances, resolutions or parts of ordinances or resolutions in conflict herewith; and to provide for publication in pamphlet form and an effective date of this ordinance.

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

SECTION 1. For the purposes of this ordinance, the meaning of the following terms shall be defined below:

Summer/Winter Rate Months: The summer rates shall apply to customer bills rendered between June 15th and October 15th of each year. The winter rates shall apply to customer bills rendered anytime expect when summer rates apply.

Load Management Credit for Central Air Conditioners and/or Heat Pumps: A credit of $0.01 per kilowatt-hour (kWh) to be applied to the largest single summer electrical consumption month (for which consumption is computed by the monthly meter readings taken on a date between June 1st and September 30th) each year as determined by the City of Beatrice, Nebraska, Board of Public Works (BPW) for residential service customers, residential space heating customers, and general service customers who each have a direct positive operating load controller installed at the direction of said BPW and operating on a central air conditioner and/or heat pump. Customer must consume a minimum of 250 kWh during the month used to calculate the credit.

Load Management Credit for Water Heaters: A credit of $4.00 per kilowatt (kW) of nameplate rating will be applied to the customer's account on a date each year determined by the BPW for residential service customers, residential space heating customers, and general service customers who each have a direct positive operating load controller installed at the direction of said BPW and operating on a 220 volt water heater. Customers must consume an average of 250 kWh per month during the previous twelve (12) months.

SECTION 2. Rates to be charged by the BPW for electrical energy sold to consumers by the City shall be as follows, to-wit:

(A) **RESIDENTIAL SERVICE**: Available to customers taking single or three-phase electric service for residential uses of electric service, including lighting, cooking, heating, refrigeration, and use of household appliances in a single-family dwelling unit, a two-family dwelling unit, or a multiple-family dwelling unit having a

single or three-phase motor of not over five (5) horsepower demand. In the event the horsepower rating is not shown on the nameplate of a single or three-phase motor, this classification will be available to customers with a locked-rotor current of 168 amperes or less as determined by the BPW.

EFFECTIVE JANUARY 1, 2016: The rate, per month per meter, shall be the total of the following charges:

Customer Charge, per month $10.00

Summer Energy Rate:
All energy, per kWh $0.1028

Winter Energy Rate:
First 550 kWh, per kWh $0.1028
Excess, per kWh $0.0727

Load Management Credit for Central Air Conditioner and/or Heat Pump:
(1 per year), per kWh $0.0100

Load Management Credit for Water Heater:
(1 per year), per kW $4.00

(B) **RESIDENTIAL SPACE HEATING**: Available to residential class customers employing electric energy to heat thirty percent (30%) or more of the net year around living area of a home.

1. Electrical heating equipment or appliances must be permanently installed.

2. Heat rate classification will be made available upon request to the BPW, to those customers who qualify.

3. Heat rate classification will be applied where the building permit is issued for construction incorporating electric heat.

EFFECTIVE JANUARY 1, 2016: The rate, per month per meter, shall be the total of the following charges:

Customer Charge, per month $10.00

Summer Energy Rate:
All energy, per kWh $0.1028

Winter Energy Rate:
First 550 kWh, per kWh $0.1028
Excess, per kWh $0.0500

Load Management Credit for Central Air Conditioner and/or Heat Pump:
(1 per year), per kWh $0.0100

Load Management Credit for Water Heater:
(1 per year), per kW $4.00

(C) **GENERAL SERVICE**: Available to customers taking single or three-phase service for general commercial and governmental usage and for miscellaneous power, where monthly peak demand does not exceed 100 kW for any three (3) consecutive months during the previous twelve (12) month period. Classification of any General Service or General Service Demand customer whose referenced demand falls between 25 kW and 100 kW shall be at the sole discretion of the BPW, as it deems appropriate, and shall be effective for a minimum of twelve (12) months.

EFFECTIVE JANUARY 1, 2016: The rate, per month per meter, shall be the total of the following charges:

Customer Charge, per month $18.00

Summer Energy Rate:
All energy, per kWh $0.1143

Winter Energy Rate:
First 1,200 kWh, per kWh $0.1143
Excess, per kWh $0.0834
Electric Heat Winter Rate, per kWh $0.0533
(The Electric Heat Winter Rate is available to General Service customers where the primary source of space heating is electric energy, is only applicable to winter usage.)

Load Management Credit for Central Air Conditioner and/or Heat Pump:
(1 per year), per kWh $0.0100

Load Management Credit for Water Heater:
(1 per year), per kW $4.00

(D) **GENERAL SERVICE DEMAND**: This classification is available to any nonresidential customer whose peak measured demand exceeds 25 kW, but does not exceed 500 kW, for any consecutive three (3) months during the previous twelve (12) month period. Classification of any General Service or General Service Demand customer whose referenced demand falls between 25 kW and 100 kW shall be at the sole discretion of the BPW, as it deems appropriate, and shall be effective for a minimum of twelve (12) months.

EFFECTIVE JANUARY 1, 2016: The rate, per month per meter, shall be the total of the following charges together with any applicable metering adjustment:

	Summer	Winter
Customer Charge, per month	$50.00	$50.00
Demand Charge, per kW of Billing Demand	$17.38	$14.25
Energy Charge, per kWh	$0.0398	$0.0367

MINIMUM CHARGE: Unless a higher minimum bill to cover extraordinary investment is agreed to by the BPW and the customer, the minimum monthly bill shall be the sum of the demand, energy, and customer charges for the billing period.

DETERMINATION OF BILLING DEMAND: The billing demand shall be the higher of the measured demand or sixty percent (60%) of the highest measured demand established during the preceding summer months of June through September.

DETERMINATION OF MEASURED DEMAND: The measured demand for any billing period shall be the highest 15-minute integrated demand, expressed in kilowatts and adjusted for power factor (if necessary), during the billing period.

POWER FACTOR ADJUSTMENT: If the customer's measured demand exceeds 500 kW and if the customer's power factor is less than ninety percent (90%), the demand will be adjusted to a ninety percent (90%) power factor. The measured maximum kilowatt demand will be multiplied by ninety percent (90%) and divided by the customer's power factor (expressed as a percent) as calculated from the maximum measured kW and KVAR (or Q) demand readings.

SCHEDULE OF METERING ADJUSTMENTS:

Primary Metering: Where the BPW has furnished all transformation equipment and where metering is at primary voltage, single or three-phase service, the kilowatt-hour consumption shall be reduced by two percent (2%).

Subtransmission Metering: Where the BPW has furnished all transformation equipment and where metering is at subtransmission voltage, three-phase service, the kilowatt-hour consumption shall be reduced by four percent (4%).

Primary Service: Where the customer owns and maintains all transformation equipment and all other facilities beyond the point of measurement and where metering is at primary voltage, single or three-phase service, the kilowatt-hour consumption shall be reduced by two percent (2%).

Subtransmission Service: Where the customer owns and maintains all transformation equipment and all other facilities beyond the point of measurement and where metering is at subtransmission voltage, three-phase service, the kilowatt-hour consumption shall be reduced by four percent (4%).

Multiple Service: Where the customer is served by multiple voltages and pays for totalization equipment, the customer shall be billed for the demand and kilowatt-hour consumption totalized; however, any and all scheduled adjustments shall be applied to the respective voltages and services.

(E) **LARGE LIGHT AND POWER**: This classification is available to any nonresidential customer whose peak measured demand exceeds 500 kW for any three (3) consecutive months during the previous twelve (12) month period.

EFFECTIVE JANUARY 1, 2016: The rate, per month per meter, shall be the total of the following charges together with any applicable metering adjustment:

	Summer	Winter
Customer Charge, per month	$75.00	$75.00
Demand Charge, per kW of Billing Demand	$18.74	$14.25
Energy Charge, per kWh	$0.0374	$0.0351

MINIMUM CHARGE: Unless a higher minimum bill to cover extraordinary investment is agreed to by the BPW and the customer, the minimum monthly bill shall be the sum of the demand, energy, and customer charges for the billing period.

DETERMINATION OF BILLING DEMAND: The billing demand shall be the higher of the measured demand or sixty percent (60%) of the highest measured demand established during the preceding summer months of June through September.

DETERMINATION OF MEASURED DEMAND: The measured demand for any billing period shall be the highest 15-minute integrated demand, expressed in kilowatts and adjusted for power factor (if necessary), during the billing period.

POWER FACTOR ADJUSTMENT: If the customer's power factor is less than ninety percent (90%), the demand will be adjusted to a ninety percent (90%) power factor. The measured maximum kilowatt demand will be multiplied by ninety percent (90%) and divided by the customer's power factor (expressed as a percent) as calculated from the maximum measured kW and KVAR (or Q) demand readings.

SCHEDULE OF METERING ADJUSTMENTS:

Primary Metering: Where the BPW has furnished all transformation equipment and where metering is at primary voltage, single or three-phase service, the kilowatt-hour consumption shall be reduced by two percent (2%).

Subtransmission Metering: Where the BPW has furnished all transformation equipment and where metering is at subtransmission voltage, three-phase service, the kilowatt-hour consumption shall be reduced by four percent (4%).

Primary Service: Where the customer owns and maintains all transformation equipment and all other facilities beyond the point of measurement and where metering is at primary voltage, single or three-phase service, the kilowatt-hour consumption shall be reduced by two percent (2%).

Subtransmission Service: Where the customer owns and maintains all transformation equipment and all other facilities beyond the point of measurement and where metering is at subtransmission voltage, three-phase service, the kilowatt-hour consumption shall be reduced by four percent (4%).

Multiple Service: Where the customer is served by multiple voltages and pays for totalization equipment, the customer shall be billed for the demand and kilowatt-hour consumption totalized; however, any and all scheduled adjustments shall be applied to the respective voltages and services.

(F) **IRRIGATION SERVICE**: Where the customer elects to have year around electric service, the General Service rate with twelve (12) monthly billings will apply. Should a meter be disconnected during any calendar year, the final billing will contain the remaining months of that calendar year times the minimum charge per month.

Where the customer elects to have electric power service turned on only during the irrigation season, one of the following rates will apply:

1. **Full Service**: Available to customers who elect to have electric power service available one hundred percent (100%) of the time during irrigation season with the exception of scheduled or unscheduled outages.

   Fixed Charge: $55.00 per horsepower connected plus an energy charge of $0.0851 per kilowatt-hour consumed. The fixed charge is to be billed with the monthly billing rendered during a calendar year.

   Minimum Bill: A minimum billing of $17.50 per month will be charged during the period when electric power service has been turned on.

Connected Load: The horsepower rating will be taken from the nameplate rating of the motor. Where no nameplate is available, the Superintendent of the Electric Department of the BPW will make the horsepower determination.

2. **Interruptible Service**: Available to customers who elect to participate in the BPW direct control (interruptible) of irrigation loads. During the months of June through September, the BPW may interrupt irrigation pump service; provided, however, the customer's irrigation service will not be interrupted during the hours of 11:00 p.m. to 9:00 a.m. (Central Daylight Savings Time), Independence Day, and Labor Day.

   Fixed Charge: $24.00 per horsepower connected plus an energy charge of $0.0851 per kilowatt-hour consumed. The fixed charge is to be billed with the monthly billing rendered during a calendar year.

   Minimum Bill: A minimum billing of $17.50 per month will be charged during the period when electric power service has been turned on.

   Connected Load: The horsepower rating will be taken from the nameplate rating of the motor. Where no nameplate is available, the Superintendent of the Electric Department of the BPW will make the horsepower determination.

(G) **TIME OF USE DEMAND**: This classification is available to nonresidential customers that primarily use energy during off-peak periods, defined as 11:00 p.m. through 8:00 a.m., Monday through Friday, and all day Sunday, as well as other off-peak hours designated by the BPW. This classification is only available with the approval of the BPW General Manager upon demonstration through actual usage for a period of at least twelve (12) months that the primary energy usage occurs during off-peak periods.

EFFECTIVE JANUARY 1, 2016: The rate, per month per meter, shall be the total of the following charges:

	Summer	Winter
Customer Charge, per month	$75.00	$75.00
Demand Charge		
On-Peak, per kW of Billing Demand	$18.74	$14.25
Off-Peak, per kW of Billing Demand	$12.45	$12.45
Energy Charge, per kWh	$0.0374	$0.0351

MINIMUM CHARGE: Unless a higher minimum bill to cover extraordinary investment is agreed to by the BPW and the customer, the minimum monthly bill shall be the sum of the demand, energy, and customer charges for the billing period.

DETERMINATION OF OFF-PEAK BILLING DEMAND: The Off-Peak Billing Demand shall be the maximum demand occurring at any time during the billing period, less the On-Peak Billing Demand during the billing period, but in no case shall be less than zero.

DETERMINATION OF ON-PEAK BILLING DEMAND: The On-Peak Billing Demand shall be the Measured On-Peak Demand occurring during the billing period, but not less than sixty percent (60%) of the maximum On-Peak Billing Demand established during the preceding summer months of June through September.

DETERMINATION OF MEASURED ON-PEAK DEMAND: The Measured On-Peak Demand shall be the highest 15-minute integrated demand occurring during On-Peak Periods during the billing period for which determination is made.

DETERMINATION OF MEASURED OFF-PEAK DEMAND: The Measured Off-Peak Demand shall be the highest 15-minute integrated demand occurring during Off-Peak Periods.

DEFINITION OF OFF-PEAK AND ON-PEAK PERIODS: Off-Peak Periods are defined as the period between 11:00 p.m. and 8:00 a.m., Monday through Saturday and all hours on Sunday, and any additional Off-Peak Periods designated by the BPW. On-Peak Periods are defined as those periods not defined as Off-Peak Periods.

POWER FACTOR ADJUSTMENT: If the customer's measured demand exceeds 500 kW and if the customer's power factor is less than ninety percent (90%), the demand will be adjusted to a ninety percent (90%) power factor. The measured maximum kilowatt demand will be multiplied by ninety percent (90%) and divided by the customer's power factor (expressed as a percent) as calculated from the maximum measured kW and KVAR (or Q) demand readings.

DETERMINATION OF OFF-PEAK BILLING DEMAND: The Off-Peak Billing Demand shall be the amount by which the Off-Peak Demand exceeds the On-Peak Demand during a billing period.

DETERMINATION OF ON-PEAK DEMAND: The On-Peak Demand for any billing period shall be the highest measured demand value during On-Peak hours, which are 10:00 a.m. to 8:00 p.m., Monday through Friday.

DETERMINATION OF OFF-PEAK DEMAND: The Off-Peak Demand shall be the highest demand value measured during the billing period.

DESIGNATION OF ADDITIONAL OFF-PEAK PERIODS: The BPW General Manager, may at his or her sole discretion, designate additional Off-Peak Periods

if the BPW is not expected to establish a new monthly or annual peak demand during said periods.

(H) **FEDERAL POWER DELIVERY SERVICE**: This service is available to any customer that has an allocation of power and energy from the Western Area Power Administration (or its successors or assigns) and takes delivery of that power and energy at one of the BPW's primary delivery voltages (7.2/12.47 kV or 2.4/41.6 kV). The customer shall pay a delivery rate for subtransmission and subtransformation service based on the peak usage of the BPW's facilities.

	Summer	Winter
Customer Charge, per month	$75.00	$75.00
Demand Charge, per kW of Billing Demand per month	$2.18	$2.18

DETERMINATION OF BILLING DEMAND: The Billing Demand shall be the maximum demand occurring at any time during the current billing period.

(I) **ECONOMIC DEVELOPMENT RATE**: Available for any customer that meets all of the following conditions:

1. Provides new or additional load of 1,000 kW or greater on a monthly basis..
2. Has monthly load factor, calculated by dividing the energy usage by the product of the peak demand and the number of hours in the month, of sixty percent (60%) of greater.
3. The customer has entered into a written service agreement with the BPW and the Nebraska Public Power District (NPPD) pursuant to Rate Schedule SPP No. 6, Economic Development Rate Schedule.
4. The customer has entered into an agreement with either the State of Nebraska or other political subdivision to provide an economic development project under state or local law.
5. The customer and the City of Beatrice have met all other requirements of the Economic Development Rate Schedule.

EFFECTIVE JANUARY 1, 2016: The rate shall be the total of the following charges:

Customer Charge, per month $500.00

Demand Charge
- Transmission – Line ..... $3.16 per kW (1)
- Transmission – Substation ..... $0.45 per kW (2)
- Ancillary Services ..... $0.55 per kW (3)

Energy Supply Charge ..... $0.029 per kWh at Bus A

BPW Administration/Delivery Charge ..... 15% of NPPD monthly billing

(1) Billing demand based on customer's contribution to BPW transmission line billing demand, in accordance with General Firm Power Service Rate Schedule. Adjusted to Bus A.
(2) Billing demand based on customer's contribution to the BPW highest peak regardless of hour. Adjusted to Bus A.
(3) Billing demand based on customer's contribution to the BPW billing demand for ancillary services.

DEMAND CHARGES: All charges related to Transmission Line Demand, Transmission Substation Demand and Ancillary Services Demand shall be a pass-through of charges from NPPD under the Economic Development Rate Schedule.

POWER FACTOR ADJUSTMENT: 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 ninety-three percent (93%). The measured maximum kW demand will be multiplied by ninety-three (93) and divided by the customer's power factor (expressed in percent) determined at the time of the customer's maximum use.

RATE ADJUSTMENT: The demand and energy rates set forth in this subsection (Economic Development Rate) are intended to match the rates set by NPPD in their Economic Development Rate Schedule. In the event that NPPD adjust the rates set forth in their Economic Development Rate Schedule then the BPW may adjust their rates set forth in this subsection upon thirty (30) day written notice to the customer.

SECTION 3. RETAIL POWER PRODUCTION COST ADJUSTMENT (PCA)

All billings are subject to the Power Production Cost Adjustment based upon the BPW's total monthly wholesale costs, plus losses. There may be added to, or subtracted from, customer's bill an amount equal to the customer's monthly kilowatt-hours multiplied by the amount of the Power Production Cost Adjustment computation.

SECTION 4. SECURITY LIGHTS

1. A monthly charge for energy, and use of, each 175 Watt Mercury Vapor light installed for residential or commercial use shall be $9.60 monthly.

2. A monthly charge for energy, and use of, each 250 Watt Mercury Vapor light installed for residential or commercial use shall be $10.71 monthly.

3. A monthly charge for energy, and use of, each 400 Watt Mercury Vapor light installed for residential or commercial use shall be $14.58 monthly.

4. A monthly charge for energy, and use of, each 100 Watt High Pressure Sodium light installed for residential or commercial use shall be $10.23 monthly.

5. A monthly charge for energy, and use of, each 250 Watt High Pressure Sodium light installed for residential or commercial use shall be $13.89 monthly.

6. A monthly charge for energy, and use of, each 400 Watt High Pressure Sodium light installed for residential or commercial use shall be $16.97 monthly.

7. A monthly charge for energy, and use of, each LED light installed for residential use shall be $9.60 monthly.

8. A monthly charge for energy, and use of, each LED light installed for commercial use shall be $13.89 monthly.

SECTION 5. NET METERING RATE

(A) **SMALL POWER PRODUCERS / NET METERING RATE:** Certain customers of the BPW may qualify as Small Power Producers under the federal law and regulations such as the Public Utilities Regulatory Policy Act of 1978 (PURPA), and regulations of the Federal Energy Regulatory Commission (FERC), implementing the Act. To qualify for this rate, the nameplate capacity of the generator must be less than 25 kW and the facility must be a FERC-defined "Qualifying Facility" (QF), meaning the generation either is a co-generation facility or relies on biomass, waste or renewable fuel (wind, solar or water) to produce electric energy.

Such customers shall be subject to approval by the BPW's General Manager. Customer must ensure that the following conditions are met:

1. Customer is responsible for all costs associated with constructing, operating, and maintaining interconnection facilities required to ensure the safe operation of BPW facilities.

2. Customer must execute an Agreement with BPW.

3. Customer must pay a non-refundable fee of $200 for BPW to review the application, approve metering and interconnection, and install necessary interconnection facilities.

MONTHLY RATE: The customer will be allowed to use the electrical output of their applicable QF to supply all or a portion of their own load and deliver any surplus to the BPW. If over the billing period there is a net flow of energy from the BPW to the customer, the customer will be billed for the net use at rates included in their applicable standard rate schedule. If over the billing period there is a net flow of energy from the customer to the BPW (i.e., Net Excess

Generation, or NEG), the customer will be billed for the non-energy charges included in their applicable standard rate schedule and a monetary credit for such NEG will be determined and carried forward to the subsequent billing period as an offset to future energy charges. If at the end of the calendar year an amount is owed to the customer for accumulated monetary credits associated with NEG, then such amount will be paid to the customer.

The monetary credit for NEG is based on the following purchase rates:

Summer: For the period June 1 through September 30, the purchase rate for NEG shall be 3.36¢ per kilowatt-hour

Winter: For the period October 1 through May 31, the purchase rate for NEG shall be 3.00¢ per kilowatt-hour

(B) **LARGE QUALIFYING FACILITIES RATE:** Certain customers of the BPW may qualify as Qualifying Facilities (QF) under the federal law and regulations such as the Public Utilities Regulatory Policy Act of 1978 (PURPA), and regulations of the Federal Energy Regulatory Commission (FERC), implementing the Act. Any customer with nameplate capacity of greater than 25 kW and is a FERC-defined "Qualifying Facility" (QF), meaning the generation either is a co-generation facility or relies on biomass, waste or renewable fuel (wind, solar or water) to produce electric energy is deemed a large QF and shall take service under this Large Qualifying Facilities Rate.

Such customers shall be subject to approval by the BPW's General Manager. Customer must ensure that the following conditions are met:

1. Customer is responsible for all costs associated with constructing, operating, and maintaining interconnection facilities required to ensure the safe operation of BPW facilities.

2. Customer must execute an Agreement with BPW.

3. Customer must pay a non-refundable fee of $1,000 for BPW to review the application, approve metering and interconnection, and install necessary interconnection facilities.

MONTHLY RATE: If QF has nameplate capacity of more than 25 kW, generation must be metered separately from the customer's load. The customer must pay the BPW's retail rate for its entire usage and will receive a monetary credit based on the customer's generation.

The monetary credit for NEG is based on the following purchase rates:

Summer: For the period June 1 through September 30, the purchase rate for NEG shall be 3.36¢ per kilowatt-hour

Winter: For the period October 1 through May 31, the purchase rate for NEG shall be 3.00¢ per kilowatt-hour

(C) **NON-QUALIFYING FACILITIES**: Any customer-owned generation that does not meet FERC Qualifying Facility status requirements will not be allowed to operate in parallel with the BPW system. An approved transfer switch that will break the interconnection to the BPW system or an approved closed-transition switch is required for operation of non-qualifying generation.

SECTION 6. That Ordinance Number 14-033 and any other ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed.

SECTION 7. That this ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED this 7th day of December, 2015.

Stan Wirth, Mayor

Attest:

Erin Saathoff, City Clerk