

ORDINANCE NO. 4764

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO TITLE 9 "UTILITIES" AND AMENDING SECTIONS 9.30.100 AND 9.91.100 OF THE ELLENSBURG CITY CODE.

WHEREAS, City Council adopted Ordinance 4759 on December 19, 2016 which addressed unmetered service connections for the General Service Single Phase E-210 rate class; and

WHEREAS, unmetered service connections should also apply to other rate classes; and

WHEREAS, the amendments in this ordinance were reviewed by the Utility Advisory Committee at its February 16, 2017 meeting and recommended for City Council adoption,

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington do hereby ordain as follows:

Section 1. Section 9.30.100 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4706, is hereby amended to read as follows:

9.30.100 Electric rates.

A. Separate electric rates shall be established for the following rate classes: residential, low-income senior citizen/low-income disabled citizen, general service, general service demand, nonprofit agency serving the disadvantaged, security lighting, municipal, and large customer/contractual, primary metered and renewable energy.

B. Whenever the eligibility criteria for qualifying for a demand rate changes, existing demand customers shall remain on their respective demand rates until such time as each account can be analyzed. If as a result of a meter audit a customer would be moved to a different rate schedule and their electric charges increase by more than 10 percent, the customer shall remain or be returned to the rate schedule they were on prior to the audit and any charges collected in excess of 10 percent shall be credited to the customer. After an existing demand customer that remains or is returned to the rate schedule they were on prior to the audit discontinues service, the next customer that receives service shall be moved to the rate schedule identified by the meter audit.

C. The low-income senior citizen/low-income disabled citizen and nonprofit agency serving the disadvantaged rates shall have consumption charges set at 90 percent of the residential rate and general service rate respectively. In addition, these two rate schedules shall not be charged a customer charge.

D. Primary metered customers where the city owns and maintains the transformer beyond the 12,470-volt metering point shall receive a one percent discount for transformer losses from the E-201 consumption rate and a one percent discount from the E-220 demand rate.

E. Primary metered customers where the customer owns and maintains the transformer beyond the 12,470-volt metering point shall receive a two percent discount for transformer losses from the E-201 consumption rate and the E-220 demand rate and a two percent discount for transformer investment and maintenance from the E-201 customer charge.

F. General service and primary metered customers that are metered for demand shall have demand consumption averaged over a 30-minute rolling average time interval through December 31, 2015. No earlier than January 1, 2015, and no later than December 31, 2016, all general service and primary metered customers shall have demand consumption averaged over a 15-minute rolling average time interval.

G. Renewable energy and renewable energy system contributions are two voluntary rates to enable all city electric customers to participate in renewable energy. Renewable rates revenue will go into a designated cash account established to maintain the Community Renewable Energy Park and provide education about renewable energy resources. A direct one-time donation to the designated cash account shall also be allowed; however, if over \$1,000, the Ellensburg city council would need to accept the donation per the Ellensburg City Code.

1. The renewable energy rate shall be a voluntary monthly upgrade premium sold in 100 kilowatt hour blocks added incrementally to the consumption charge of the regular electric rate associated with the customers' electric service. The amount of energy available for purchase will be limited to the generation output of the city's Community Renewable Energy Park.

2. The renewable energy system contribution is a voluntary fixed monthly contribution to the designated cash account set up to maintain the Community Renewable Energy Park and provide education about renewable energy resources.

3. The voluntary rates established in this subsection are month to month and can be started and stopped at the customer's request.

4. On an annual basis (or more often, as circumstances warrant) the director of energy services or designee will report in writing to the Ellensburg city council concerning revenue generated by voluntary rates established in this section, and concerning expenditures from the fund established to manage those revenues. In the interest of public education as envisioned by the ordinance codified in this section, voluntary ratepayers and the general public will be apprised of such revenues and expenditures. [Ord. 4706 § 1, 2015; Ord. 4684 § 3, 2014; Ord. 4633 § 1, 2013; Ord. 4626 § 1, 2012; Ord. 4555 § 3, 2009; Ord. 4503 § 2, 2007.]

H. Unmetered services for several small electrical devices include, but are not limited to, municipal emergency management systems, municipal security camera systems, communications systems, irrigation systems, street lighting systems, and other systems that are mounted in the communications zone on utility poles or on streetlighting poles or on other locations that are directly connected to the city's electrical distribution system without a service panel or metering.

Small electrical devices shall comply with the following:

1. Prior to January 1, 2018, at least one service of each small electrical device type with a similar operating load, as determined by the energy services director, shall be metered. After January 1, 2018, at least one service of each small electrical device type with an operating load that is not comparable to any other small electrical device of the customer, as determined by the energy services director, shall be metered. For the purposes of this subsection only, "not comparable" shall mean the anticipated operating load is not within ten (10) percent of any other small electrical device of the same or substantially similar design.

2. Beginning January 1, 2018, additional services used for small electrical devices including, but not limited to, municipal emergency management systems, municipal security camera systems, communications systems, and other systems as determined by the energy services director with similar operating loads will not be metered. The rates charged for each metered and unmetered system shall include a consumption charge based on the metered consumption of a small electrical device type with a similar operating load and a customer charge as determined by the energy services director. The customer's utility billing shall be revised based on any changes to the number of systems with similar operating loads.

Section 2. Section 9.91.100 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4659, is hereby amended to read as follows:

9.91.100 Electric utility rate schedules.

Effective Date: 1/1/17

A. Residential E-100.

1. Availability. This electricity service rate schedule is available within the service area of the city to single-family dwellings and multiple-family dwellings through a separate meter for each living unit. This rate schedule is not available for electric energy resale purposes, or where any part of the use is for purposes other than above stated.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC at a nominal potential of 120, 120-208, or 120-240 volts single phase.

3. Rate. The rate shall be composed of a consumption charge plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption Charge:	0 to 600 KWH at \$0.0626 per KWH All usage above 600 KWH at \$0.0680 per KWH
Customer Charge:	\$0.6940 per day

B. Low-Income Senior Citizen/Low-Income Disabled Citizen E-130.

1. Availability. This rate is available for residential service to individuals who meet the definition of low-income senior citizen or low-income disabled citizen, who do not reside in federally subsidized housing and who agree to participate in energy conservation programs that are available at no charge.

Failure to participate in an available energy conservation program after receipt of a utility discount shall constitute a basis for denial by the city of continued participation in the utility discount program beginning January 1, 2015, and until such conservation measures are installed. The customer may submit a written request, on a form provided by the city, identifying the reasons they should be exempt from participation in available conservation programs, which request is subject to approval or denial by the energy services director.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC at a nominal potential of 120, 120-208, or 120-240 volts single phase.

3. Rate. The rate shall be composed of a consumption charge plus a daily customer charge computed as follows for each meter servicing the premises in accordance with subsection (A) of this section and ECC 9.30.100(C):

Consumption Charge:	0 to 600 KWH at \$0.0563 per KWH
	All usage above 600 KWH at \$0.0612 per KWH
Customer Charge:	None

C. General Service Single Phase Demand E-200.

1. Availability. This electricity service rate is available within the service area of the city to all customers who do not qualify for service under the residential, low-income elderly/disabled, municipal, security lighting or large customer/contractual rate schedules and whose electrical panel size is equal to or greater than 600 amps single phase at 120-240 volts or equivalent panel size for other voltages.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 120-240 volts (or other voltage) single phase.

3. Rate. The rate shall be composed of a consumption charge plus a monthly demand charge plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption Charge:	All usage at \$0.0494 per KWH
Demand Charge:	All demand at \$4.94 per KW
Customer Charge:	\$1.6410 per day

4. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed.

5. Based on a customer's anticipated lagging reactive load, metering for power factor may be required. When required by the light department, demand charges will be adjusted to correct for average power factors lower than 97 percent by dividing the metered monthly peak demand by the monthly average power factor and then multiplying the quotient by 97 percent.

D. General Service Three Phase Demand E-201.

1. Availability. This electricity service rate is available within the service area of the city to all customers who do not qualify for service under the residential, low-income elderly/disabled, municipal, security lighting or large customer/contractual rate schedules and whose electrical panel size is equal to or greater than 400 amps three phase at 120-208 volts or equivalent panel size for other voltages.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 120-240 volts (or other voltage) three phase.

3. Rate. The rate shall be composed of a consumption charge plus a monthly demand charge plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption Charge: All usage at \$0.0494
per KWH

Demand Charge: All demand at \$4.94
per KW

Customer Charge: \$3.6922 per day

4. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed.

5. Based on a customer's anticipated lagging reactive load, metering for power factor may be required. When required by the light department, demand charges will be adjusted to correct for average power factors lower than 97 percent by dividing the metered monthly peak demand by the monthly average power factor and then multiplying the quotient by 97 percent.

E. General Service Single Phase E-210.

1. Availability. This electricity service rate is available within the service area of the city to all customers who do not qualify for service under the residential, low-income

senior/disabled, municipal, security lighting or large customer/contractual rate schedules and whose electrical panel size is less than 600 amps at 120-240 volts or equivalent panel size for other voltages.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 120-240 volts (or other voltage) single phase.

3. Rate. The rate shall be composed of a consumption charge plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption Charge:	All usage at \$0.0667 per KWH
Customer Charge:	\$0.6145 per day

~~4. Unmetered Small General Services.~~

~~a. Several small electrical devices including, but not limited to, municipal emergency management systems, municipal security camera systems, non-city communications systems, non-city irrigation systems, non-city street lighting systems, and other systems that are mounted in the communications zone on utility poles or on street lighting poles or on other locations that are directly connected to the city's electrical distribution system without a service panel or metering.~~

~~b. Prior to January 1, 2018, at least one service of each small electrical device type with a similar operating load, as determined by the energy services director, shall be metered.~~

~~c. Beginning January 1, 2018, additional services used for small electrical devices including, but not limited to, municipal emergency management systems, municipal security camera systems, non-city communications systems, and other systems as determined by the energy services director with similar operating loads will not be metered. The rates charged for each metered and unmetered system shall be in accordance with subsection (E)(3) of this section including a consumption charge based on the metered consumption of a small electrical device type with a similar operating load and a customer charge. The customer's utility billing shall be revised based on any changes to the number of systems with similar operating loads.~~

54. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed.

F. General Service Three Phase E-211.

1. Availability. This electricity service rate is available within the service area of the city to all customers who do not qualify for service under the residential, low-income senior/disabled, municipal, security lighting or large customer/contractual rate schedules and

whose electrical panel size is less than 400 amps three phase at 120-208 volts or equivalent panel size for other voltages.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 120-240 volts (or other voltage) three phase.

3. Rate. The rate shall be composed of a consumption charge plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption Charge:	All usage at \$0.0667 per KWH
---------------------	----------------------------------

Customer Charge:	\$1.2757 per day
------------------	------------------

4. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed.

G. Security Lighting E-300.

1. Availability. This electricity service rate schedule is available for existing security light customers within the service area of the city for photoelectric controlled dusk to dawn external lighting service primarily served by property owned by the customer. No new installations will be made for service under this schedule.

2. Character of Service. Service shall be unmetered, 60-cycle, 120-240-volt alternating current.

3. Rate.

Light Only:	\$0.7101 per day
-------------	------------------

Light with Pole:	\$0.7750 per day
------------------	------------------

4. General Conditions.

a. The city reserves the right to eliminate service under this schedule or to reduce the wattage of the luminaire.

b. Normal lamp, control replacements and maintenance work shall be made by the city during regular business hours only.

c. It shall be the responsibility of the customer to notify the city of lamp failure. No credits or adjustment of charges will be made during time of such failures, unless the city shall be unable to repair the defects when requested.

d. The city reserves the right to restrict installations of lighting equipment to poles on which suitable space is available and to make such installations only where they will not interfere with any other equipment owned by the city or its customers.

H. Municipal E-500.

1. Availability. This electricity service rate schedule is available for water pumping, sewage treatment and pumping, municipal buildings and other municipal purposes.
2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 120-240 volts single phase or other voltage and polyphase service available.
3. Rate. The rate shall be composed of a consumption charge plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption Charge: All usage at \$0.0626
per KWH

Customer Charge: Single Phase –
\$1.973 per day
Three Phase – \$1.973
per day

I. Large Customer/Contractual E-600.

1. Availability. This electric rate is available to large electric customers within the limits of the service area of the city whose requirements exceed or are estimated to exceed 15,000 MWH (megawatt hours) per year. The city will provide firm electric supply under this schedule; provided, that:
 - a. Adequate electric supply exists in the city's distribution system;
 - b. Adequate capacity exists in the city's distribution system; and
 - c. The customer has executed a long-term large customer power sales agreement with the city for service under this schedule.
2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 12,470 volts, three phase.
3. Rate. The rates under this schedule will be covered by individual contract between the city and the customer.

J. Nonprofit Agency Serving the Disadvantaged E-700.

1. Availability. This electricity service rate is available within the service area of the city to all nonprofit agencies serving the disadvantaged.
2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 120-240 volts (or other voltage) single or three phase.
3. Rate. The rate shall be composed of a consumption charge computed as follows for each meter servicing the premises:

Consumption	All usage at \$0.0600
Charge:	per KWH
Customer Charge:	None

4. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed.

K. Primary Service City-Owned Transformer E-204.

1. Availability. This electricity service rate schedule is available within the service area of the city to all customers who do not qualify for service under the residential, low-income elderly/disabled, municipal, security lighting or large customer/contractual rate schedules, and are metered on the primary side of a city-owned secondary transformer.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 120-240 volts (or other voltage) three phase.

3. Rate. The rate shall be composed of a consumption charge discounted one percent below the E-201 rate plus a monthly demand charge discounted one percent below the E-220 rate plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption	All usage at \$0.0489
Charge:	per KWH
Demand Charge:	All demand at \$4.89
	per KW
Customer Charge:	\$3.6922 per day

4. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed. The point of ownership change shall be identified in a one-line drawing of the service installation in accordance with the light department records.

5. Based on a customer's anticipated lagging reactive load, metering for power factor may be required. When required by the light department, demand charges will be adjusted to correct for average power factors lower than 97 percent by dividing the metered monthly peak demand by the monthly average power factor then multiplying the quotient by 97 percent.

L. Primary Service Customer-Owned Transformer E-205.

1. Availability. This electricity service rate schedule is available within the service area of the city to all customers who do not qualify for service under the residential, low-income elderly/disabled, municipal, security lighting or large customer/contractual rate schedules, and are metered on the primary side of a customer-owned secondary transformer.

2. Character of Service. Energy delivered under this schedule shall be 60-cycle AC, 12,470 volts three phase.

3. Rate. The rate shall be composed of a consumption charge plus a monthly demand charge plus a daily customer charge computed as follows for each meter servicing the premises:

Consumption Charge:	All usage at \$0.04320 per KWH
Demand Charge:	All demand at \$4.89 per KW
Customer Charge:	\$3.6183 per day

4. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed. The point of ownership change shall be identified in a one-line drawing of the service installation in accordance with the light department records.

5. Based on a customer's anticipated lagging reactive load, metering for power factor may be required. When required by the light department, demand charges will be adjusted to correct for average power factors lower than 97 percent by dividing the metered monthly peak demand by the monthly average power factor then multiplying the quotient by 97 percent.

M. Renewable Energy E-800.

1. Availability. This voluntary renewable electricity service rate is available within the service area of the city to all electric customers beginning September 1, 2015; provided, however, that the amount of renewable energy available under this rate is limited to the generation output of the city's Community Renewable Energy Park systems. Energy will be sold in 100 kWh per month blocks. Customers will still pay all charges per their appropriate rate class in addition to the voluntary upgrade charge per 100 kWh block of renewable energy purchased.

2. Character of Service. Renewable energy delivered under this schedule shall be the same as the customers' present service and rate class.

3. Rate. The rate is a voluntary renewable energy product upgrade charge for consumption in addition to the standard applicable rate class consumption the customer is receiving service under. Charges are computed as follows for each meter receiving this renewable energy product servicing the premises:

Consumption Charge:	100 kWh blocks at \$0.030 per kWh
---------------------	-----------------------------------

4. Delivery Point. The above rates are based upon the supply of service to the entire premises through a single delivery and metering point and at one voltage and phase. Separate supply for the same customer at other voltages or phases or at other points of consumption will be separately metered and billed.

N. Renewable Energy System Contribution E-801.

1. Availability. This voluntary renewable energy system contribution rate is available within the service area of the city to all customers beginning on September 1, 2015.

2. Character of Service. Customers can elect to make fixed contributions of \$2.00 per month per unit. Customers can purchase any number of units of contribution which will be included in their monthly utility billing, and may opt out at any time.

3. Rate. The rate is a voluntary renewable energy system contribution only. No renewable energy is delivered by participating in the rate.

Charge: Renewable energy system
contribution unit at \$3.00 per
month

[Ord. 4759 § 1, 2016; Ord. 4733 § 1, 2016; Ord. 4706 §§ 2, 3, 2015; Ord. 684 7, 2014; Ord. 4639 § 2, 2013; Ord. 4633 § 2, 2013; Ord. 4626 § 2, 2012; Ord. 4606 § 1, 2011; Ord. 4555 § 7, 2009; Ord. 4508 § 1, 2007; Ord. 4503 § 2, 2007.]

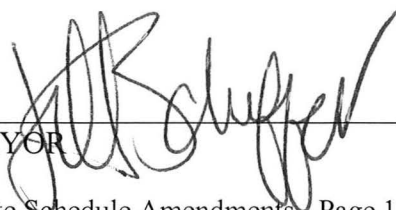
Section 3. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 4. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 20th day of March, 2017.

MAYOR




ATTEST:



CITY CLERK

Approved as to form:



CITY ATTORNEY

Publish: 3-23-17

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4764 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4764 was published as required by law.



COREEN M. RENO