

ORDINANCE NUMBER 23-20

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 21-37 and all other ordinances, resolutions or parts of ordinances or resolutions in conflict herewith; and to provide for publication in electric 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 term shall be defined as follows:

Summer/Winter Rate Months: The summer rates shall apply to customer usage between June 1st and October 1st of each year. The winter rates shall apply to customer usage anytime except when summer rates apply.

SECTION 2. Rates to be charged by the City of Beatrice, Nebraska, Board of Public Works (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 JULY 1, 2023: The rate, per month per meter, shall be the total of the following charges:

Customer Charge, per month \$12.00

Summer Energy Rate

All energy, per kWh..... \$0.0990

Winter Energy Rate

First 550 kWh, per kWh \$0.0990

Excess, per kWh \$0.0740

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 JULY 1, 2023: The rate, per month per meter, shall be the total of the following charges:

Customer Charge, per month \$12.00

Summer Energy Rate

All energy, per kWh..... \$0.0990

Winter Energy Rate

First 550 kWh, per kWh \$0.0990

Excess, per kWh \$0.0530

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 JULY 1, 2023: The rate, per month per meter, shall be the total of the following charges:

Customer Charge, per month \$20.00

Summer Energy Rate

All energy, per kWh..... \$0.1110

Winter Energy Rate

First 1,200 kWh, per kWh \$0.1110

Excess, per kWh \$0.0870

Electric Heat Winter Rate*, per kWh..... \$0.0568

*The Electric Heat Winter Rate is available to General Service customers where the primary source of space heating is electric energy and is only applicable to winter usage.

- D. GENERAL SERVICE DEMAND.** This classification is available to any non-residential customer whose peak measured demand exceeds 25 kW for any consecutive three (3) months during the previous twelve (12) month period. Any customer with peak demand exceeding 100 kW for three (3) consecutive months during the previous twelve (12) month period is required to take service under this rate schedule. 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 JULY 1, 2023: The rate, per month per meter, shall be the total of the following charges together with any applicable metering adjustment:

Summer

Customer Charge, per month	\$50.00
Demand Charge, per kW of Billing Demand	\$16.00
Energy Charge, per kWh	\$0.0410

Winter

Customer Charge, per month	\$50.00
Demand Charge, per kW of Billing Demand	\$14.50
Energy Charge, per kWh	\$0.0375

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 Charge 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, express 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

1. **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%).
 2. **Subtransmission Metering.** Where the BPW has furnished all transformation equipment and where metering is a subtransmission voltage, three-phase service, the kilowatt-hour consumption shall be reduced by four percent (4%).
 3. **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%).
 4. **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%).
 5. **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. 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.
 - a. **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.

- b. Minimum Bill. A minimum billing of \$17.50 per month will be charged during the period when electric power service has been turned on.
 - c. 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.
 - a. 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.
 - b. Minimum Bill. A minimum billing of \$17.50 per month will be charged during the period when electric power service has been turned on.
 - c. 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.
- F. 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.

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

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

- G. ECONOMIC DEVELOPMENT RATE. Available to any customer that meets all of the following conditions:

- 1. Provide 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%) or greater.
3. 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.
4. The customer has entered into an agreement with the BPW that incorporates key terms and conditions as well as specifying the energy supply charge.

Customers are eligible to take service under this rate schedule for sixty (60) billing months. Service under this rate schedule will begin upon notification that it has met the conditions above and it is prepared to begin taking service. Prior to this notification and after the sixty-month period, service will be provided under the otherwise-applicable rate schedule.

EFFECTIVE JULY 1, 2023. The rate shall be the total of the following charges:

Customer Charge, per month	\$500.00
Demand Charge	
Transmission / Ancillary Service – SPP.....	\$3.14 per kW (1)
Transmission – Substation	\$0.50 per kW (2)
Energy Supply Charge	BPW Cost of Energy (3)
BPW Administration/Delivery Charge	\$0.006 per kWh

- (1) Billing demand based on customer's contribution to BPW monthly peak demand.
- (2) Billing demand based on customer's contribution to the BPW annual highest peak during current month or previous eleven (11) months, regardless of hour.
- (3) BPW cost of energy will be calculated a case-by-case basis and rates included in customer agreement.

DEMAND CHARGES. All charges related to Transmission / Ancillary Service and Transmission Substation Demand and Ancillary Services Demand are based on actual costs and will be adjusted annually on or about January 1.

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 percent (93%) and divided by the customer's

power factor (express in percent) determined at the time of the customer's maximum use.

- H. **LARGE SERVICE – CONTRACT.** The monthly rates for large power contract service shall be applicable to electric service provided under a standard form agreement where the customer agrees to a minimum billing demand of at least 500 kW for a period of no less than three (3) years.

EFFECTIVE JULY 1, 2023: The rate, per month, shall be the total of the following charges together with any applicable metering adjustment:

Customer Charge, per month	\$500.00
Demand Charge, per kW of Billing Demand ...Pursuant to Negotiated Contract	
Energy Charge, per kWh of Energy	Pursuant to Negotiated Contract

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

EFFECTIVE JULY 1, 2023. A monthly charge for energy, and use of, each light installed for residential and commercial use shall be:

	<u>Per Month/ Per Fixture</u>
Mercury Vapor	
175 Watt	\$9.60
250 Watt	\$10.71
400 Watt	\$14.58
High Pressure Sodium	
100 Watt	\$10.23
250 Watt	\$13.89
400 Watt	\$16.97
LED	
Residential.....	\$9.60
Commercial	\$13.89

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.

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 delivery 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 average locational marginal price for the City of Beatrice node for the calendar year for which the calculated of excess energy is completed.

- 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 Regulation Policy Act of 1978 (PURPA), and regulations of the Federal Regulatory Commission (FERC), implementing the Act. Any customer with nameplate capacity of greater than 25 kW and is a FERC-defined QF, meaning the generation either is a co-generation facility or relies on biomass, waste or renewable fuel (wind, solar or water) to product 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 the 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:

All months: The hourly locational marginal price for the City of Beatrice load node multiplied by the hourly generation.

- 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 21-37 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 as provided by law.

PASSED AND APPROVED this 19th day of June, 2023.

Attest:

Erin Saathoff, CMC, City Clerk

Robert Morgan, Mayor





MEMORANDUM

TO: Mayor & City Council

DATE SUBMITTED: May 24, 2023

FROM: Tobias J. Tempelmeyer
City Administrator and General Manager

FOR AGENDA OF: June 5, 2023

SUBJECT: New Electric Rate Ordinance

EXHIBIT(S): Ordinance

The proposed Electric Rate Ordinance has all of the same prices as the current Electric Rate Ordinance. The only difference is Section 2(H) regarding Large Service – Contract. This section enables the City to enter into large power contracts. Moonraker Mining would be the first such large power contract.



AGENDA ITEM

Subject: Ordinance establishing electric rates in the City of Beatrice, Nebraska, as recommended by BPW

For Agenda of: June 5, 2023

Exhibit(s):

Date Submitted: May 31, 2023

Ordinance establishing electric rates in the City of Beatrice, Nebraska

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Board the only change to the proposed ordinance is to add a section allowing the City to negotiate rates for large commercial users.

Moved by Zarybnicky, seconded by Hartley, to recommend to the Mayor and City Council to approve the proposed ordinance establishing electric rates in the City of Beatrice, Nebraska.

Roll Call: Yea: Baehr, Hartley, Leech, Moran, Zarybnicky
Nay: None

MOTION CARRIED.

*** Proof of Publication ***

State of Indiana)
Lake County) SS.

BEATRICE CITY CLERK

ERIN SAATHOFF

400 ELLA ST

BEATRICE NE 68310

ORDER NUMBER 1165034

**NOTICE OF PASSAGE AND
PUBLICATION OF ORDINANCE
NUMBER 23-20**

Public notice is hereby given that the Mayor and Council of the City of Beatrice, Nebraska, at their regular meeting on June 19, 2023, have passed and approved Ordinance Number 23-20 the title of which reads as follows:

"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 21-37 and all other ordinances, resolutions or parts of ordinances or resolutions in conflict herewith; and to provide for publication in electric form and an effective date of this ordinance."

Said ordinance has been published in electronic form at www.beatrice.ne.gov/ordinances. Copies of the Ordinance are available at the office of the City Clerk, 400 Ella Street, Beatrice, Nebraska.
Erin Saathoff, CMC City Clerk
1165034 6/23 ZNEZ

The undersigned, being first duly sworn, deposes and says that she/he is a Clerk of the Beatrice Daily Sun, a legal newspaper printed, published and having a general circulation in the County of Gage and State of Nebraska, and that the attached printed notice was published in said newspaper and that said newspaper is the legal newspaper under the statutes of the State of Nebraska.

The above facts are within my personal knowledge and are further verified by my personal inspection of each notice in each of said issues.

Clerk of the Beatrice Daily Sun

Signature *[Signature]* Date 6/23/23

Section: Class Legals

Category: 0089 Legals BDS

PUBLISHED ON: 06/23/2023

TOTAL AD COST: 17.44

FILED ON: 6/23/2023

Subscribed in my presence and sworn to before me on

June 23, 20 23

[Signature] Notary Public

