

## **ORDINANCE NO. O-27-2023**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CITY CODE CHAPTER 90, UTILITIES, ARTICLE III, ELECTRIC UTILITY, DIVISION 3. ENTITLED “RATES AND CHARGES FOR ELECTRIC”, SECTION 90-121 ENTITLED “RATE SCHEDULE FOR ELECTRICITY FURNISHED”; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 90, Utilities, Article III, Electric Utility, Division 3 establishes rates and charges for electric service from the City’s Electric System; and

**WHEREAS**, the City hired an independent rate consultant to review and perform a rate study on the City’s electric service rates; and

**WHEREAS**, the City has now determined that it is necessary to make certain changes to its electric service rates; and

**WHEREAS**, the City intends to file its revised tariff sheets with the Florida Public Service Commission upon approval of this Ordinance, with an effective date of such revised tariff sheets of [date], subject to approval by the Florida Public Service Commission; and

**WHEREAS**, in order to enact such rates, the City Council has proposed this Ordinance.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA AS FOLLOWS:**

**SECTION 1.** The City Council declares that changes are necessary to implement policy recommendations on the Electric Utility System. City Code Chapter 90, Article III, Electric Utility is hereby amended to read as follows:

**Sec. 90-122. - Rate schedule for electricity furnished.**

The following schedule of rates and charges to be imposed, assessed and collected by the city for electric energy, facilities and services furnished by the city to its customers, including the initial deposit, and other connection and service charges, is hereby adopted and established. Such rates shall be reviewed bi-annually.

(1) Residential service, as defined in section 90-59, for the following:

- a. *Character of service.* Alternating current; regulated frequency of 60 cycles; delivered at approximately 120/240 volts, single-phase; other phases and voltages as required when available.

b. *Available.* Within the service area of the electric utility of the city.

c. *Monthly meter reading.* All quantities of electrical energy shown by regular monthly watt-hour meter readings to have been delivered shall be charged the rate provided in subsection (1)d of this section.

d. *Rate per month.*

1. Customer service charge: \$15.00.

2. Shall apply to each account whether or not there is consumption.

3. Energy charge for the first 1,000 kWh consumed in a billing month, per kWh: 0.10790.

4. Energy charge for each additional kWh above 1,000, per kWh: 0.11222.

(2) General service nondemand (commercial), as defined in section 90-59, for the following:

a. *Character of service.* Alternating current; regulated frequency of 60 cycles; delivered at approximately 120/240 volts, single-phase; other phases and voltages as required when available.

b. *Available.* Within the service area of the electric utility of the city.

c. *Rate per month.*

1. Customer service charge: \$15.00.

2. Energy charge (all kWh), per kWh: 0.11470.

d. *Minimum monthly bill.* A minimum monthly electric bill shall be rendered to each customer whose application has been approved for general service nondemand service, for an amount equal to the customer service charge.

e. *Bulk power cost adjustment.* The bulk power cost adjustment shall be as provided in subsection (6)b of this section.

(3) General service demand (commercial), as defined in section 90-59, for the following:

a. *Character of service.* Alternating current; regulated frequency of 60 cycles, single-phase or three-phase, at voltages less than 600 volts line-to-line, as required when available.

b. *Available.* Within the service area of the electric utility of the city. Applicable to all customers who qualify for a demand rate who have an operable demand meter installed, as defined in section 90-59.

c. *Rate per month.*

1. Customer service charge : \$60.00.
2. Demand charge (all kW), per kW: \$9.01.
3. Energy charge (all kWh), per kWh: \$0.08432.

d. *Minimum bill.* The minimum bill shall be the customer service charge, plus the demand charge times the minimum demand kW.

e. *Bulk power cost adjustment.* The bulk power cost adjustment shall be as provided in subsection (6)b of this section.

(4) General service large demand (industrial), as defined in section 90-59, for the following:

a. *Character of service.* Alternating current; regulated frequency of 60 cycles, single-phase or three-phase, at voltages less than 60 volts line-to-line, as required when available.

b. *Available.* Within the service area of the electric utility of the city. Applicable to all customers who qualify for a demand rate who have an operable demand meter installed, as defined in section 90-59.

c. *Rate per month.*

1. Customer service charge: \$250.00.
2. Demand charge (all kW), per kW: \$10.07.
3. Energy charge (all kWh), per kWh: 0.07402.

d. *Minimum bill.* The minimum bill shall be the customer service charge plus the demand charge times the minimum demand kW.

e. *Change of classification of account.* Any existing general service large demand customer who constructs additional facilities under a separate demand metered account may have such new account classed as general service large demand from the date of service connection, provided the following are met:

1. The existing large service demand account has maintained a minimum kilowatt demand of 1,000 kW or greater for each of the preceding 12 months; and

2. The new account, in the sole opinion of the city, is anticipated as attaining in not less than six months a monthly demand of 200 kW or greater and a load factor of greater than 70 percent. Should such new account not have met such criteria after 12 months of operation, the city shall allow such account to continue as general service large demand provided the customer's combined general service large demand accounts when summed together would qualify for such classification based on this section.

f. *Bulk power cost adjustment.* The bulk power cost adjustment shall be as provided in subsection (6)b of this section.

(5) Master-metered service, as defined in section 90-59, for the following:

a. *Character of service.* Alternating current; single or three-phase, regulated frequency of 60 cycles; at a locally-available system primary voltage.

b. *Available.* Within the service area of the electric utility of the city. This rate schedule is not available to residential subdivisions or individually metered residences or businesses, and resale of electric service is not permitted.

c. *Rate per month.*

1. Customer service charge: \$53.50.

2. Energy charge (all kWh), per kWh: \$0.110.

d. *Minimum bill.* The minimum bill shall be the customer service charge.

e. *Bulk power cost adjustment.* The bulk power cost adjustment shall be as provided in subsection (6)b of this section.

(6) Rate stabilization; power cost adjustment.

a. *Rate stabilization fund.* An amount may be established from time to time by the city by resolution to be deposited (rate stabilization fund deposit or RSFD) in a rate stabilization fund which shall be used at the discretion of the city council to offset increases in the cost of power to the city (rate stabilization fund adjustment or RSFA) or for other lawful electric utility purposes, including, but not limited to, expansions, renewals and replacement of electric utility facilities. The rate stabilization fund deposit and rate stabilization fund adjustment, if any, may be included in the calculation of the bulk power cost adjustment in accordance with the provisions in subsection (6)b of this section,

or may be handled in a similarly equitable manner as a separate billing line item.

b. *Bulk power cost adjustment.*

1. *Determined by city.* The bulk power cost adjustment (BPCA) will be determined each month by the city. This factor is designed to recover the cost of bulk power supply and related expenses actually incurred by the city to provide electric service to its customers. Bulk power supply costs shall include the following:

- (i) Cost of power purchased from any bulk power supplier for use in the city's electric system.
- (ii) The cost of transmission services to deliver bulk power to the city's substations.
- (iii) The cost of any equipment owned or leased by the city to generate power.
- (iv) The cost of operation including fuel and maintenance of city-owned or city-operated power generating equipment.
- (v) Other costs directly related to securing bulk power supply for the city, such as professional services to issue, evaluate, and negotiate bulk power supply contracts, and regulatory fees associated with bulk power supply.

2. *Under recovery.* If the BPCA under recovers the actual costs of bulk power supply and related expenses, the city will increase the BPCA to collect the under recovery. If the BPCA over collects actual costs of bulk power supply and related expenses, the city will decrease the fuel adjustment to credit back to customers the over recovery. In order to stabilize fluctuations in the BPCA, the city manager may determine to phase in such increases or decreases over time. In no case, however, will cumulative under or over collections be allowed to exceed eight percent of the fiscal year's annual adopted bulk power supply budget without appropriate adjustments to the BPCA. All over recovered funds remaining at the end of a fiscal year would be carried over to the subsequent fiscal year to be applied to the BPCA calculation for future months.

3. *Definitions.* The following words, terms and phrases, when used in this subsection (6), shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bulk power cost (BPC)* means all electric energy costs during the calculation period related to the purchase of wholesale power and the

capacity costs associated with the joint action agency ownership of generation.

*Bulk power cost adjustment (BPCA)* means the difference between the adjusted bulk power unit cost and the power cost base, stated in cost per kilowatt-hour, as determined by the calculation. This is also referred to as the purchased power/fuel adjustment factor.

*Bulk power cost true-up (BPCT)* means the difference between the bulk power cost actually incurred and the bulk power cost recovered through the power cost base and the bulk power cost adjustment that may be deposited in or removed from a true-up account, as applicable. The BPCT is that portion of the true-up account to be recovered from or returned to customers through the calculated BPCA.

*Power cost base (PCB)* means the bulk power-related cost that is embedded within the base retail rate, stated in cost per kilowatt-hour. The energy charge includes a power cost base of \$0.085 per kWh in the base rate.

*Rate stabilization fund adjustment (RSFA)* means funds to offset sudden and/or temporary changes in the cost of power may be deposited in or removed from a rate stabilization fund, as applicable. The RSFA is that portion of the rate stabilization fund to be recovered from or returned to customers through the calculated BPCA.

*System loss factor* means the factor applied to adjust the bulk power unit cost from a basis of cost per kilowatt-hour of purchases to a basis of cost per kilowatt-hour of sales.

(7) Rates when demand history for a customer has not yet been established with the electric utility. All customers who initially request either the general service large demand (industrial) or general service demand (commercial) rate class will be billed under the general service nondemand (commercial) rate class until such time as an applicable consumption history with the electric utility justifies, and the customer requests, reclassification as a demand account based on the definitions contained in section 90-59 has been established. The city shall determine the appropriate rate class for the customer based on consumption history as defined in section 90-59.

(Code 1983, § 23-53.1; Code 2001, § 78-83; Ord. No. O-16-99, § 1(23-53.1), 4-27-1999; Ord. No. O-14-2000, § 1(23-53.1), 11-21-2000; Ord. No. O-08-2007, § 2, 6-5-2007; Ord. No. O-12-2008, § 1, 6-17-2008; Ord. No. O-12-2010, § 1, 10-19-2010; Ord. No. O-05-2013, § 1, 4-9-2013; Ord. No. O-10-2015, § 1, 8-4-2015; Ord. No. O-14-2015, § 1, 9-15-2015)

**SECTION 2. REPEALER.** Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**SECTION 3. SEVERABILITY.** The various parts, sections, and clauses of this Ordinance are hereby declared severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall become effective upon passage.

**INTRODUCED AND APPROVED AS TO FORM ONLY ON THE FIRST READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, ON THIS 5TH DAY OF SEPTEMBER, 2023.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Constance W. Butler, Mayor

ATTEST:

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Erin West, City Clerk

**PASSED ON SECOND AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, THIS 19TH DAY OF SEPTEMBER, 2023.**

**CITY OF GREEN COVE SPRINGS, FLORIDA**

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Connie Butler, Mayor

ATTEST:

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Erin West, City Clerk

APPROVED AS TO FORM:

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L. J. Arnold, III, City Attorney