



# STAFF REPORT

## CITY OF GREEN COVE SPRINGS, FLORIDA

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**TO:** City Council Regular Session **MEETING DATE:** June 1, 2021  
**FROM:** Mike Null, Assistant City Manager  
**SUBJECT:** Second and Final Reading of Ordinance O-12-2021 amending Green Cove Springs Electric Net Metering Service Rate Schedule. *Mike Null*

### BACKGROUND

At the May 4, 2021 City Council meeting, staff presented the below information along with a presentation by FMPA regarding the City's net-metering rate schedule as relates to crediting of excess power generated by the City's customers and returned to the electric grid.

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The Green Cove Springs City Council adopted Ordinance O-01-2012 and Resolution R-04-2012 at its January 3, 2012 and January 17, 2012 Council Meetings. With these actions, the City Council adopted the Tri-Party Net Metering Agreement and the Net Metering Service Rate Schedule, which are attached for your reference.

Following is a very high-level overview of net metering and the arrangements between the City, FMPA and our customers. Dan O'Hagan with FMPA will be at the meeting Tuesday evening to give a more detailed and concise analysis of the ins and outs for Council Consideration.

Customers who install solar power generating systems on their homes or businesses have the ability to return any unused power to the City electric grid. However, the City cannot directly purchase power from these customers because the terms of our "All-Requirements Project (ARP)" contract with FMPA require the City to buy all of its power from FMPA. Therefore, the Tri-Party agreement facilitates the customer selling their unused power by FMPA "buying" the power from the customer at "avoided cost" rates, which is reflected on the City's power bill from FMPA each month. The City then credits the customer on their monthly utility bill. The ARP contract does not prescribe the amount that the City must credit its customer on their monthly utility bill for excess power delivered to the City.

The "avoided cost" rate averages \$0.02 per kWh. This reflects the cost of power that the City purchases from FMPA. The remainder of the City's Purchase Power bill is "fixed cost;" meaning regardless of consumption, that cost remains unchanged. The City has been crediting all of its solar customers at the "avoided cost rate" since 2012. However, the language in the Net Metering Service Rate Schedule stipulates that the City should be crediting its solar customers at the City's full retail rate of \$0.083 per kWh PLUS the BPCA rate which varies from \$0.01 to \$0.02 per kWh each month. By crediting the full retail rate, the City would be purchasing net metered power at a rate that is far in excess of the City's wholesale power purchase costs since the full retail rate includes the City's fixed and avoided costs. Those fixed costs are the City's costs of providing services to its customers (e.g. meters, distribution system, billing system, utility staff, etc.). They are not components of the City's cost to purchase power,

and therefore, staff believes, should not be included in the rate that the City credits net metering customers for excess energy delivered to GCS.

Again, the City has been crediting at the “avoided cost” rate since the very beginning of its net metering program. Staff is unclear on the original intent of the City regarding the net metering rate. Staff has reviewed the staff reports, backup documentation, minutes and audio recordings from both of the January 2012 City Council meetings and there is no written or verbal evidence regarding the City’s original intent. However, the final tariff language is clear. Therefore, it is staff’s opinion that all of our solar customers (approximately 20) need to be retroactively credited the difference for all power delivered to the Green Cove Springs grid since 2012 to make them whole and to be in compliance with our own Public Service Commission (PSC)-approved rate schedule. Staff is currently in the process of crediting our customers.

Dan O’Hagan with FMPA will explain in more detail the concepts of “avoided cost” as well as the rate schedules of other FMPA ARP members Tuesday evening. The majority of ARP members credit at the avoided cost rate. However, there are some that credit either at full retail or a hybrid rate.

City staff is requesting that Council consider modifying our Net Metering Service Rate Schedule to be in line with what the City has been doing, which is crediting at the “avoided cost” rate. Again, this is the same rate at which FMPA credits the City’s purchase power bill each month. Staff would also recommend “grandfathering” all existing solar customers to stay at the existing rate until such time as the account changes names. When the existing accounts change names to a new owner or tenant, then staff would recommend moving that account to the new “avoided cost” rate structure. All new customers moving forward would then be credited under the new “avoided cost” rate structure.

(END May 4, 2021 Background information)

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(Background from May 18, 2021 First Reading)

After much discussion, the City Council directed staff to return with an ordinance and proposed rate schedule that would accomplish the following:

1. Revise the rate credited for excess solar power consumption from “full retail rate” to an “avoided cost plus” rate.
2. Grandfather in existing solar customers to continue to receive full retail rate until the earlier of:
  - a. Twenty (20) years after the date of entering into the Tri-Party Agreement with the City
  - b. The property owner changes of the affected property.

Presented for Council consideration this evening is an Ordinance and proposed revised rate structure that captures this direction. Assuming Council votes to move forward, the second and final public hearing would occur at the June 1, 2021 City Council meeting. The proposed amended rate schedule would then be forwarded to the Public Service Commission (PSC) for approval. The new rates cannot take effect until 30 days after transmittal of the revised rates to the PSC.

(End May 18, 2021 Background information)

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At the May 18, 2021 Council meeting, Council passed Ordinance O-12-2021 as presented and set June 1, 2021 at 7:00PM as the final reading. The ordinance is presented this evening for adoption.

**FISCAL IMPACT**

TBD

**RECOMMENDATION**

Adopt Ordinance O-12-2021 on second and final reading.