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RESOLUTION NO. 74-2021 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, PROVIDING FOR RATES, FEES AND CHARGES, AND REGULATIONS FOR ALL ELECTRICITY SOLD BY THE CITY OF LAKE WORTH BEACH, FLORIDA FOR USE OF ELECTRIC LIGHT AND POWER SYSTEM; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth Beach, Florida, is authorized and required to fix uniform and adequate rates for its service; and

WHEREAS, the rates set forth herein are just and equitable and serve a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA as follows:

Section 1. Definitions: For the purpose of this resolution, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

- A. "Shall" is always mandatory and not merely directory.
- B. "Net Metering Accounts" are those customer accounts with the City's Electric Utility where the customer has applied to the City's Electric Utility; installed a Customer-Owned Renewable Generation System (as defined in the Net Metering Program Rules and Regulations); executed a City Interconnection Agreement; has been approved by the Electric Utility for interconnection with the City's electric system; and, remains in compliance with the City's Net Metering Program. All rates applicable to Net Metering Accounts are governed by Resolution No. 45-2019 (as may be amended from time to time).
- C. "Purchased Power Cost Adjustment (PCA)" The cost of electricity is affected by the price of fuel and the purchase price of power supply. The PCA is an adjustment charge caused by an increased or decreased in the cost to purchase or supply power to customers. It is shown on the customer's bill as a credit or a surcharge to the price per kilowatt-hour. The customer's utility bill may have a credit, as the cost of power supply decreases, or it may have a surcharge when the costs increase.

Section 2. The following schedules shall be the rates charged and the regulations imposed by the City of Lake Worth Beach, Florida, on all electric power sold by the City of Lake Worth Beach, Florida for lighting, heating and power purposes, to wit:

A. Regular Residential Electric (Schedule R-S)

1. Designation: Regular Residential Electric
2. Applicable: For domestic electric purposes in private residences and individually metered apartments. Residential rates shall apply for electric energy used in commonly-owned facilities in condominiums and cooperative apartment buildings, subject to the following criteria:
 - a. 100% of the energy is used exclusively for the co-owner's benefit.
 - b. None of the energy is used in any endeavor which sells or rents a commodity or provides service for a fee.
 - c. Each point of delivery will be separately metered and billed.
 - d. A responsible legal entity is established as the customer to whom the City of Lake Worth Beach can render its bills for said service.
 - e. A cooperative or condominium requesting residential rates shall apply for the rate and establish the above criteria.
3. Limitations: Auxiliary and stand-by generation or resale of the electric energy not permitted hereunder. Recognized rooming houses, tourist homes and dwellings accommodating more than four paying guests supplied through a single meter will not be served under this schedule.
4. Service: Single phase, 60 cycles at available standard voltage. Three phase service may be furnished but only under special arrangements and at the option of the City of Lake Worth Beach.
5. Monthly Rates:
 - a. Customer Charge: A fixed charge based on the cost of preparing and delivering a bill, which will be applied to each electric account receiving a bill. \$10.55 per month.
 - b. Energy Charge per kWh

	First 1,000 KWH's	Excess
Base Energy	0.07200	0.09280
Power Cost Adjustment	0.02950	0.03950
Total	0.10150	0.13180

6. The rates listed above include all administrative charges from the City of Lake Worth Beach.
7. Purchased Power Cost Adjustment Charge:
 - A. Purchased Power Cost Adjustment Charge will be applied as set forth in Section 3 below.
8. Outside City Limits Surcharge: A surcharge for electric use outside the City of Lake Worth Beach, Florida, municipal limits shall be charged as set forth in Section 4 below.
9. Minimum Bill: The minimum bill for electric use shall be charged at \$35.00 per month.

- 96 B. Regular Commercial Service (Schedule C-S)
 97 1. Designation: Regular Commercial Electric.
 98 2. Applicable: For commercial, industrial, and governmental use within the
 99 territory served by the Electric Distribution System of the City of Lake Worth
 100 Beach, as available and at the option of the City.
 101 3. Limitations: For consumers who own renewable energy facilities (such as wind,
 102 solar power or home fuel cells), resale of the electric energy is not permitted
 103 hereunder.
 104 4. Service: Single or three phase, 60 cycles and at any available standard
 105 voltage, at the option of the City of Lake Worth Beach.
 106 5. Monthly Rates:
 107 a. Customer Charge: A fixed charge based on the cost of preparing and
 108 delivering a bill which will be applied to each electric account receiving a
 109 bill. \$17.00 per month.
 110 b. Energy Charge per kWh.

	All kWhs
Base Energy	0.08200
Power Cost Adjustment	0.03160
Total	0.11360

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 113 6. The rates listed above includes all administrative charges from the City of Lake
 114 Worth Beach.
 115 7. Purchased Power Cost Adjustment Charge:
 116 A. Purchased Power Cost Adjustment Charge will be applied as set forth in
 117 Section 3 below.
 118 8. Outside City Limits Surcharge: A surcharge for electric use outside the City of
 119 Lake Worth Beach, Florida, municipal limits shall be charged as set forth in
 120 Section 4 below.
 121 9. Minimum Bill: The minimum bill for electric use shall be \$50.00 per month for
 122 single phase service and \$100.00 per month for poly phase service.
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 124 C. Demand Commercial Service (Schedule CD-S)
 125 1. Designation: Demand Commercial Electric
 126 2. Applicable: For customers who qualifies for service under Schedule C-S above
 127 and has a peak demand of 25 kW or greater for three (3) consecutive months:
 128 3. Limitations: Auxiliary or stand-by service or resale not permitted hereunder.
 129 4. Service: Single or three phase, 60 cycles and at any available standard voltage,
 130 at the option of the City of Lake Worth Beach.
 131 5. Monthly Rates:
 132 a. Customer Charge: A fixed charge based on the cost of preparing and
 133 delivering a bill, which will be applied to each electric account receiving a
 134 bill. \$130.00 per month.
 135 b. Energy Charge per KWH
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	All kWhs	Demand - KW
Base Energy	0.04800	\$ 12.00
Power Cost Adjustment	0.03160	
Total	0.07960	\$12.00

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6. The rates listed above include all administrative charges from the City of Lake Worth Beach.
7. Billing Demand: The maximum 15 minute measured demand in the month, subject to power factor adjustment.
8. Power Factor Adjustment: When demand is measured with a kW meter and customer's power factor in any month is below 95% the measured demand may be adjusted to 95% power factor.
9. Purchased Power Cost Adjustment Charge:
 - A. Purchased Power Cost Adjustment Charge will be applied as set forth in Section 3 below.
10. Outside City Limits Surcharge: A surcharge for electric use outside the City of Lake Worth Beach, Florida, municipal limits shall be charged as set forth in Section 4 below.
11. Minimum Bill: The minimum bill for electric use shall be \$250.00 per month.

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D. Regular Time of Use Commercial Service (Schedule CT-S)

1. Designation: Time of Use Commercial Service
2. Applicable: For commercial, industrial, and governmental use within the territory served by the Electric Distribution System of the City of Lake Worth Beach, as available and at the option of the City.
3. Limitations: For consumers who own renewable energy facilities (such as wind, solar power or home fuel cells), resale of the electric energy is not permitted hereunder.
4. Service: Single or three phase, 60 cycles and at any available standard voltage, at the option of the City of Lake Worth Beach.
5. Monthly Rates:
 - a. Customer Charge: A fixed charge based on the cost of preparing and delivering a bill which will be applied to each electric account receiving a bill. \$30.00 per month.
 - b. Energy Charge:
 - i. Off Peak \$0.0840 per kWh
 - ii. On Peak \$0.2600 per kWh
 - iii. Determination of Off-Peak Period: October – May: The off-peak period is defined as the hours between 1:00 p.m. and 6:00 a.m., Monday through Friday and all day Saturday and Sunday. In addition, the following holidays will also be considered off-peak: New Year's Day, Memorial Day, Thanksgiving Day, and Christmas Day. June – September: The off-peak period is defined as the hours between 7:00 p.m. and 2:00 p.m., Monday through Friday and all day Saturday and Sunday. In addition, the following holidays will also be considered off-peak: Independence Day and Labor Day. All other hours are considered on peak hours.

- 182 6. Term of Contract: One year and thereafter until terminated at the option of either
 183 party by the giving of not less than thirty (30) days advance written notice of the
 184 effective date of termination.
- 185 7. Purchased Power Cost Adjustment Charge: A Purchased Power Cost Adjustment
 186 Charge will be applied as set forth in Section 3 below.
- 187 8. Outside City Limits Surcharge: A surcharge for electric use outside the City of Lake
 188 Worth Beach, Florida, municipal limits shall be charged as set forth in Section 4
 189 below.
- 190 9. Minimum Bill: The minimum bill for electric use shall be \$50.00 per month for single
 191 phase service and \$100.00 per month for poly phase service.
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- 193 E. Time of Use Demand Commercial Service (Schedule CDT-S)
- 194 1. Designation: Time of Use Demand Commercial Service
- 195 2. Applicable: For commercial, industrial, and governmental use within the territory
 196 served by the Electric Distribution System of the City of Lake Worth Beach, as
 197 available and at the option of the City.
- 198 3. Limitations: For consumers who own renewable energy facilities (such as wind,
 199 solar power or home fuel cells), resale of the electric energy is not permitted
 200 hereunder.
- 201 4. Service: Single or three phase, 60 cycles and at any available standard 416
 202 voltage, at the option of the City of Lake Worth Beach.
- 203 5. Monthly Rates:
- 204 a. Customer Charge: A fixed charge based on the cost of preparing and delivering
 205 a bill which will be applied to each Electric account receiving a bill. \$140.00 per
 206 month.
- 207 b. Energy Charge:
- 208 i. Off Peak \$0.0620 per kWh
- 209 ii. On Peak \$0.2400 per kWh
- 210 iii. Demand Charge: \$7.00 per kW.
- 211 iv. Billing Demand: The maximum 15 minute measured demand in the
 212 month, subject to power factor adjustment.
- 213 v. Power Factor Adjustment: When demand is measured with a kW 438
 214 meter and customer's power factor in any month is below 95% the
 215 measured demand may be adjusted to 95% power factor.
- 216 vi. Determination of Off-Peak Period: October – May: The off-peak period is
 217 defined as the hours between 1:00 p.m. and 6:00 a.m., Monday through
 218 Friday and all day Saturday and Sunday. In addition, the following
 219 holidays will also be considered off-peak: New Year's Day, Memorial Day,
 220 Thanksgiving Day, and Christmas Day.
- 221 vii. June – September: The off-peak period is defined as the hours between
 222 7:00 p.m. and 2:00 p.m., Monday through Friday and all day Saturday and
 223 Sunday. In addition, the following holidays will also be considered off-
 224 peak: Independence Day and Labor Day. All other hours are considered
 225 on peak hours.
- 226 6. Term of Contract: One year and thereafter until terminated at the option of either
 227 party by the giving of not less than thirty (30) days advance written notice of the
 228 effective date of termination.
- 229 7. Purchased Power Cost Adjustment Charge: A Purchased Power Cost Adjustment
 230 Charge will be applied as set forth in Section 3 below.

- 231 8. Outside City Limits Surcharge: A surcharge for electric use outside the City of Lake
- 232 Worth Beach, Florida, municipal limits shall be charged as set forth in Section 4
- 233 below.
- 234 9. Minimum Bill: The minimum bill for electric use shall be \$140.00 per month.

235 F. Electric Vehicle Charging Level II (Schedule EV2-S)

- 236 1. Designation: Electric Vehicle Charging Level II
- 237 2. Applicable: For City owned public electric vehicle Level II charging stations.
- 238 a. None of the energy is used in any endeavor which sells or rents a
- 239 commodity or provides service for a fee.
- 240 b. Each point of delivery will be separately metered and billed.
- 241 c. Limitations: Auxiliary and stand-by generation or resale of the electric
- 242 energy not permitted hereunder.

243 3. Energy Charge per kWh

	All KWH's
Base Energy	0.07200
Power Cost Adjustment	0.02950
Total	0.10150

- 244 4. The rates listed above include all administrative charges from the City of Lake
- 245 Worth Beach.
- 246 5. Purchased Power Cost Adjustment Charge:
- 247 A. Purchased Power Cost Adjustment Charge will be applied as set forth in
- 248 Section 3 below.
- 249 6. Outside City Limits Surcharge: A surcharge for electric use outside the City of
- 250 Lake Worth Beach, Florida, municipal limits shall be charged as set forth in
- 251 Section 4 below.

252 G. Private Area Lighting (Schedule L-P)

- 253 1. Designation: Private Area Lighting
- 254 2. Applicable: For year-round outdoor security lighting of yards, driveways, walkways,
- 255 parking lots, parks, and other areas, under the following conditions:
- 256 a. Lights to be served hereunder shall be at locations that are easily and
- 257 economically accessible to the City of Lake Worth Beach equipment and
- 258 personnel for construction and maintenance.
- 259 b. Original location of lighting fixtures shall be by mutual agreement and shall not
- 260 be located so as to create a public nuisance.
- 261 c. Any relocation requested by customer after installation shall be made at
- 262 customer's expense. All new lighting units provided under this Schedule shall
- 263 be the high pressure sodium vapor (conservation lighting) type.
- 264 3. Limitations:
- 265 a. Auxiliary and stand-by generation or resale of the electric energy not permitted
- 266 hereunder.
- 267 b. The City of Lake Worth Beach, while exercising reasonable diligence at all
- 268 times to furnish service hereunder, does not guarantee continuous lighting and
- 269 will not be liable for damages for any interruption, deficiency or failure of service
- 270 and reserves the right to interrupt service at any time for necessary repairs to
- 271 lines or equipment.
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- 278 4. Service: Service includes lamp renewals, energy from approximately dusk each
 279 day until approximately dawn the following day and maintenance of facilities. The
 280 City of Lake Worth Beach will replace all burned out lamps and will maintain its
 281 facilities during regular daytime working hours as soon as practicable following
 282 notification by the customer that such work is necessary. The City of Lake Worth
 283 Beach shall be permitted to enter the customer's premises at all reasonable times
 284 for the purpose of inspecting, maintaining, installing and removing any or all of its
 285 equipment and facilities. Single phase, 60 cycles at available standard voltage.
 286 Three phase service may be furnished but only under special arrangements and
 287 at the option of the City of Lake Worth Beach.
- 288 5. Term of Service: Not less than one (1) year.
- 289 6. Monthly Rates: A fixed monthly charge based on the number of units installed shall
 290 be charged based on the following schedule.
- 291 a. Standard Lighting:

292 Description Unit Cost per Month

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175 Watt (7,000 Lumen) Mercury –Vapor Street Light Unit on Existing Pole	\$12.21
400 Watt (20,500 Lumen) Mercury-Vapor Street Light Unit on Existing Pole	\$19.15
1,000 Watt (55,000 Lumen) Mercury-Vapor Street Light Unit on Existing Pole	\$37.68
100 Watt (9,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole	\$9.93
250 Watt (27,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole	\$14.26
360 Watt High Pressure Sodium Vapor Street Light Unit on Existing Pole	\$17.05
400 Watt (50,000 Lumen) High Pressure Sodium Vapor Street Light Unit on existing pole	\$17.15
48 Watt LED Street Light Unit on Existing Pole	\$9.00
70 Watt LED Street Light Unit on Existing Pole	\$9.70
80 Watt LED Street Light Unit on Existing Pole	\$9.70
101 Watt LED Street Light Unit on Existing Pole	\$16.30
110 Watt LED Street Light Unit on Existing Pole	\$16.30
133 Watt LED Street Light Unit on Existing Pole	\$16.30
150 Watt LED Street Light Unit on Existing Pole	\$16.30
Wood Pole and span of Overhead Conductors or Pole used only for Light	\$10.00
Concrete Pole and Span of Overhead Conductors or Pole used only for Light	\$15.00
Underground Conductors up to 150 feet	\$1.33
Underground Conductors from 150 feet to 300 feet	\$2.68

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- 296 7. Purchased Power Cost Adjustment Charge: A Purchased Power Cost Adjustment
 297 Charge will be applied as set forth in Section 3 below.
- 298 8. Outside City Limits Surcharge: A surcharge for electric use outside the City of Lake
 299 Worth Beach, Florida, municipal limits shall be charged as set forth in Section 4
 300 below.

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H. Street Lighting (Schedule L-S)

1. Designation: Street Lighting
2. Applicable: For lighting of public right-of ways.
3. Limitations:
 - a. Auxiliary and stand-by generation or resale of the electric energy not permitted hereunder.
 - b. The City of Lake Worth Beach, while exercising reasonable diligence at all times to furnish service hereunder, does not guarantee continuous lighting and will not be liable for damages for any interruption, deficiency or failure of service and reserves the right to interrupt service at any time for necessary repairs to lines or equipment.
 - c. Should the City of Lake Worth Beach be required by the customer to replace the street light(s) with a light (or lights) of another type or rating, then the customer may be required to pay the estimated labor, vehicle use and other direct costs involved in replacing the fixtures.
4. Service: Service includes lamp renewals, energy from approximately dusk each day until dawn the following day and maintenance of City of Lake Worth Beach owned street lighting systems.
5. Term of Service: For not less than ten (10) years for City of Lake Worth Beach facilities or customer will be required to pay depreciated cost of installed facilities plus cost of removal.
6. Monthly Rates:
 - a. A fixed monthly charge based on the number of units installed shall be charged based on the following schedule.
 - b. Conservation Lighting:

Description Unit Cost per Month

100 Watt (9,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole	\$7.85
150 Watt (27,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole	\$9.33
250 Watt (27,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole	\$12.26
360 Watt High Pressure Sodium Vapor Street Light Unit on Existing Pole	\$15.19
400 Watt (50,000 Lumen) High Pressure Sodium Vapor Street Light Unit on existing pole	\$17.09
48 Watt LED Street Light Unit on Existing Pole	\$9.00
70 Watt LED Street Light Unit on Existing Pole	\$9.70
80 Watt LED Street Light Unit on Existing Pole	\$9.70
101 Watt LED Street Light Unit on Existing Pole	\$16.30
110 Watt LED Street Light Unit on Existing Pole	\$16.30
133 Watt LED Street Light Unit on Existing Pole	\$16.30
150 Watt LED Street Light Unit on Existing Pole	\$16.30

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c. Appurtenances:

Description Unit Cost per Month

Wood Pole and span of Overhead Conductors \$10.00 or Pole used only for Light
Concrete Pole and Span of Overhead Conductors \$15.00 or Pole used only for Light
Underground Conductors up to 150 feet \$1.33
Underground Conductors from 150 feet to 300 feet \$2.68

7. Purchased Power Cost Adjustment Charge:

A. Purchased Power Cost Adjustment Charge will be applied as set forth in
Section 3 below.

8. Outside City Limits Surcharge:

A. Surcharge for electric use outside the City of Lake Worth Beach, Florida,
municipal limits shall be charged as set forth in Section 4 below.

Section 3. Purchased Power Cost Adjustment (PCA): A Purchased Power Cost
Adjustment Charge (PCA) shall be established for a projected 12 month period for
energy sales during that period as follows:

$$PCA = (A + B + C) / D$$

where:

A = The projected purchased power costs for the projected 12 month period comprised
of costs such as the FMPA Stanton 1 variable costs, the FMPA Municipal Solar Project
power costs, supplemental purchased power capacity, energy and directly related costs,
Lake Worth Beach electric utility power generating fuel, and transmission costs

B = A true-up amount representing the over or under recovery of purchased power
costs from the prior period

C = The amount transferred to or from the Rate Stabilization Fund for the projected
period

D = The projected total retail sales in MWh for the projected 12 month period

The purchased power cost adjustment charge will be reconciled periodically at a
minimum of once a year and trued up between estimated costs and billing units and
actual costs and billing units.

Section 4. Surcharge For Service Outside The Municipal Limits: With respect to any
residents, premises and/or users outside the corporate limits of the City of Lake Worth
Beach, Florida, where such residents, premises and/or users now or hereafter have or
use electrical utility service with the electrical system of the City of Lake Worth Beach,
they shall be charged a rate for the electricity they use equal to the charge established
for service to the residents, premises and/or users within the City of Lake Worth Beach,
Florida, plus any applicable taxes or fees that are required in the Code of Ordinances or
Resolutions of the specific jurisdiction in which those accounts reside. Such taxes and
fees are collected by the City of Lake Worth Beach and remitted directly to the appropriate
County or Municipal entity.

385 Section 5. Nothing in this resolution shall prohibit the City of Lake Worth Beach from
386 entering into an agreement to provide electricity and electric utility services to or within
387 any unit of government or governmental subdivision with terms and conditions other than
388 contained herein.

389
390 Section 6. All resolutions or parts of resolutions in conflict herewith are expressly
391 repealed.

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393 Section 7. If any provision of this resolution or the application thereof to any person or
394 circumstance is held invalid, the invalidity shall not affect other provisions or applications
395 of the resolution, which can be given effect without the invalid provision or application,
396 and to this end the provisions of this resolution are declared severable.

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398 Section 8. This resolution shall be in effect for billings issued on or after April 1, 2022.

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400 The passage of this resolution was moved by xxx, seconded by xxx and upon
401 being put to a vote, the vote was as follows:

- 402
403 Mayor Betty Resch
404 Vice Mayor Herman Robinson
405 Commissioner Sarah Malega
406 Commissioner Christopher McVoy
407 Commissioner Kimberly Stokes

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410 The Mayor thereupon declared this resolution duly passed and enacted on the
411 ____ day of _____ 2021.

412
413 LAKE WORTH BEACH CITY COMMISSION

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415
416 By: _____
417 Betty Resch, Mayor

418 ATTEST:

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421 _____
422 Melissa Ann Coyne, City Clerk