

ORDINANCE NO. 2022-106

AN ORDINANCE TO AMEND ORDINANCE 2019-102, AND TO SET FORTH BASE COST FOR POWER PRODUCTION COST ADJUSTMENTS, TO RESTATE THE CURRENT ELECTRICAL RATES, FEES AND CHARGES, AND COLLECTIONS FOR ELECTRICITY FROM AND IN THE CITY OF FALLS CITY, NEBRASKA; REPEALING ANY PRIOR ORDINANCES IN CONFLICT THEREWITH, AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM AND PROVIDE FOR EFFECTIVE DATE.

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

SECTION I

That the rates, fees, charges, and collections for the use of electricity be and hereby are those figures and terms set out in the schedule incorporated as Section II of this Ordinance, which schedule and terms shall be on file in the office of the Municipal Clerk for public inspection at any reasonable time.

SECTION II

A. RESIDENTIAL ELECTRIC RATE

1. Availability.

To all single family residences for all domestic uses within the City limits including lighting, cooking, refrigeration, household appliances, hot water heating, and motors. Individual single-phase motors or heating equipment shall not exceed 10 hp or 10 kW in size without Board of Public Works approval. Not applicable to resale, supplemental, auxiliary or shared service.

2. Character of Service.

Energy will be supplied from the electric department's standard available voltages, 60 Hertz, alternating current, single or three phase if available. New three phase service is not available under this schedule.

3. Residential Rate Schedule.

Rates Effective October 1, 2022

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$20.00	\$20.00
First 700 kWh, per kWh	0.0960	0.0960
Over 700 kWh, per kWh	0.0960	0.0710

Rates Effective October 1, 2023

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$22.50	\$22.50
First 700 kWh, per kWh	0.0980	0.0980
Over 700 kWh, per kWh	0.0980	0.0760

Rates Effective October 1, 2024

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$23.40	\$23.40
First 700 kWh, per kWh	0.1019	0.1019
Over 700 kWh, per kWh	0.1019	0.0790

4. Minimum Bill.

The Minimum Bill shall be the Customer Charge.

5. General Terms and Conditions

All rates are subject to the General Terms and Conditions as set forth in Section L of this Ordinance.

B. RURAL RESIDENTIAL ELECTRIC RATE

1. Availability.

To all Rural customers served by the Falls City Electric Department for all domestic and agricultural uses including lighting, cooking, refrigeration, appliances, hot water heating, and motors. Individual single-phase motors or heating equipment shall not exceed 10 hp or 10 kW in size without Utility approval. Not applicable to resale, supplemental, auxiliary or shared service.

2. Character of Services.

Energy will be supplied from the electric department's standard available voltages, 60 Hertz, alternating current, single or three phase if available. New three phase service is not available under this schedule.

3. Rural Residential Rate Schedule.

Rates Effective October 1, 2022

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$27.50	\$27.50
First 1,200 kWh, per kWh	0.0990	0.0990
Over 1,200 kWh, per kWh	0.0990	0.0740

Rates Effective October 1, 2023

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$30.00	\$30.00
First 1,200 kWh, per kWh	0.1020	0.1020
Over 1,200 kWh, per kWh	0.1020	0.0780

Rates Effective October 1, 2024

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$31.20	\$31.20
First 1,200 kWh, per kWh	0.1061	0.1061
Over 1,200 kWh, per kWh	0.1061	0.0811

4. Minimum Bill.

The Minimum Bill shall be the Customer Charge.

5. General Terms and Conditions.

All rates are subject to the General Terms and Conditions as set forth in Section L of this Ordinance.

C. GENERAL SERVICE ELECTRIC RATE (URBAN)

1. Availability.

To any non-Residential Urban customer for lighting, heating, and power purposes where the customer's peak demand does not exceed 100 kW for three (3) consecutive months. Rating of individual single phase motors and other single phase power and heating units shall not exceed 10 horsepower or 10 kW without written approval of the utility superintendent. Not applicable to resale, supplemental, auxiliary or shared service.

2. Character of Service.

Service shall be 60 Hertz, AC single or three phase at the standard secondary voltages in use by the electric department.

3. General Service (Urban) Rate Schedule.

Rates Effective October 1, 2022

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$37.50	\$37.50
First 2,400 kWh, per kWh	0.1070	0.1070
Over 2,400 kWh, per kWh	0.1070	0.0900

Rates Effective October 1, 2023

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$39.00	\$39.00
First 2,400 kWh, per kWh	0.1120	0.1120
Over 2,400 kWh, per kWh	0.1120	0.0920

Rates Effective October 1, 2024

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$40.56	\$40.56
First 2,400 kWh, per kWh	0.1165	0.1165
Over 2,400 kWh, per kWh	0.1165	0.0957

4. Minimum Bill.

Minimum Bill is the Customer Charge.

5. Demand Metering

A demand register meter shall be installed by the electric department if a customer has projected peak integrated 15-minute peak demand exceeding 25 kW.

D. GENERAL SERVICE ELECTRIC RATE (RURAL)

1. Availability.

To any non-Residential customer outside the corporate limits of the City of Falls City for lighting, heating and power purposes where the customer's peak demand does not exceed 100 kW for three (3) consecutive months. Rating of individual single phase motors and other single phase power and heating units shall not exceed 10 horsepower or 10 kW without written approval of the utility superintendent. Not applicable to resale, supplemental, auxiliary or shared service.

2. Character of Service.

Service shall be 60 Hertz, AC single or three phase at the standard secondary voltages in use by the electric department.

3. General Service (Rural) Rate Schedule.

Rates Effective October 1, 2022

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$41.00	\$41.00
First 2,400 kWh, per kWh	0.1070	0.1070
Over 2,400 kWh, per kWh	0.1070	0.0900

Rates Effective October 1, 2023

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$43.50	\$43.50
First 2,400 kWh, per kWh	0.1120	0.1120
Over 2,400 kWh, per kWh	0.1120	0.0920

Rates Effective October 1, 2024

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$45.24	\$45.24
First 2,400 kWh, per kWh	0.1165	0.1165
Over 2,400 kWh, per kWh	0.1165	0.0957

4. Minimum Bill.

Minimum Bill is the Customer Charge.

5. Demand Metering

A demand register meter shall be installed by the electric department if a customer has projected peak integrated 15-minute peak demand exceeding 25 kW.

E. GENERAL SERVICE DEMAND ELECTRIC RATE

1. Availability.

To any customer served by the Falls City Electric Department for lighting, heating and power purposes where the customer's peak demand exceeds 100 kW for three (3) consecutive months. Not applicable to resale, supplemental, auxiliary or shared service.

2. Character of Service.

Service shall be 60 Hertz, AC single or three phase at the standard primary and secondary voltages in use by the electric department.

3. General Service Demand Rate Schedule.

a. Urban

Rates Effective October 1, 2022

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$100.00	\$100.00
Demand Charge (\$/kW)	11.50	8.00
Energy Charge (per kWh)	0.0700	0.0590

Rates Effective October 1, 2023

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$120.00	\$120.00
Demand Charge (\$/kW)	12.00	9.00
Energy Charge (per kWh)	0.0720	0.0620

Rates Effective October 1, 2024

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$124.80	\$124.80
Demand Charge (\$/kW)	12.48	9.36
Energy Charge (per kWh)	0.0749	0.0645

b. Rural

Rates Effective October 1, 2022

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$120.00	\$120.00
Demand Charge (\$/kW)	12.25	9.00
Energy Charge (per kWh)	0.0710	0.0630

Rates Effective October 1, 2023

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$140.00	\$140.00
Demand Charge (\$/kW)	12.75	9.75
Energy Charge (per kWh)	0.0730	0.0650

Rates Effective October 1, 2024

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$145.60	\$145.60
Demand Charge (\$/kW)	13.26	10.14
Energy Charge (per kWh)	0.0759	0.0676

4. Minimum Bill.

Minimum Bill is 70% of the 100 kW demand times the Winter Demand Charge plus the Customer Charge.

a. Urban

Effective October 1, 2022	\$660.00
Effective October 1, 2023	\$750.00
Effective October 1, 2024	\$780.00

b. Rural

Effective October 1, 2022	\$750.00
Effective October 1, 2023	\$822.50
Effective October 1, 2024	\$855.40

5. Billing Demand.

The Billing Demand shall be the maximum integrated 15-minute kW load occurring during the billing period, but not less than 70% of the highest demand established during the preceding eleven (11) months. A demand register meter shall be installed by the electric department if a customer has projected peak integrated 15-minute peak demand exceeding 25 kW.

6. Primary Metering.

Primary Metering may be used at the option of the Municipality.

If the transformation equipment is customer owned, the customer shall receive a 1.5 percent (1.5%) discount on monthly billings.

7. Installation Charge.

The customer shall pay the Municipality a contribution in aid of construction for installing transformation equipment in excess of that required to serve the average monthly demand or because of fluctuating loads. Said contribution shall be equal to the cost of the transformation equipment requested less the estimated cost of transformation equipment needed to serve the average monthly load. The Municipality shall continue to own and maintain the transformation equipment.

F. MUNICIPAL SERVICE ELECTRIC RATE

1. Availability.

To the City of Falls City for the various departments of the City for general use in performing municipal services.

2. Character of Service.

Service shall be 60 Hertz, AC single or three phase at the standard primary and secondary voltages in use by the electric department.

3. Municipal Service Rate Schedule.

The rate shall be at the applicable General Service or General Service Demand Rate.

G. DUSK TO DAWN LIGHTING SERVICE RATE

1. Availability.

To all consumers, for private outdoor lighting service when such lighting facilities are operated as an extension of the electric department's distribution system.

2. Character of Service.

The single phase, alternating current, 120 volt electric service will be supplied by the Falls City Electric Department for the operation of outdoor type luminaries using incandescent, high pressure sodium vapor, or mercury vapor lamps, mounted on electric department owned luminaries and posts on which overhead or underground secondary conductors exist, or to which such secondary conductors can be extended, except where the extensions of such secondary conductors in impractical. Service taken hereunder will be unmetered and the luminaries will operate automatically each night from dusk to dawn. All facilities necessary for service under this schedule shall be installed, owned and maintained by the electric department; service taken hereunder is for the exclusive use of the consumer for private outdoor lighting as herein specified and shall not be resold to others.

3. Lighting Service Rate Schedule.

The net monthly rate shall be as follows.

Effective October 1, 2022	\$12.71 per fixture
Effective October 1, 2023	\$13.34 per fixture
Effective October 1, 2024	\$13.87 per fixture

H. MUNICIPAL STREET LIGHTING RATE

1. Availability.

To the City of Falls City for municipal street lighting service (dusk to daylight) from the electric department distribution system.

2. Character of Service.

The electric department will construct, operate and maintain the complete system and furnish such lighting services every night from dusk until daylight or approximately 4,000 hours per annum.

3. Street Lighting Rate Schedule.

The rate shall be based on the number and size of units in use times 4,000 hours use per year.

Effective October 1, 2022	\$0.0695 per kWh
Effective October 1, 2023	\$0.0730 per kWh
Effective October 1, 2024	\$0.0759 per kWh

I. **LARGE POWER**

1. Availability.

To any Urban or Rural Industrial customer served by the Falls City Electric Department for lighting, heating and power purposes where the customer's peak demand exceeds 500 kW for three (3) consecutive months. Not applicable to resale, supplemental, auxiliary or shared service.

2. Character of Service.

Service shall be 60 Hertz, AC three phase at the standard primary and secondary voltages in use by the electric department.

3. Large Power Rate Schedule.

Rates Effective October 1, 2022

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$475.00	\$475.00
Demand Charge (\$/kW)	\$18.90	\$15.900
Energy Charge (per kWh)	0.0350	0.0330

Rates Effective October 1, 2023

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$494.00	\$494.00
Demand Charge (\$/kW)	19.30	\$16.85
Energy Charge (per kWh)	0.0370	0.0360

Rates Effective October 1, 2024

	<u>Summer</u>	<u>Winter</u>
Customer Charge	\$513.76	\$513.76
Demand Charge (\$/kW)	\$20.07	\$17.52
Energy Charge (per kWh)	0.0385	0.0374

4. Minimum Bill.

Minimum Bill is 70% of the 500 kW demand times the Winter Demand Charge plus the Customer Charge.

Effective October 1, 2022	\$6,040.00
Effective October 1, 2023	\$6,391.50
Effective October 1, 2024	\$6,647.16

5. Billing Demand.

The Billing Demand shall be the maximum integrated 15-minute kW load occurring during the billing period, but not less than 70% of the highest demand established during the preceding eleven (11) months.

6. Primary Metering.

Primary Metering may be used where at the option of the Municipality. If the transformation equipment is customer owned, the customer shall receive a 1.5 percent (1.5%) discount on monthly billings for operating and maintenance expenses.

7. Installation Charge.

The customer shall pay the Municipality a contribution in aid of construction for installing transformation equipment in excess of that required to serve the average monthly demand or because of fluctuating loads. Said contribution shall be equal to the cost of the transformation equipment requested less the estimated cost of transformation equipment needed to serve the average monthly load. The Municipality shall continue to own and maintain the transformation equipment.

J. NET METERING RIDER

1. Available.

To renewable generation with production capacity of 25 kW_{AC} or less, in conjunction with a retail load. No single meter may exceed 25 kW_{AC}. Renewable generation includes electric generators powered by methane, wind, solar, biomass, hydro or waste technologies. Available until the total generating capacity of all renewable generation using net metering is equal to or exceeds one percent (1%) of the capacity necessary to meet the Falls City Electric Department's average aggregate customer monthly peak demand forecast for that calendar year. As of October 1, 2022, this amount is 115 kW.

2. Character of Service.

Service shall be 60 Hertz, AC three phase at the standard primary and secondary voltages in use by the electric department.

3. Purchase of Output from Renewable Generator Customers.

Owners of renewable generation will be allowed to parallel these facilities with the Falls City Electric Department and use the electrical output of their renewable generation to supply all or a portion of their own load and deliver the surplus to the Falls City Electric Department.

4. Rate.

At the end of the billing period, the Falls City Electric Department will net the metered energy which was delivered to the Falls City Electric Department and the metered energy that was supplied by the Falls City Electric Department.

- a. Net energy supplied by the system to the customer in a billing period will be billed at the applicable retail rate.
- b. Net energy delivered to the system in a billing period will be purchased by the Falls City Electric Department at the applicable Renewable Net Metering Rider Energy Payment rate.
- c. Other applicable fees and charges, including the Customer Charge and the Demand Charge (if any), will be billed to the Customer at the applicable retail rate.

Purchases by the Falls City Electric Department will appear as credits on the bill. Credits which exceed charges for a billing period will roll-over to the following billing period. At the end of each calendar year, any credits remaining will be paid by check from the Falls City Electric Department in the final billing period of the year.

5. Renewable Net Metering Rider Energy Payment Rate.

The energy payment rate will be as follows:

Effective October 1, 2022	\$0.0339/kWh
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6. Terms and Conditions.

- a. A signed written agreement between the renewable generator customer and the Falls City Electric Department will be required. The agreement form is available from FCU's office located at 2703 Barada Street.
- b. The renewable generation's connection to the Falls City distribution system must pass an inspection by the Falls City Electric Department and the State Electrical Division for safety and power quality.
- c. The renewable generator customer must supply a meter socket and a disconnect switch between the renewable generation/inverter and the Falls City Electric Department's service drop.

- d. The renewable generator customer must comply with all applicable city, county and state sales tax, laws and regulations.
- e. Service will be furnished subject to the Falls City Electric Department's Service Regulations and the Requirements for the Inverter Based Renewable Generation Systems less than 100 kW_{AC} which is available at FCU's office.

K. GENERAL TERMS AND CONDITIONS

All sales of electric power and energy by the City of Falls City are subject to the following General Terms and Conditions:

1. Terms of Payment.

All bills rendered are net, due and payable on receipt, and delinquent if not paid by 5:00 p.m. on the fifteenth (15th) of the month following the month for which the bill is rendered. Delinquent accounts are subject to a five percent (5%) delayed payment penalty. Unpaid delinquent accounts are subject to disconnection with proper notice. Reconnection may be had during regular working hours upon payment of a non-recoverable fee as established by the Board of Public Works under its service regulations. Reconnection may be had after hours or on weekends and holidays upon receipt of payment of a non-recoverable fee as established by the Board of Public Works under its service regulations.

2. Power Cost Adjustment.

This rate and the bill for service rendered hereunder may be adjusted from month to month to reflect the cost of "power purchases". This shall include the cost of purchased power and the cost of diesel fuel and natural gas consumed for power generation.

The base cost for power production under the October 1, 2022 rate is \$0.0320 per kWh for the Summer Season and the Winter Season the monthly calculation may include an adjustment for annual line loss.

The base cost for power production under the October 1, 2023 rate is \$0.0352 per kWh for the Summer Season and the Winter Season the monthly calculation may include an adjustment for annual line loss.

The base cost for power production under the October 1, 2024 rate is \$0.0360 per kWh for the Summer Season and the Winter Season the monthly calculation may include an adjustment for annual line loss.

3. Tax Clause.

This rate may be increased by the amount of any new or increased governmental tax imposed and levied on the transmission, distribution, production or sale of electricity.

4. Special Terms and Conditions.

- a. Special Service requirements, if available, will be negotiated on an actual cost basis with the electric department.
- b. The Municipality shall supply one electric service to a property at one point of delivery designated by the Municipality. For installation of additional electric service to a property, the customer or owner shall pay the Municipality an installation fee equal to the total cost of installing the service equipment except for the meter and meter socket supplied by the Municipality. Distribution from the point of delivery to points of use on the customer's premises shall be the responsibility of the property owner.
- c. When electric service is measured through more than one meter, the consumption registered on each meter will be billed separately. Meter readings will not be combined for billing purposes.
- d. When a portion of a residential dwelling is used for commercial purposes, the Residential Rate shall apply provided:
 1. the service is all taken through one (1) meter;
 2. the residential load exceeds the commercial load;
 3. the connected commercial load does not exceed 10 kW.

In all other cases, the Residential and Commercial Service will be separately metered and billed under the applicable rate, or all service to the premises will be billed under the applicable General Service Rate.

- e. When no more than two (2) rooms within a dwelling unit are rented out, the Residential Rate shall apply. Where three (3) or more are rented out, the appropriate General Service Rate shall apply.
- f. Two (2) or more flats, apartments, or dwelling units in the same building will be served through one meter and the appropriate General Service Rate shall apply. At the Municipality's option, each individual unit may be separately metered and billed under the Residential Rate where the property owner provided facilities designed to serve each unit individually.

5. Power Factor Adjustment.

All Urban and Rural General Service, General Service Demand, and Large Power customers will be expected to maintain, at customer's expense, a power factor of 95.0 percent (95%) lagging or better and 95.0 percent (95%) leading or better. If the power factor, as measured by the electric department, is lower than 95.0 percent (95%), the customer will be required to correct it. Customers failing to correct to the minimum allowable power factor will have the total amount of each monthly bill increased by the ratio of $0.95/\text{actual power factor}$ expressed as a decimal.

6. Urban/Rural Customers Defined.

Urban refers to any customer with the corporate limits of the City of Falls City.
Rural refers to all other customers.

SECTION III

That the original Ordinance 2019-102 and any other ordinances or sections passed and approved prior to passage, approval and publication or posting of this Ordinance in conflict with the provisions herewith are hereby repealed.

SECTION IV

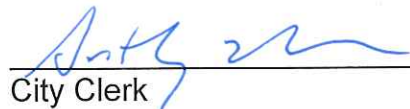
This Ordinance shall be in full force from and after its passage and approval and publication. This Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this 26th day of September, 2022.



Mayor

Attest:



City Clerk