

ORDINANCE NO. 4639

An Ordinance of the City Council of the City of Ellensburg, Washington relating to the eligibility requirements for both electric and natural gas utility rate subsidies for low income seniors and low income disabled citizens and amending sections 9.30.030, 9.91.100 and 9.91.200 of the Ellensburg Municipal Code.

WHEREAS, the electric utility provides a discounted utility rate E-130 to low income senior citizens and low income disabled citizens; and

WHEREAS, the natural gas utility provides a discounted utility rate G-130 to low income senior citizens and low income disabled citizens; and

WHEREAS, these subsidies to low income seniors and low income disabled citizens receiving electric and natural gas services shall be minimized by requiring participation in the utility's energy conservation programs that are available at no charge; and

WHEREAS, the amendments in this ordinance have been reviewed by the Utility Advisory Committee and are recommended for City Council adoption,

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

**Section 1. Section 9.30.030, as last amended by Ordinance No. 4555, is hereby amended to read as follows:**

**9.30.030 General.**

A. Utility billings shall be made on a service month of approximately 30 days.

B. It is intended that all utility rates be based on cost-of-service principles. Subsidies between rate schedules shall be avoided except for low-income senior citizen, low-income disabled citizen and nonprofit agency serving the disadvantaged rate schedules. The subsidies for low income senior citizens and low income disabled citizens receiving electric and natural gas services shall be minimized by requiring participation in energy conservation programs that are available at no charge.

C. Provision of utility service under any of the rate schedules listed in this section shall be subject to the general provisions of city ordinances.

D. Nonpayment of any utility service charges shall constitute a nonpayment of a utility bill and the city may in such cases refuse to initiate other city utilities to the premises until such delinquent account is paid in full.

E. Adopted rate schedules are set forth in Chapter 9.91 ECC. [Ord. 4555 § 2, 2009; Ord. 4503 § 2, 2007.]

**Section 2. Section 9.91.100, as last amended by Ordinance No. 4626, is hereby amended to read as follows:**

**9.91.100 Electric utility rate schedules.**

Effective Date: 12/1/12

**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: All usage at \$0.0610 per KWH

Customer Charge: \$0.5122 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, and 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:

Consumption Charge: All usage at \$0.0549 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 \$0.0475 per KWH

Demand Charge: All demand at \$4.77 per KW

Customer Charge: \$1.5855 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. Adjustment for Demand. Demand charges will be adjusted to correct for average power factors lower than 97 percent, by taking 0.97 of the demand determined and dividing this amount by the monthly average power factor.

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 \$0.0475 per KWH

Demand Charge: All demand at \$4.77 per KW

Customer Charge: \$3.5673 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. Adjustment for Demand. Demand charges will be adjusted to correct for average power factors lower than 97 percent, by taking 0.97 of the demand determined and dividing this amount by the monthly average power factor.

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 \$0.0616 per KWH

Customer Charge: \$0.5374 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.

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 \$0.0616 per KWH

Customer Charge: \$1.1294 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 \$0.0577 per KWH

Customer Charge: Single Phase – \$1.0312 per day

Three Phase – \$1.0312 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 Charge: All usage at \$0.0554 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. [Ord. 4626 § 2, 2012; Ord. 4606 § 1, 2011; Ord. 4555 § 7, 2009; Ord. 4508 § 1, 2007; Ord. 4503 § 2, 2007.]

**Section 3. Section 9.91.200, as last amended by Ordinance No. 4555, is hereby amended to read as follows:**

**9.91.200 Gas utility rate schedules.**

Effective Date: 1/1/10

**A. Residential G-100.**

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

2. Character of Service. Service shall be through a single meter at a single point of delivery. Multiple meters used for delivery to the same customer shall not be combined for billing purposes.

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 ccf at \$0.4483 per ccf plus the purchased gas cost adjustment

Customer Charge: \$0.5434 per day

**B. Low-Income Senior Citizen/Low-Income Disabled Citizen G-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, ~~and~~ 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, or 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. Service shall be through a single meter at a single point of delivery.

Multiple meters used for delivery to the same customer shall not be combined for billing purposes.



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 ccf at \$0.4111 per ccf plus the purchased gas cost adjustment

Customer Charge: None

C. Commercial and Industrial G-200.

1. Availability. This rate schedule is available to commercial, small volume industrial and municipal customers for all purposes except for resale. Commercial and small industrial users shall either possess a current city business license or present proof of engaging in commercial or industrial activity.

2. Character of Service. Service shall be through a single meter at a single point of delivery. Multiple meters used for delivery to the same customer shall not be combined for billing purposes.

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

Consumption Charge: All ccf at \$0.2914 per ccf plus the purchased gas cost adjustment

Customer Charge:	275 cu. ft. and less	\$0.3458 per day
	415/425 cu. ft.	\$0.6914 per day
	750/800 cu. ft.	\$1.3820 per day
	1,000 cu. ft. and higher	\$2.7658 per day

E. Interruptible Industrial G-220.

1. Availability. Service of natural gas by the city is available to industrial customers whose requirements are estimated to exceed 100,000 therms per year and who have adequate standby facilities which are alternately fueled to accept curtailment of their natural gas supply under this schedule. The city will provide natural gas under this schedule; provided, that:

- a. Adequate gas volumes for such service are available;
- b. Adequate capacity exists in the city's distribution system; and
- c. The customer has executed a long-term interruptible natural gas service agreement with the city for service under this schedule.

2. Character of Service. This service applies to customers who would otherwise use propane and who have installed standby capacity to use propane in equipment listed in their service agreement. All service rendered under this rate is to be supplied at one point of delivery and single metered and billed.

Service rendered under this schedule shall be subject to curtailment by the city when in the city manager's or his designee's sole judgment such curtailment is necessary or such interruption or curtailment has been requested of the city by its supplier(s). Service under this schedule shall have a lower priority than service under any other gas utility rate schedule offered by the city including schedule G-300. The city shall not be liable in damages for or on account of any curtailment of service.

3. Rate. The rates under this rate schedule will be covered by individual contract between the city and the customer.

4. Restrictions. In no event shall the city sell natural gas to the customer at a price less than the city's wholesale price plus any taxes based on gross revenues.

#### F. Institutional Service G-300.

1. Availability. This rate schedule is available to institutional natural gas customers whose requirements are estimated to exceed 900,000 therms per year and who have adequate standby facilities to accept curtailment of their natural gas supply under this schedule. The city will provide natural gas under this schedule; provided, that the customer has executed a long-term natural gas service agreement with the city for service under this schedule.

2. Character of Service. Service shall be through a single meter at a single point of delivery. Service is subject to interruption or curtailment at such times when, in the energy service director's judgment, such interruption or curtailment is necessary to

preserve the integrity of the city's system or the city has been requested to interrupt or curtail load by its supplier(s). The energy services director shall consult with the city manager prior to any interruption or curtailment if circumstances allow. The city shall not be liable for damages for, or on account of, any curtailment of service. The customer may also choose to interrupt or curtail service as provided for in the service agreement.

3. Rate. The rates under this rate schedule will be covered by individual contract between the city and the customer.

G. Municipal G-400.

1. Availability. This rate schedule is available to the city for use at all municipal buildings.

2. Character of Service. Service shall be through a single meter at a single point of delivery.

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 ccf at \$0.2826 per ccf plus the purchased gas cost adjustment
Customer Charge:	275 cu. ft. and less
	\$0.3352 per day
	415/425 cu. ft.
	\$0.6710 per day
	750/800 cu. ft.
	\$1.3410 per day
	1,000 cu. ft. and higher
	\$2.6830 per day

H. Nonprofit Agency Serving the Disadvantaged G-700.

1. Availability. This rate schedule is available to nonprofit agencies serving the disadvantaged.

2. Character of Service. Service shall be through a single meter at a single point of delivery. Multiple meters used for delivery to the same customer shall not be combined for billing purposes.

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

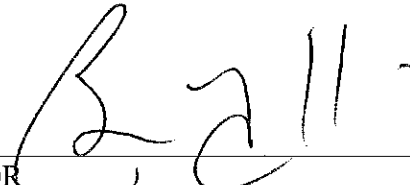
Consumption Charge:	All ccf at \$0.2622 per ccf plus the purchased gas cost adjustment
Customer Charge:	None

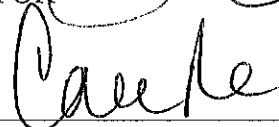
[Ord. 4555 § 8, 2009; Ord. 4503 § 2, 2007.]

**Section 4. - Severability.** If any one or more chapters, sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

**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 15<sup>th</sup> day of April, 2013.

  
\_\_\_\_\_  
MAYOR

Attest:   
\_\_\_\_\_  
CITY CLERK

Approved as to form:

  
\_\_\_\_\_  
CITY ATTORNEY

Publish:

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4639 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4639 was published as required by law.

\_\_\_\_\_  
COREEN M. RENO, CMC