

RESOLUTION NO. 34-2012 OF THE CITY OF LAKE WORTH, FLORIDA, PROVIDING FOR RATES, FEES AND CHARGES, AND REGULATIONS FOR ALL ELECTRICITY SOLD BY THE CITY OF LAKE WORTH FLORIDA FOR USE OF ELECTRIC LIGHT AND POWER SYSTEM; ADDING NET METERING RATES; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, an evaluation of the level of electric system rates establishes a need to revise the rates and charges as set forth herein in order to meet the several objectives identified by the evaluation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. The following schedules shall be the rates charged and the regulations imposed by the City of Lake Worth, Florida, on all electric power sold by the City of Lake Worth, Florida for lighting, heating and power purposes, to wit:

A. SCHEDULE R-S

Designation: Regular Residential Electric

Application: For service for all domestic 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:

- (1) 100% of the energy is used exclusively for the co-owners benefit.
- (2) None of the energy is used in any endeavor which sells or rents a commodity or provides service for a fee.
- (3) Each point of delivery will be separately metered and billed.
- (4) A responsible legal entity is established as the customer to whom the City of Lake Worth can render its bills for said service.
- (5) A cooperative or condominium requesting residential rates shall apply for the rate and establish the above criteria.

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.

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.

Monthly Rates:

Customer Service \$12.65

Energy:

First 500 kWh, per kWh \$0.1130

Next 500 kWh, per kWh \$0.1330

All Excess, per kWh \$0.1530

Minimum Bill: \$34.50/Month

Purchased Power Cost Adjustment Charge: Purchased Power Cost Adjustment Charge will be applied as set forth under Section 2 of this Resolution.

Energy Conservation Surcharge: A surcharge for energy conservation will be added to the kWh charges as listed in Section 3 of this Resolution.

Outside City Limits Surcharge: A surcharge for electric use outside the City of Lake Worth, Florida, municipal limits shall be charged as set forth in Section 4 of this Resolution.

B. SCHEDULE RA-S

Designation: Special Residential Rate (Optional)

This service is available in all territory served by the City of Lake Worth Utilities. This service is available for billing beginning in December of each year only upon request by the customer prior to November 15th of each year.

Application: For service for all domestic purposes in private residences and individually metered apartment units.

Residential rates shall apply for electric energy used in commonly owned facilities in condominiums and cooperative apartment building qualifying under provisions in Schedule R-S above. The following qualifying criteria shall be used:

- (1) Qualify for and take service under Regular Residential Service Rate Schedule R-S for a minimum of 12 consecutive months at the location to be serviced under

tariff or 24 consecutive months at another location served by Lake Worth Electric Utility.

- (2) Tenant or owner that is a year-round resident on this Property.
- (3) Applicant cannot have any delinquent balances on his or her current bill.
- (4) Applicant cannot be considered if any disconnect or collection action has been taken in the last 6 months.

Upon approval that the customer meets all the above criteria, the average billing will begin with the bill issued in the month of December.

Limitations: Limitations set forth in Schedule R-S above shall apply to this special rate schedule.

A customer may terminate participation in the program at anytime and may be terminated from the program by the City of Lake Worth if the customer becomes subject to collection action on this account.

Once a customer's participation in the program has been terminated by the City of Lake Worth, he or she may not rejoin the program for 12 months.

Service: Service conditions set forth in Schedule R-S above shall apply to this special rate schedule.

Monthly Rate: Monthly rate set forth in Schedule R-S above shall apply to this special rate schedule.

Average Billing Calculation: The average billing process will establish a monthly bill, which will be based on the average consumption in kilowatt hours for the preceding 12 calendar months. If the residence or apartment has been occupied for the last 12 months and the customer can qualify as an existing customer, the previous tenant's or owner's consumption may be used to estimate the average monthly usage.

The average billing calculation will be reviewed and adjustments made to correct for changes in rates, usage or other factors to be implemented on the bills issued during June and December of each year.

Minimum Bill: Minimum bill set forth in Schedule R-S above shall apply to this special rate schedule.

Purchased Power Cost Adjustment Charge: Purchased Power Cost Adjustment Charge set forth in Schedule R-S above shall apply to this special rate schedule.

Energy Conservation Surcharge: A surcharge for energy conservation will be added to the kWh charges as listed in Section 3 of this Resolution.

Outside City Limits Surcharge: Outside City limits set forth in Schedule R-S above shall apply to this special rate schedule.

C. SCHEDULE GS-S

Designation: Regular General Service

Application: For electric service required for lighting, power and any other purpose for which no specific rate schedule is applicable.

Limitations: Auxiliary or stand-by service or resale not permitted hereunder.

Service: Single or three phase, 60 cycles and at any available standard voltage, at the option of the City of Lake Worth.

Monthly Rate:

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|------------------|----------|
| Customer Service | \$19.25 |
| Energy, per kWh | \$0.1415 |

Minimum Bill: \$50.00/Month

Purchased Power Cost Adjustment Charge: Purchased Power Cost Adjustment Charge will be applied as set forth under Section 2 of this Resolution.

Energy Conservation Surcharge: A surcharge for energy conservation will be added to the kWh charges as listed in Section 3 of this Resolution.

Outside City Limits Surcharge: A Surcharge for electric use outside the City of Lake Worth, Florida, municipal limits shall be charged as set forth in Section 4 of this Resolution.

Billing and Payment: Billing procedures and payment requirements shall be as

D. SCHEDULE GSD-S

Designation: Regular General Service-Demand

Application: The customer who qualifies for service under Schedule GS-S above and has a peak demand of 18 kW or greater for three (3) consecutive months, upon application to the City of Lake worth, may elect to be billed at the following rate:

Limitations: Auxiliary or stand-by service or resale not permitted hereunder.

Service: Single or three phase, 60 cycles and at any available standard Voltage, at the option of the City of Lake Worth.

Monthly Rate:

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|------------------|----------|
| Customer Service | \$100.00 |
| Demand, per kW | \$14.00 |
| Energy, per kWh | \$0.0895 |

Minimum Bill: \$140/Month

Purchased Power Cost Adjustment Charge: Purchased Power Cost Adjustment Charge will be applied as set forth under Section 2 of this resolution.

Energy Conservation Surcharge: A surcharge for energy conservation will be added to the kWh charges as listed in Section 3 of this Resolution.

Outside City Limits Surcharge: A Surcharge for electric use outside the City of Lake Worth, Florida, municipal limits shall be charged as set forth in Section 4 of this Resolution.

Billing Demand: The maximum 15 minute measured demand in the month, subject to power factor adjustment.

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.

Term of Contract: One year and thereafter until terminated at the option of either party by the giving of not less than thirty (30) days advance written notice of the effective date of termination.

E. SCHEDULE L-P

Designation: Private Area Lighting

Application: For year-round outdoor security lighting of yards, driveways, walkways, parking lots and other areas. Lights to be served hereunder shall be at locations that are easily and economically accessible to the City of Lake Worth equipment and personnel for construction and maintenance. Original location of lighting fixtures shall be by mutual agreement and shall not be located so as to create a public nuisance.

Any relocation requested by customer after installation shall be made at customer's expense. All new lighting units provided under this Schedule shall be the high pressure sodium vapor (conservation lighting) type.

Limitations: Auxiliary and stand-by or resale not permitted hereunder.

Service: Service includes lamp renewals, energy from approximately dusk each day until approximately dawn the following day and maintenance of facilities. The City of Lake Worth will replace all burned out lamps and will maintain its facilities during regular daytime working hours as soon as practicable following notification by the customer that such work is necessary. The City of Lake Worth shall be permitted to enter the customer's premises at all reasonable times for the purpose of inspecting, maintaining, installing and removing any or all of its equipment and facilities.

Term of Service: For not less than one (1) year.

Monthly Rates:

| DESCRIPTION | UNIT COST/MONTH |
|--|-----------------|
| 175 Watt (7,000 Lumen) Mercury-Vapor Street Light Unit on Existing Pole | \$11.63 |
| 400 Watt (20,500 Lumen) Mercury-Vapor Street Light Unit on Existing Pole | \$18.24 |
| 1,000 Watt (55,000 Lumen) Mercury-Vapor Street Light Unit on Existing Pole | \$35.89 |
| CONSERVATION LIGHTING | |
| 100 Watt (9,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole | \$9.46 |
| 250 Watt (27,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole | \$13.58 |
| 360 Watt High Pressure Sodium Vapor Street Light Unit on Existing Pole | \$16.24 |
| 400 Watt (50,000 Lumen) High Pressure Sodium Vapor Street Light Unit on existing pole | \$16.33 |
| Wood Pole and span of Overhead Conductors or Pole used only for Light | \$2.55 |

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| Concrete Pole and Span of Overhead Conductors or Pole used only for Light | \$3.82 |
| Underground Conductors up to 150 feet | \$1.27 |
| Underground Conductors from 150 feet to 300 feet | \$2.55 |

The City of Lake Worth, 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 anytime for necessary repairs to lines or equipment.

Purchased Power Costs Adjustment charge: Purchased Power Cost Adjustment Charge will be applied as set forth under Section 2 of this Resolution.

Outside City Limits Surcharge: A Surcharge for electric use outside the City of Lake Worth, Florida, municipal limits shall be charged as set forth in Section 2 of this Resolution.

F. SCHEDULE L-S

Designation: Street Lighting

Application: For lighting of public ways and areas. All new lighting units provided under this Schedule shall be the high pressure sodium vapor (conversation) type.

Limitation: Should the City of Lake Worth 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.

Auxiliary and stand-by or resale not permitted hereunder.

Service: Service includes lamp renewals, energy from approximately dusk each day until dawn the following day and maintenance of City of Lake Worth owned street lighting systems.

Terms of Service: For not less than ten (10) years for City of Lake Worth facilities or customer will be required to pay depreciated cost of installed facilities plus cost of removal.

Monthly Rates:

| DESCRIPTION | UNIT COST/MONTH |
|-------------------------|-----------------|
| 100 Watts (9,500 Lumen) | |

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|--|---------|
| High Pressure Sodium Vapor Street Light Unit on Existing Pole | \$7.48 |
| 150 Watts High Pressure Sodium Vapor Street Light Unit on Existing Pole | \$8.89 |
| 250 Watt (27,500 Lumen) High Pressure Sodium Vapor Street Light Unit on Existing Pole | \$11.68 |
| 360 Watts High Pressure Sodium Vapor Street Light Unit on Existing Pole | \$16.47 |
| 400 Watt (50,000 Lumen) High Pressure Sodium Street Light Unit on Existing Pole | \$16.28 |
| Wood Pole and Span Overhead Conductors or pole used only for Light | \$2.55 |
| Concrete Pole and Span of Overhead Conductors or Pole used only for Light | \$3.82 |
| Underground Conductors to 150 feet | \$1.27 |
| Underground Conductors From 150 feet to 300 feet | \$ 2.55 |

Purchased Power Costs Adjustment charge: Purchased Power Cost Adjustment Charge will be applied as set forth under Section 2 of this Resolution.

Outside City Limits Surcharge: A Surcharge for electric use outside the City of Lake Worth, Florida, municipal limits shall be charged as set forth in Section 3 of this Resolution.

G. SCHEDULE GS-S Time of Use

Designation: Regular General Service

Application: For electric service required for lighting, power and any other purpose for which no specific rate schedule is applicable.

Limitations: Auxiliary or stand-by generation service or resale of the electric energy is not permitted hereunder.

Service: Single or three phase, 60 cycles and at any available standard voltage, at the option of the City of Lake Worth.

RATE

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| Service Charge | \$28.97 | per month |
| Energy Charge – On Peak | \$0.279 | per kWh |

Energy Charge – Off Peak \$0.089 per kWh

Minimum Bill: \$50.00/Month

Purchased Power Cost Adjustment Charge: Purchased Power Cost Adjustment Charge will be applied as set forth under Section 2 of this Resolution.

Energy Conservation Surcharge: A surcharge for energy conservation will be added to the kWh charges as listed in Section 3 of this Resolution.

Outside City Limits Surcharge: A Surcharge for electric use outside the City of Lake Worth, Florida, municipal limits shall be charged as set forth in Section 4 of this Resolution.

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.

Term of Contract: One year and thereafter until terminated at the option of either party by the giving of not less than thirty (30) days advance written notice of the effective date of termination.

H. SCHEDULE GSD-S Time of Use

Designation: Regular General Service-Demand

Application: The customer who qualifies for service under Schedule GS-S above and has a peak demand of 18 kW or greater for three (3) consecutive months, upon application to the City of Lake Worth, may elect to be billed at the following rate:

Limitations: Auxiliary or stand-by service or resale not permitted hereunder.

Service: Single or three phase, 60 cycles and at any available standard Voltage, at the option of the City of Lake Worth.

Monthly Rate:

| | | |
|--------------------------|----------|----------------------------------|
| Customer Service | \$130.32 | |
| Demand, per kW | \$7.39 | (Based on Monthly Customer Peak) |
| Energy Charge – On Peak | \$0.256 | per kWh |
| Energy Charge – Off Peak | \$0.066 | per kWh |

Minimum Bill: \$140.00/Month

Purchased Power Cost Adjustment Charge: Purchased Power Cost Adjustment Charge will be applied as set forth under Section 2 of this resolution.

Energy Conservation Surcharge: A surcharge for energy conservation will be added to the kWh charges as listed in Section 3 of this Resolution.

Outside City Limits Surcharge: A Surcharge for electric use outside the City of Lake Worth, Florida, municipal limits shall be charged as set forth in Section 4 of this Resolution.

Billing Demand: The maximum 15 minute measured demand in the month, subject to power factor adjustment.

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.

DETERMINATION OF OFF-PEAK PERIOD

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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.

Term of Contract: One year and thereafter until terminated at the option of either party by the giving of not less than thirty (30) days advance written notice of the effective date of termination.

I. SCHEDULE NMR – Net Metering Rate (Effective July 17, 2012)

Eligibility for participation in the net metering program is limited to customers taking bundled service (non-interruptible) from the City. The eligible facilities must be installed on the customer's premises.

The maximum size of electric generators eligible for net metering treatment is listed below:

Residential & Commercial Units – 10 kW or under

To qualify for this Schedule, customer's generation systems will be limited in size, not to exceed the customer's self-service needs. Non-dispatchable generation systems (e.g., wind and solar) shall be sized not to exceed the customer's annual energy needs, measured in kilowatt-hours (kWh).

Monthly Rate

Deliveries from the City to the customer shall be billed in accordance with the standard applicable rate schedules and will exclude the minimum charge established for the applicable rate class.

Section 2. A Purchased Power Cost Adjustment Charge (PCA) shall be established each month for energy sales during that month as follows:

$$\frac{(A-B+C-D)}{E} \times (1+F)$$

where:

- A = The actual purchased power costs for the month and includes power supply from all sources including St. Lucie and FMPA
- B = Purchased Power cost paid in customer rates for month, which is equal to (PCA from last month plus base power costs) divided by 1 plus system loss estimate (7%) times MWh's of purchased power (Purchased power includes power supply from all resources including St. Lucie and FMPA)
- C = Projected power supply cost for up to next twelve months
- D = Projected power supply costs recovered in base rates remainder of year, which is equal to the projected purchased power in MWh's times base rate divided by 1 plus system losses (estimated at 7%)
- E = The projected sales over remainder of year equal to projected MWh's of purchased power divided by 1 plus system losses (estimated at 7%)

F = The contribution factor to the General Fund of the City.

The base power cost included in the base rates is \$ 93.80/MWh.

The purchased power cost adjustment charge will be reconciled periodically but at a minimum of once a year and trued up between estimated billing units defined as MWh's of purchased power divided by 1 plus system losses and actual billing units.

The calculation of the purchased power cost adjustment will be lagging by two months. For example, the power supply for the month of September will be charged to customers beginning in November that year.

Section 3. The above rates are subject to a surcharge for Energy Conservation programs. The surcharge, effective October 1, 2011 for all of the above rates except the net metering rate, and effective July 17, 2012 for the net metering rate, shall be \$0.00195 per kWh and shall be added to all kWh rates listed in the above rate schedules with the exception of street lighting (L-S) and private area lighting (L-P).

Section 4. With respect to any residents, premises and/or users outside the corporate limits of the City of Lake Worth, 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, 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, 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 and remitted directly to the appropriate County or Municipal entity.

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

Section 6. All Resolutions or parts of Resolutions in conflict herewith are expressly repealed.

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

Section 8. This Resolution shall be in effect for billings issued on or after October 1, 2011; however, the net metering rates specifically shall be in effect for billing issued on or after July 17, 2012.

The passage of this Resolution was moved by Vice Mayor Maxwell, seconded by Commissioner McVoy, and upon being put to a vote, the vote was as follows:


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|--------------------------------|-----|
| Mayor Pam Triolo | AYE |
| Vice Mayor Scott Maxwell | AYE |
| Commissioner Christopher McVoy | AYE |
| Commissioner Andy Amoroso | AYE |
| Commissioner Suzanne Mulvehill | AYE |

The Mayor thereupon declared this Resolution duly passed and adopted this 17th day of July, 2012.

LAKE WORTH CITY COMMISSION

By: 
Pam Triolo, Mayor

ATTEST:


Pamela J. Lopez, City Clerk

