

ARTICLE III. - RATES AND CHARGES

Footnotes:

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Charter reference— *Right to regulate charges, etc., of holder of franchise or privilege, art. II, § 14.*

DIVISION 1. - GENERALLY

Sec. 102-71. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Employee of the city and *inspector of the city* mean employees or inspectors of the public utilities board.

(Code 1971, § 34-36)

Cross reference— Definitions generally, § 1-2.

Sec. 102-72. - Meters required.

Meters shall be required for all utility services, the use or consumption of which may vary as the demand for the service fluctuates. The rates or charges for such utility services shall be determined by the amount of such service measured as being consumed by such meter.

(Code 1971, § 34-28)

Sec. 102-73. - Injuring, tampering with meters.

It shall be unlawful for any person other than a duly authorized employee of the city to alter, change, deface, remove, interfere with, open or in any other way molest any meter situated or being in the city and used in or for the supplying of any utility service to any consumer thereof in the city.

(Code 1971, § 34-29)

Sec. 102-74. - Franchised public utilities.

The city commission shall fix and approve the rates charged by any private public utility company franchised by the city and doing business within the city. It shall be unlawful for any such public utility company or any officer or employee thereof to assess or charge for services rendered any rate other than the rate so fixed and approved.

(Code 1971, § 34-30)

Cross reference— Franchises, app. A.

Sec. 102-75. - Date when payment for service due.

All bills for utility services are due and payable when rendered (issued).

(Code 1971, § 34-31)

Sec. 102-76. - Penalty for delinquent payment.

The net due date of the utility bill will be 15 calendar days after issuance. A bill not paid on or before the net due date will be considered delinquent, and a penalty will be assessed in an amount equal to six percent of the total net amount.

(Code 1971, § 34-32; Ord. No. 2007-983-BB, § 2, 9-18-2007; Ord. No. 2010-1534, § 1, 9-27-2010; Ord. No. 2022-1534-A, § 1, 10-25-2022)

Sec. 102-77. - Disconnection for nonpayment.

If bills for utility services shall not be paid when due, the public utilities board shall have the right after proper notice to disconnect and discontinue all utility services furnished by the public utilities board to the consumer so in arrears.

(Code 1971, § 34-33; Ord. No. 2022-1534-A, § 1, 10-25-2022)

Sec. 102-78. - Reconnection after disconnection.

If the utility service is disconnected for any reason, the consumer thereof shall have the right to have the service reconnected only upon the payment of all rates, charges and penalties due thereon and, in addition thereto, a reconnection charge at actual cost thereof. Such rates, charges and penalties shall be calculated, charged and collected in advance of such reconnection.

(Code 1971, § 34-34)

Sec. 102-79. - Voluntary discontinuance of service.

A consumer wishing to discontinue the use of any utility service must give written notice thereof to the utilities board. Failure to do this will render him liable for the payment of all bills until such notice has been given.

(Code 1971, § 34-35)

Sec. 102-80. - Pole attachment rate.

The rate to be charged and collected every month for the attachment(s) of any entity's facilities that are placed directly on utility's poles or overlashed onto an existing attachment or that are placed within the utility's conduit system, but does not include either a riser or service drop attached to a single pole where licensee has an existing attachment, regardless of the nature of the services provided, is as follows:

Per attachment\$14.87

(Ord. No. 2006-1456, 3-21-2006)

Sec. 102-81. - Resaca fee.

A monthly resaca fee of \$6.25 is applicable to a retail water customer.

(Ord. No. 2022-1701, Exh. B, 5-3-2022; Ord. No. 2023-1701-A, § 1, 11-14-2023)

Secs. 102-82—102-105. - Reserved.

DIVISION 2. - WATER

Sec. 102-106. - Deposit.

- (a) The deposit for residential service shall be \$50.00 for water service or any combination of electric, water or wastewater (sanitary sewer) services.
- (b) The deposit for nonresidential services shall be an amount equal to the charges for an average two-month period unless the applicant complies with rules and regulations concerning credit as established by the public utilities board. The minimum deposit for nonresidential water service shall be \$50.00.

(Code 1971, § 34-41; Ord. No. 94-983-J, § 1, 11-2-1994)

Sec. 102-107. - Connection charge.

The charges to be made for tapping existing water and sewer mains and extension of water and sewer service to the user's property line, for the installation of all connections and appurtenances and for the installation of water meters, shall be at actual cost thereof. Such charges shall be calculated, charged and collected in advance.

(Code 1971, § 34-42)

Sec. 102-108. - Monthly charges.

The rates to be charged by the public utilities board for furnishing water and services in connection therewith shall be calculated, charged and collected monthly from the various classified users thereof according to the rate schedules set out in this division.

(Code 1971, § 34-43)

Sec. 102-109. - Types and terms of service.

The types and terms of water service available under the rate schedules established by this division are described in and are subject to the standard terms and conditions promulgated by the public utilities board, and the terms and conditions are incorporated in this division by reference.

(Code 1971, § 34-44)

Sec. 102-110. - Applicability of retail water service inside city.

The rate for water furnished to premises inside the city is applicable to all water furnished by the public utilities board through the municipal water mains adjacent to the premises of a customer located within the city.

(Code 1971, § 34-45)

Sec. 102-111. - Rate for retail water service inside city.

- (a) The rates are applicable to water customers with metered water service. The rates to be charged and collected from retail customers located inside the city for metered water service furnished or the availability of metered water by the public utilities board are equal to the sum of the charges and rates itemized in this subsection and fixed as follows:
- (1) *Customer service charge.* The customer service charge is as follows:

<i>Meter Size (inches)</i>	<i>Effective June 1, 2022</i>	<i>Effective Jan. 1, 2023</i>	<i>Effective Jan. 1, 2024</i>	<i>Effective Jan. 1, 2025</i>	<i>Effective Jan. 1, 2026</i>
¾" or less	\$13.02	\$14.06	\$14.90	\$15.50	\$16.28
1"	24.44	26.39	27.97	29.10	30.56
1.5"	40.54	43.78	46.39	48.26	50.69
2"	64.24	69.37	73.51	76.47	80.32
3"	148.66	160.54	170.13	176.98	185.88
4"	226.45	244.53	259.14	269.58	283.15
6"	435.49	470.28	498.37	518.44	544.53
8"	683.05	737.61	781.68	813.16	854.08
10"	1,005.95	1,086.30	1,151.20	1,197.56	1,257.83

- (2) *General water service.* The rates for general water service are as follows:

<i>Volume Charges</i>	<i>Effective</i>	<i>Effective</i>	<i>Effective</i>	<i>Effective</i>	<i>Effective</i>

(\$/1,000 gallons)	June 1, 2022	Jan. 1, 2023	Jan. 1, 2024	Jan. 1, 2025	Jan. 1, 2026
Residential:					
Block 1: 0—3,000 gallons	2.14	2.31	2.45	2.55	2.67
Block 2: 3,001—9,000 gallons	2.37	2.55	2.71	2.82	2.96
Block 3: 9,001—16,000 gallons	2.92	3.15	3.34	3.47	3.65
Block 4: Over 16,000 gallons	4.41	4.76	5.04	5.25	5.51
Non-residential:					
All volumes	2.82	3.04	3.23	3.36	3.52

(3) *Definitions.* The term "residential" as used in this subsection shall mean service to a "single-family dwelling" as that phrase is defined in section 1.2.22 of the electric, water, and wastewater service policies adopted by the public utilities board in effect or as may be amended from time to time, such policies being incorporated by reference into this subsection pursuant to [section 102-109](#). The term "nonresidential" shall mean service that does not qualify as residential, wholesale, fire support, or temporary services, and specifically includes service to "single-family attached dwellings" as defined in section 1.2.22 of the policies adopted by the public utilities board.

(4) *Minimum monthly bill.* The minimum monthly bill shall be equal to the customer service charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.

(b) These rates are applicable to water customers with no metered water service. The rates to be charged and collected from retail customers located inside the city for non-metered water service or the availability of non-metered water by the public utilities board are equal to the sum of the charges and rates itemized in this subsection and fixed as follows:

Non-Metered Service (\$ per living unit)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
(1) Single-family, including single-family dwellings and mobile homes on	\$36.59	\$39.52	\$41.89	\$43.57	\$45.75

individual lots					
(2) Duplexes, triplexes and quadruplexes, including duplexes, triplexes and quadruplexes that are condominiums, on individual lots only where the individual tenant pays the bill	36.59	39.52	41.89	43.57	45.75
(3) Multifamily, including apartments, townhouses, condominiums, rooming houses, mobile home parks and like facilities, only where the individual tenant pays the bill	36.59	39.52	41.89	43.57	45.75
(4) Duplexes, triplexes and quadruplexes, including duplexes, triplexes, and quadruplexes that are condominiums, on individual lots only where the individual tenant does not pay the bill	\$36.59	39.52	41.89	43.57	45.75
(5) Multifamily, including apartments, townhouses, condominiums, rooming houses, mobile home parks and like facilities, only where the individual tenant does not pay the bill	36.59	39.52	41.89	43.57	45.75
(6) Sanitary sewer customers with metered water service. Rates for sanitary sewer condominiums, rooming house, mobile home parks, and like facilities, only where the individual tenant pays the bill per month, per living unit: 16.67					

(Code 1971, § 34-46; Ord. No. 94-983-J, § 2, 11-2-1994; Ord. No. 95-983-M, § 1, 11-21-1995; Ord. No. 96-983-N, § 1, 2-6-1996; Ord. No. 96-983-P, § 1, 12-18-1996; Ord. No. 97-983-Q, § 1, 12-17-1997; Ord. No. 98-983-R(B), § 1, 10-6-1998; Ord. No. 99-983-W, § 1, 12-1-1999; Ord. No. 2002-983-Y, § 1, 3-26-2002; Ord. No. 2005-983-Z, § 5, 7-5-2005; Ord. No. 2007-983-AA, § 1, 2-20-

2007; Ord. No. 2012-1569, § 2, 12-17-2012; Ord. No. 2022-1701, Exh. A, 5-3-2022)

Sec. 102-112. - Applicability of retail water service outside city.

The rate for water furnished to premises outside the city is applicable to all water furnished by the public utilities board through municipal water mains adjacent to the premises of a customer located outside the city.

(Code 1971, § 34-47)

Sec. 102-113. - Rate for retail water service outside city.

The rates to be charged and collected from retail customers located outside the city for water furnished or the availability of water by the public utilities board are equal to the sum of the charges and rates itemized in this section and fixed as follows:

(1) *Customer service charge.* The customer service charge is as follows:

(a) Residential customers:

Meter Size (inches)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
¾" or less	\$19.57	\$21.14	\$22.41	\$23.31	\$24.48
1"	36.65	39.59	41.96	43.65	45.84
1.5"	60.79	65.67	69.62	72.41	76.05
2"	96.34	104.07	110.32	114.75	120.51
3"	223.13	241.03	255.51	265.78	279.12
4"	339.79	367.05	389.10	404.72	425.04
6"	653.54	705.97	748.39	778.44	817.51
8"	1,025.02	1,107.25	1,173.77	1,220.91	1,282.19
10"	1,509.53	1,630.63	1,728.59	1,798.01	1,888.26

(b) Non-residential customers:

Meter Size (inches)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
¾" or less	\$19.57	\$21.14	\$22.41	\$23.31	\$24.48
1"	24.38	26.33	27.90	29.02	30.48
1.5"	40.45	43.68	46.29	48.15	50.57
2"	64.09	69.21	73.35	76.30	80.14
3"	148.45	160.31	169.89	176.73	185.62
4"	226.06	244.12	258.70	269.12	282.66
6"	434.80	469.54	497.59	517.62	543.67
8"	681.95	736.42	780.42	811.84	852.70
10"	1,004.29	1,084.51	1,149.31	1,195.59	1,255.75

(2) General water service. The rates for general water service are as follows:

Volume Charges (\$/1,000 gallons)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
Residential:					
Block 1: 0— 3,000 gallons	\$3.21	\$3.46	\$3.67	\$3.82	\$4.01
Block 2: 3,001— 9,000 gallons	3.55	3.84	4.07	4.23	4.44
Block 3: 9,001—	4.37	4.72	5.01	5.21	5.47

16,000 gallons					
Block 4: Over 16,000 gallons	6.61	7.14	7.57	7.87	8.26
Non-residential:					
All volumes	4.23	4.57	4.85	5.04	5.29

(3) *Definitions.* The term "residential" as used in this subsection shall mean service to a "single-family dwelling" as that term is defined in section 1.2.22 of the electric, water, and wastewater service policies adopted by the public utilities board in effect or as may be amended from time to time, such policies being incorporated by reference into this section pursuant to section 102-109. The term "nonresidential" shall mean service that does not qualify as residential, wholesale, fire support, or temporary services, and specifically includes service to "single-family attached dwellings" as defined in section 1.2.22 of the policies adopted by the public utilities board.

(4) *Minimum monthly bill.* The minimum monthly bill shall be equal to the customer service charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.

(Code 1971, § 34-48; Ord. No. 94-983-J, § 3, 11-2-1994; Ord. No. 95-983-M, § 2, 11-21-1995; Ord. No. 96-983-P, § 2, 12-18-1996; Ord. No. 97-983-Q, § 2, 12-17-1997; Ord. No. 98-983-R(B), § 2, 10-6-1998; Ord. No. 99-983-W, § 2, 12-1-1999; Ord. No. 2002-983-Y, § 2, 3-26-2002; Ord. No. 2005-983-Z, § 6, 7-5-2005; Ord. No. 2012-1569, § 2, 12-17-2012; Ord. No. 2022-1701, Exh. A, 5-3-2022)

Sec. 102-114. - Wholesale water service rate.

(a) Generally. Except as provided in subsections (b) and (c) of this section, the rates to be charged and collected from customers who have a wholesale water contract with the public utilities board for the purchase of water for resale are equal to the sum of the charges and rates itemized and fixed as follows:

(1) The customer service charge is as follows:

Meter Size (inches)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
¾" or less	\$13.02	\$14.06	\$14.90	\$15.50	\$16.28
1"	24.44	26.39	27.97	29.10	30.56
1.5"	40.54	43.78	46.39	48.26	50.69

2"	64.24	69.37	73.51	76.47	80.32
3"	148.66	160.54	170.13	176.98	185.88
4"	226.45	244.53	259.14	269.58	283.15
6"	435.49	470.28	498.37	518.44	544.53
8"	683.05	737.61	781.68	813.16	854.08
10"	1,005.95	1,086.30	1,151.20	1,197.56	1,257.83

(2) The wholesale general rate per 1,000 gallons without raw water credit is:

Volume Charges (\$/1,000 gallons)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
All volumes	\$2.51	\$2.71	\$2.87	\$2.98	\$3.13

(3) The minimum monthly bill shall be equal to the customer service charge and any other taxes surcharges, charges and/or adjustments required by this chapter.

(b) *El Jardin Water Supply Corporation*. The rates to be charged and collected from the El Jardin Water Supply Corporation are established pursuant to the settlement agreement and exclude monthly service charges. The rate per 1,000 gallons includes credit for raw water. The rate per 1,000 gallons is:

Effective upon passage\$2.92

Effective January 1, 20233.15

Effective January 1, 20243.34

Effective January 1, 20253.47

Effective January 1, 20263.65

(c) *Brownsville Navigation District*. The rates to be charged and collected from the Brownsville Navigation District

shall be the general rate specified in subsection (a) of this section. However, pursuant to paragraph 2(a) of the contract, dated December 15, 1993, between the Brownsville Navigation District of Cameron County Texas and the public utilities board, commencing upon the effective date of the general rate, the public utilities board shall credit billings for potable water sales to the Brownsville Navigation District by a specified amount per 1,000 gallons of treated water delivered by the public utilities board to the Brownsville Navigation District. The specified amount of the credit shall be equal to 10.84 percent of the commodity rate per 1,000 gallons of water for the Brownsville Navigation District as specified in subsection (a) of this section. No credit is allowed the Brownsville Navigation District for water pumped by the public utilities board for the Brownsville Navigation District's use during a time period when the Rio Grande watermaster is not charging the diversion of water against the public utilities board's water account (no-charge pumping) or when the public utilities board must request releases of water from storage in Falcon Reservoir to satisfy the demands of the Brownsville Navigation District and other public utilities board customers. If no-charge pumping is in effect or if the public utilities board must request release of water from Falcon Reservoir for a part of the billing period, the Brownsville Navigation District shall receive a credit for the pro rata amount of water treated and delivered from the Rio Grande by the public utilities board when no-charge pumping or requested releases from Falcon Reservoir were not in effect.

(Code 1971, § 34-50; Ord. No. 94-983-J, § 4, 11-2-1994; Ord. No. 95-983-M, § 3, 11-21-1995; Ord. No. 96-983-P, § 3, 12-18-1996; Ord. No. 97-983-Q, § 3, 12-17-1997; Ord. No. 98-983-R(B), § 3, 10-6-1998; Ord. No. 99-983-W, § 3, 12-1-1999; Ord. No. 2002-983-Y, § 3, 3-26-2002; Ord. No. 2005-983-Z, § 7, 7-5-2005; Ord. No. 2012-1569, § 2, 12-17-2012; Ord. No. 2022-1701, Exh. A, 5-3-2022; Ord. No. 2022-1569-C, § 1, 8-16-2022)

Sec. 102-115. - Applicability of fire support services

The rate for water furnished for fire protection purposes, such as private fire lines or sprinkler systems, is applicable to all water connections made to the public utilities board water system.

(Code 1971, § 34-51; Ord. No. 94-983-J, § 5, 11-2-1994; Ord. No. 95-983-M, § 4, 11-21-1995)

Sec. 102-116. - Rate for fire support services.

The rates to be charged and collected per month from those customers who have fire support services shall be fixed as follows:

Connection Size (inches)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
Inside the city:					
4"	\$11.00	\$11.90	\$12.60	\$13.10	\$13.75
6"	32.10	34.65	36.75	38.20	40.10

8"	68.30	73.75	78.15	81.30	85.35
10"	122.90	132.75	140.70	146.35	153.65
12"	218.80	236.30	250.50	260.50	273.55
Outside the City					
4"	\$16.55	\$17.87	\$18.94	\$19.70	\$20.69
6"	48.10	51.95	55.07	57.27	60.13
8"	102.49	110.69	117.33	122.02	128.12
10"	184.30	199.04	210.98	219.42	230.39
12"	328.18	354.43	375.70	390.73	410.27
Inside the city:					
All volumes	2.82	3.05	3.23	3.36	3.53
Outside the city:					
All volumes	4.20	4.55	4.80	5.00	5.25

(Code 1971, § 34-52; Ord. No. 94-983-J, § 6, 11-2-1994; Ord. No. 95-983-M, § 5, 11-21-1995; Ord. No. 96-983-P, § 4, 12-18-1996; Ord. No. 97-983-Q, § 4(34-52), 12-17-1997; Ord. No. 2011-983-CC, § 1, 8-2-2011; Ord. No. 2012-1569, § 2, 12-17-2012; Ord. No. 2022-1701, Exh. A, 5-3-2022)

Sec. 102-117. - Fire support services connections.

- (a) The customer shall pay to the public utilities board the actual cost of making the connections required for fire support services.
- (b) The use of water furnished through a fire support connection for any other purpose is prohibited. The fire lines connected to a fire support connection shall not be connected in any way with the customer's metered water system.

(Code 1971, § 34-53)

Sec. 102-118. - Applicability of temporary water service.

Temporary water service is applicable to customers requiring service for only a short period of time. The public utilities board reserves the right to furnish such service only when proper equipment and water system facilities are available at the location and when conditions set out in this section and in section 102-119 are met. It is not applicable for service to recurring seasonal loads.

(Code 1971, § 34-54)

Sec. 102-119. - Temporary water service rate.

- (a) Where temporary water service is available without additional cost to the public utilities board, the consumption will be billed at the applicable standard rate, but in no case will the minimum charge be less than the greater of \$15.00 or the standard monthly minimum charge.
- (b) Where it is necessary to set a meter or provide additional facilities, the customer will be charged the total cost of installing and removing the equipment. An advance deposit will be required, sufficient to cover the estimated consumption for at least a week or for the full duration of service if less than a week, together with the estimated cost of installing and removing the equipment. The consumption will be billed at the applicable standard rate, but in no case will the minimum charge be less than the greater of \$15.00 or the standard monthly minimum charge.

(Code 1971, § 34-55)

Sec. 102-120. - Water used for city purposes.

- (a) *Rate.* The charge for water furnished by the public utilities board to the city for city purposes shall be in accordance with section 102-111 pertaining to the rate for retail water service inside the city.
- (b) *Fire hydrant support charges.* The charge for fire hydrant maintenance will be \$5,308.83 per month.

(Code 1971, § 34-62; Ord. No. 94-983-J, § 7, 11-2-1994)

Secs. 102-121—102-145. - Reserved.

DIVISION 3. - SEWER

Sec. 102-146. - Monthly charges.

The rates to be charged by the public utilities board for furnishing sanitary sewer service shall be calculated, charged and collected monthly from the various classified users thereof according to the rate schedules set out in this division.

(Code 1971, § 34-68)

Sec. 102-147. - Types and terms of service; deposit.

- (a) The types and terms of wastewater (sanitary sewer) service available under the rates established by this division are described in and are subject to the standard terms and conditions promulgated by the public utilities board, and the terms and conditions are incorporated in this division by reference.
- (b) The deposit for residential service will be \$50.00 for wastewater service or any combination of electric, water or wastewater services. The deposit for nonresidential services shall be an amount equal to the charges for an average two-month period unless the applicant complies with rules and regulations concerning credit as established by the public utilities board. The minimum deposit for nonresidential wastewater services shall be \$50.00. No deposit shall be required for nonresidential wastewater services if the applicant has applied and paid a deposit for nonresidential water services.

(Code 1971, § 34-69; Ord. No. 94-983-J, § 8, 11-2-1994)

Sec. 102-148. - Applicability of sanitary sewer service inside city.

The rate for sanitary sewer service inside the city is applicable to all sanitary sewer service furnished by the public utilities board through municipal sewer lines adjacent to the premises of a customer located within the city.

(Code 1971, § 34-70)

Sec. 102-149. - Rate for sanitary sewer service inside city.

There is established a schedule of monthly rates and charges for the use of or availability for the use of sanitary sewer collection, treatment and disposal services which in part is based on the amount of water used from the city's water system. Sanitary sewer service charges shall be billed to and shall be the responsibility of the customer responsible for paying the water bill at any specific location. However, if a water customer of the public utilities board is not connected to the city's sanitary sewer collection system and is not otherwise subject to sanitary sewer services, such water customer shall not be charged for sanitary sewer service usage. The rates to be charged and collected per month from customers that have sanitary sewer service are equal to the sum of the charges and rates itemized and fixed as follows:

- (1) Sanitary sewer customers with metered water service. Rates for sanitary sewer customers with metered water service are as follows:
- a. Rate. The rate is as follows:
1. Customer service charge (\$/month):

Meter Size inches)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
¾" or less	\$8.15	\$8.88	\$9.68	\$10.07	\$10.57
1"	14.27	15.55	16.95	17.64	18.51

1.5"	24.47	26.66	29.07	30.24	31.74
2"	38.53	41.98	45.76	47.60	49.97
3"	88.39	96.30	104.98	109.21	114.63
4"	149.58	162.97	177.66	184.81	193.99
6"	259.49	282.74	308.21	320.62	336.54
8"	436.26	475.34	518.16	539.04	565.81
10"	705.96	769.19	838.48	872.27	915.58

2. Volume charges (\$/1,000 gallons):

Volume Charges (\$/1,000 gallons)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
Residential:					
Block 1: 0—7,000 gallons	\$3.74	\$4.08	\$4.44	\$4.62	\$4.85
Block 2: Over 7,000 gallons	4.10	4.47	4.87	5.06	5.32
Non-residential:					
All volumes	4.10	4.47	4.87	5.06	5.32

- b. Minimum monthly bill. The minimum monthly bill shall be equal to the customer service charge and any other taxes, surcharges and/or adjustments required by this chapter.

(2) *Large sewage volume contract customer.* The large sewage volume contract is applicable to customers with a minimum sewage volume of 14.25 million gallons of sewage, based upon 95 percent of the water meter reading, per month per site. The customer is required to have a nonstandard service agreement approved by the public utilities board. It follows:

- a. The customer service charge (dollars/month) is based on the actual water meter size as set forth in subsection (1) of this section.
- b. Charge for all volumes per 1,000 gallons:
Effective October 1, 2013\$3.17

Effective October 1, 20143.30
- c. Minimum monthly charge, if sewage volume is less than 14.25 million gallons per month, per month
.....30,975.00
Effective October 1, 201345,175.00

Effective October 1, 201447,025.00

(3) *Calculation of sanitary sewage volume.* Sanitary sewage volume calculation is as follows:

- a. *Residential dwellings.* For residential dwellings, including single-family dwellings and mobile homes on individual lots, the sanitary sewage volume shall be based on 80 percent of the metered water consumption.
- b. *Duplexes, triplexes and quadruplexes on individual lots.* For duplexes, triplexes and quadruplexes on individual lots the sanitary sewage volume shall be based on 80 percent of the metered water consumption up to a maximum of 20,000 gallons of water per living unit.
- c. *Multifamily.* For multifamily uses, including apartments, townhouses, condominiums, rooming houses, mobile home parks and like facilities, the sanitary sewage volume shall be based on 80 percent of the metered water consumption up to a maximum of 15,000 gallons of water per living unit or mobile home space. The number of units to be used for calculating the maximum charges shall be 90 percent of the actual number of living units or mobile home spaces raised to the nearest whole number.
- d. *Nonresidential.* The sanitary sewage volume for nonresidential uses shall be based on 95 percent of the metered water consumption.
- e. *Customer with second water meter.* A customer having a second water meter for water usage that is not returned to the sanitary sewer system shall be charged a sanitary sewage rate for 100 percent of the metered water consumption for the water meter supplying general water and sanitary sewer services.

(4) Sanitary sewer customers with no metered water service. Rates for sanitary sewer customers with no metered water service are as follows:

Non-Metered Service (\$ per living unit)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026

a. Single-family, including single-family dwellings and mobile homes on individual lots	38.43	41.89	45.66	47.49	49.86
b. Duplexes, triplexes and quadruplexes, including duplexes, triplexes and quadruplexes that are condominiums, on individual lots only where the individual tenant does not pay the bill	38.43	41.89	45.66	47.49	49.86
c. Duplexes, triplexes and quadruplexes, including duplexes, triplexes and quadruplexes that are condominiums, on individual lots only where the individual tenant pays the bill	38.43	41.89	45.66	47.49	49.86
d. Multifamily, including apartments, townhouses, condominiums, rooming houses, mobile home parks and like facilities, only where the individual tenant does not pay the bill	38.43	41.89	45.66	47.49	49.86
e. Multifamily, including apartments, townhouses, condominiums, rooming houses, mobile home parks and like facilities, only where the individual tenant pays the bill	38.43	41.89	45.66	47.49	49.86
f. Non-residential. Sanitary sewage quantities shall be estimated on an individual basis to determine the monthly charge. Sanitary sewage meters may be required to determine the actual volume of sewage.					

(Code 1971, § 34-75.1; Ord. No. 2022-1701, Exh. A, 5-3-2022)

Sec. 102-151. - Rate for sanitary sewer services outside city.

There is established a schedule of monthly rates and charges for the use of or availability for the use of sanitary sewer collection, treatment and disposal services outside the city which in part is based on the amount of water used from the city's water system. Sanitary sewer service charges shall be billed to and shall be the responsibility of the customer responsible for paying the water bill at any specific location. However, if a water customer of the public utilities board is not connected to the city's sanitary sewer collection system and is not otherwise subject to sanitary sewer services, such water customer shall not be charged for sanitary sewer service usage. The rates to be charged and collected per month from customers that have sanitary sewer service are equal to the sum of the charges and rates itemized and fixed as follows:

(1) Rate. The rate is as follows:

a. Customer service charge (\$/month):

Meter Size (inches)	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026
¾" or less	\$12.23	\$13.33	\$14.53	\$15.11	\$15.87
1"	21.45	23.38	25.49	26.50	27.84
1.5"	36.73	40.04	43.64	45.38	47.67
2"	57.81	63.01	68.69	71.43	75.02
3"	132.66	144.59	157.60	163.89	172.14
4"	224.48	244.67	266.69	277.34	291.29
6"	389.42	424.45	462.65	481.12	505.32
8"	654.69	713.57	777.81	808.86	849.54
10"	1,059.39	1,154.67	1,258.62	1,308.86	1,374.69

b. Volume charges (\$/1,000 gallons):

Volume Charges	Effective June 1, 2022	Effective Jan. 1, 2023	Effective Jan. 1, 2024	Effective Jan. 1, 2025	Effective Jan. 1, 2026

(\$/1,000 gallons)					
All volumes	6.16	6.71	7.32	7.61	7.99
Large volume contract users (effective Oct. 1, 2014): \$3.30					

(2) *Calculation of sanitary sewage volume.* Sanitary sewage volume calculations are as follows:

- a. *Residential dwellings.* For residential dwellings, including single-family dwellings and mobile homes on individual lots, the sanitary sewage volume shall be based on 80 percent of the metered water consumption up to a maximum of 25,000 gallons of water.
- b. *Duplexes, triplexes and quadruplexes on individual lots.* For duplexes, triplexes and quadruplexes on individual lots, the sanitary sewage volume shall be based on 80 percent of the metered water consumption up to a maximum of 20,000 gallons of water per living unit.
- c. *Multifamily.* For multifamily uses, including apartments, townhouses, condominiums, rooming houses, mobile home parks and like facilities, the sanitary sewage volume shall be based on 80 percent of the metered water consumption up to a maximum of 15,000 gallons of water per living unit or mobile home space. The number of units to be used for calculating the maximum charge shall be 90 percent of the actual number of living units or mobile home spaces raised to the nearest whole number.
- d. *Nonresidential.* The sanitary sewage volume for nonresidential uses shall be based on 95 percent of the metered water consumption.
- e. *Customer with second water meter.* A customer having a second water meter for water usage that is not returned to the sanitary sewer system shall be charged sanitary sewage for 100 percent of the metered water consumption for the water meter supplying general water and sanitary sewage services.

(3) Sanitary sewer customers with no metered water services. Rates for sanitary sewer customers with no metered water services are as follows:

Non-Metered Service (\$ per living unit)	<i>Effective June 1, 2022</i>	<i>Effective Jan. 1, 2023</i>	<i>Effective Jan. 1, 2024</i>	<i>Effective Jan. 1, 2025</i>	<i>Effective Jan. 1, 2026</i>
a. Residential dwellings, including single-family dwellings and mobile homes on individual lots	\$57.64	\$62.83	\$68.48	\$71.22	\$74.78
b. Duplexes, triplexes and	57.64	62.83	68.48	71.22	74.78

quadruplexes on individual lots					
c. Multifamily, including apartments, townhouses, condominiums, rooming houses, mobile home parks and like facilities	57.64	62.83	68.48	71.22	74.78
d. Non-residential. Sanitary sewage quantities for non-residential uses shall be estimated on an individual basis to determine the monthly charge. Sanitary sewage meters may be required to determine the actual volume of sewage.					

(Code 1971, § 34-75.2; Ord. No. 94-983-J, § 10, 11-2-1994; Ord. No. 95-983-M, § 7, 11-21-1995; Ord. No. 96-983-P, § 6, 12-18-1996; Ord. No. 97-983-Q, § 6, 12-17-1997; Ord. No. 98-983-R(B), § 5, 10-6-1998; Ord. No. 99-983-W, § 5(34-75.2), 12-1-1999; Ord. No. 2002-983-Y, § 5, 3-26-2002; Ord. No. 2005-983-Z, § 9, 7-5-2005; Ord. No. 2012-1569, § 3, 12-17-2012; Ord. No. 2022-1701, Exh. A, 5-3-2022)

Sec. 102-152. - Sanitary sewer service used for city purposes.

No charge shall ever be made for any sanitary sewer service furnished by the public utilities board to the city for city purposes. The applicable rates imposed by this section shall be applied to sanitary sewer service furnished the city for record purposes only. The sanitary sewer rates to be used for record purposes are fixed as follows:

- (1) *Rates.* The charge for sanitary sewer service furnished by the public utilities board to the city for city purposes shall be in accordance with section 102-149 pertaining to the rates for sanitary sewer service inside the city.
- (2) *Calculation of sanitary sewage volume.* The sanitary sewage volume shall be based on 95 percent of metered water consumption.

(Code 1971, § 34-76)

Secs. 102-153—102-180. - Reserved.

DIVISION 4. - ELECTRICITY

Sec. 102-181. - Calculation of rates.

The rates to be charged by the public utilities board for furnishing electric energy and services in connection therewith shall be calculated, charged and collected monthly from the various classified users thereof according to the rate schedules set out in this division. The rates also provide for the recovery of deferred fuel costs previously incurred by the public

utilities board and recorded as an asset on the public utilities board balance sheet.

(Code 1971, § 34-83(a))

Sec. 102-182. - Sales taxes; surcharges for customers outside city limits.

- (a) The rates to be charged and collected by the public utilities board for electric energy furnished to customers inside the city limits shall be the base rates as set forth plus such city and state sales taxes applicable to service rendered.
- (b) Those customers receiving electric energy outside the city limits shall pay the base rates as set forth plus a surcharge equal to the amount of the city sales tax and shall pay any such applicable state sales taxes. However, the United States of America; the state; and all political subdivisions, agencies, and boards shall be exempt from such surcharge.

(Code 1971, § 34-83(b))

Sec. 102-183. - Inspection of premises.

No electric service shall be rendered by the public utilities board to any consumer at any premises until such time as the city electrical inspector shall have approved such premises for services.

(Code 1971, § 34-83(c))

Sec. 102-184. - Installation and maintenance of meters.

- (a) The public utilities board will install and properly maintain at its own expense such meters and metering equipment as may be necessary to measure the electric service used by the consumer.
- (b) All meters, wires and other appliances furnished by the public utilities board shall remain the property of the public utilities board, and the consumer shall properly protect the public utilities board's property on the consumer's premises.
- (c) If any loss or damage to property of the public utilities board is caused by or if such property is misused by the consumer or other unauthorized party, the cost of making good such loss or repairing such damage shall be paid by the consumer.

(Code 1971, § 34-83(d))

Sec. 102-185. - Meter testing.

Upon written notice, an electric meter will be tested by the public utilities board. If the meter when tested is found to be not more than two percent fast or slow, the expense of the test shall be paid by the consumer at a cost of \$10.00; otherwise the expense of the test will be borne by the public utilities board, and billing adjustments for a period not to exceed three months will be made.

(Code 1971, § 34-83(e))

Sec. 102-186. - Period of service.

Liability for electric service shall begin on the day the consumer's premises is connected to the public utilities board's service wires and shall continue thereafter, unless disconnected for nonpayment or other cause, until written notice is given the public utilities board by the consumer of his desire to terminate the service.

(Code 1971, § 34-83(f))

Sec. 102-187. - Transfer of service.

An application for transfer of electric service shall be made by the consumer to the public utilities board not less than 24 hours before such transfer is desired. Failure on the part of the consumer to make such application and to pay the service charge shall render the consumer liable for the minimum monthly charge for such service.

(Code 1971, § 34-83(g))

Sec. 102-188. - Estimate of bills when meters destroyed.

If the electric meter on a consumer's premises is destroyed by fire or otherwise or fails to register, the consumer will be billed for the period involved on the basis of previous consumption.

(Code 1971, § 34-83(h))

Sec. 102-189. - Indemnification against certain losses.

The consumer of electricity shall indemnify, hold harmless and defend the public utilities board from and against any and all liability or loss in any manner directly or indirectly growing out of the transmission and use of electrical energy by the consumer at or on the consumer's side of the point of delivery.

(Code 1971, § 34-83(i))

Sec. 102-190. - Resale of electricity prohibited.

Electric energy received under residential electric service, general service, municipal electric service and seasonal electric service shall be used for the consumer's direct use only. No resale of such electric energy shall be permitted.

(Code 1971, § 34-83(j))

Sec. 102-191. - Deposit.

- (a) The deposit for residential service shall be \$50.00 for electric service or any combination of electric, water or wastewater (sanitary sewer) services.
- (b) The deposit for nonresidential services shall be an amount equal to the charges for an average two-month period unless the applicant complies with rules and regulations concerning credit as established by the public utilities board. The minimum deposit for nonresidential electric service shall be \$200.00.

(Code 1971, § 34-82; Ord. No. 94-983-J, § 12, 11-2-1994)

Sec. 102-192. - Types and terms of service.

- (a) *Generally.* The types and terms of service available under the rate schedules established by this division are described in and are subject to the standard terms and conditions promulgated by the public utilities board, and the terms and conditions are incorporated in this division by reference.
- (b) *Authority to determine type of service.* The general manager of the public utilities board shall have the authority to determine what type of service shall be rendered by the city to each consumer.

(Code 1971, § 34-84; Ord. No. 99-983-T, § 1, 3-23-1999; Ord. No. 2001-983-X, § 1, 11-6-2001; Ord. No. 2010-1535, § 2, 9-27-2010)

Sec. 102-193. - Fuel, purchased energy and marketing charge (FPEM).

- (a) *Applicability.* Under every electric rate schedule, the calculation of the bill pursuant to the rates and charges therein, excluding the minimum bill, there shall be an additional charge related to power costs computed by applying a unit charge to the total kilowatt hours represented by the bill. Such unit charge shall be determined as provided herein below.
- (b) *Amount.* The amount of the charge is determined as follows:
 - (1) There shall be added to each kilowatt hour of retail electric sales a FPEM charge of \$0.02462 per kilowatt hour.
 - (2) The FPEM charge shall continue at a rate of \$0.02462 per kilowatt hour on a month-to-month basis for billing periods until such time as the general manager and chief executive officer of the public utilities board shall establish a monthly fuel, purchased energy and marketing charge at a level per kilowatt hour which avoids major fluctuations and will, as closely as reasonably possible, recover all fuel, purchased energy and power marketing costs.
 - (3) *Definition.* Fuel, purchased energy and marketing charge is defined to include (a) all fuel used for electrical generation and all variable costs of operation and fuel delivery, including, without limitation, costs for fuel handling, fuel transportation (whether by pipeline, rail or other means), fuel storage, modification of generation facilities for fuel intake, fuel metering, contract preparation, regulatory and litigation expenses related to fuel, and (b) all purchased power costs for firm, non-firm, economy and hourly energy, and all associated variable charges related thereto, including, without limitation, transmission charges, congestion charges, costs of congestion revenue rights, balancing costs, reliability must run costs, scheduling charges, ERCOT administrative fees and charges, load forecasts, engineering, contract preparation and regulatory expenses and litigation fees, and (c) All variable power marketing costs related to wholesale sale of power in excess of load requirements not recovered in the revenue from the sale, including, without limitation, qualified scheduling entity and other power marketing fees, ERCOT administrative fees and charges, congestion charges, cost of congestion revenue rights, balancing charges, reliability must run costs, transmission charges, load, forecasts, contract preparation fees, and related regulatory and litigation costs.

(Code 1971, § 34-85; Ord. No. 96-983-O, § 1, 5-21-1996; Ord. No. 96-983-P, § 8(34-85), 12-18-1996; Ord. No. 2005-983-Z, § 10, 7-5-2005)

Sec. 102-194. - Applicability of residential service.

The electric service furnished shall be single-phase, 60 hertz, 120/240 volts alternating current. This section is applicable for residential purposes in private dwellings and in separately metered individual family apartments which are served through one point of delivery and measured by one meter.

(Code 1971, § 34-86)

Sec. 102-195. - Residential service rates.

The rates to be charged and collected per month for residential electric service are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
(1) Customer charge:	\$5.25	\$5.62	\$6.01	\$6.49	\$6.94		
(2) Energy charge:							
First 500 kWh	\$0.04708	\$0.04862	\$0.05022	\$0.05241	\$0.05420	0.05141	0.04862
Over 500 kWh	0.05479	0.05964	0.06458	0.07058	0.07688	0.06826	0.05964
(3) Minimum monthly bill. The minimum monthly bill shall be equal to the customer service charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.							

(Code 1971, § 34-87; Ord. No. 93-983-I, § 1, 1-26-1993; Ord. No. 94-983-J, § 13, 11-2-1994; Ord. No. 95-983-M, § 9, 11-21-1995; Ord. No. 96-983-P, § 9(34-87), 12-18-1996; Ord. No. 2002-983-Y, § 7, 3-26-2002; Ord. No. 2005-983-Z, § 1, 7-5-2005; Ord. No. 2007-983-BB, § 1, 9-18-2007; Ord. No. 2010-1533, § 1, 9-27-2010; Ord. No. 2012-1569, § 1, 12-17-2012; Ord. No. 2022-1702, Exh. A, 5-3-2022)

Sec. 102-196. - General services definitions; applicability.

- (a) *General service nondemand (GS-ND)*. The electric service furnished under general service nondemand (GS-ND) shall be single phase, 60 hertz supplied at standard secondary voltages. General service nondemand (GS-ND) service is applicable where entire requirements on premises are supplied at one point of delivery and

measured by one meter and the customer's demand for the month is less than 50 kilowatts. When a customer on this rate establishes a demand of 50 kilowatts or greater, the general service demand rate will be applied for the current billing month plus a minimum of 11 succeeding billing months.

- (b) *General service demand (GS-D)*. The service furnished under general service demand (GS-D) shall be single or three phase, 60 hertz, alternating current supplied at standard voltage as available through one transformation point. General service demand (GS-D) service is applicable to light, heat and power at nominal primary or secondary voltage where entire requirements on the premises are supplied at one point of delivery and measured by one meter and the customer's demand for the month is at least 50 kilowatts, but excludes those to whom service is applicable under another rate schedule. Customers taking service under this rate will be charged the nondemand rate for the current billing month at such time as their demand has been below 50 kilowatts for 12 consecutive billing months.
- (c) *General service large demand (GS-LD)*. The service furnished under general service large demand (GS-LD) shall be single or three phase, 60 hertz, alternating current supplied at standard voltage as available through one transformation point. General service large demand (GS-LD) is applicable to light, heat and power at nominal primary or secondary voltage where the entire requirements on the premises are supplied at one point of delivery and measured by one meter and the customers metered demand for the month is in excess of 500 kW for customers otherwise qualifying for the general service large demand rate. The customer requesting in writing to be billed at the general service large demand rate shall remain on this GS-LD rate for at least 12 consecutive billing months after which the customer may elect to return to the GS-D rate.

(Code 1971, § 34-90; Ord. No. 96-983-P, § 10(34-90), 12-18-1996; Ord. No. 2011-983-CC, § 2, 8-2-2011)

Sec. 102-197. - General services rates.

- (a) *Base rate*. The base rate for general electric services is as follows:

- (1) *General service non-demand (GS-ND)*. The rates to be charged and collected monthly for electric energy furnished to consumers for general service non-demand are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
a. Customer charge:	\$5.50	\$5.86	\$6.24	\$6.71	\$7.18		
b. Energy charge:							
First 1,000 kWh	\$0.08197	\$0.08465	\$0.08744	\$0.09126	\$0.09529	0.08997	0.08465
Over 1,000 kWh	0.05053	0.05518	0.06001	0.06584	0.07158	0.06338	0.05518

c. Minimum monthly bill. The minimum monthly bill shall be equal to the customer service charge and any other taxes surcharges, charges and/or adjustments required by this chapter.

(2) *General service demand (GS-D)*. The rates to be charged and collected monthly for electric energy furnished to consumers for general service demand are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
a. Customer charge:	\$25.00	\$27.00	\$29.16	\$31.78	\$34.00		
b. Demand charge:							
First 25 kW	\$4.82	\$4.98	\$5.14	\$5.36	\$5.54	5.26	4.98
Next 75 kW	3.94	4.31	4.71	5.15	5.53	4.92	4.31
Next 200 kW	2.87	3.14	3.43	3.75	4.03	3.59	3.14
Over 300 kW	2.00	2.19	2.39	2.61	2.80	2.50	2.19
c. Energy charge:							
First 50 kWh per kw	\$0.05269	\$0.05441	\$0.05783	\$0.06267	\$0.06731	0.06086	0.05441
Next 100 kWh per kw	0.04473	0.04843	0.05235	0.05718	0.06123	0.05483	0.04843
Next 150 kWh per kw	0.03649	0.03951	0.04271	0.04665	0.04996	0.04474	0.03951
Over 300 kWh per kw	0.00527	0.00565	0.00606	0.00657	0.00706	0.00636	0.00565
d. Minimum monthly bill. The minimum monthly bill shall be equal to the customer service charge plus the demand charge and any other taxes, surcharges, charges and/or adjustment required by this chapter.							
e. When a consumer's metered monthly demand equals or exceeds 500 kW, the consumer shall have the							

option of transferring to the general service large demand (GS-LD) rate.

(3) *General service large demand (GS-LD).* The rates to be charged and collected monthly for electric energy furnished to consumers having a metered monthly demand in excess of 500 kW and qualifying for the general service large demand rate are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
a. Customer charge:	\$150.00	\$163.50	\$178.22	\$194.26	\$207.86		
b. Demand charge:							
All kW	\$5.74	\$6.27	\$6.85	\$7.49	\$8.05	7.16	6.27
c. Energy charge:							
First 300 kWh per kW	\$0.02505	\$0.02702	\$0.02935	\$0.03188	\$0.03405	0.03054	0.02702
All over 300 kWh per kW	0.00489	0.00505	0.00522	0.00545	0.00569	0.00537	0.00505
d. Minimum monthly bill. The minimum monthly bill shall be equal to the customer service charge plus the demand charge and any other taxes, surcharges, charges and/or adjustments required by this chapter. The minimum monthly demand shall be 500 kW.							
e. When a general service demand customer having a metered monthly demand equal to or exceeding 500 kW requests in writing to be billed at the GS-LD rate, the customer shall remain on the GS-LD rate for at least 12 consecutive billing months. The customer may then elect to return to the GS-D rate.							

(b) *Customer-owned facilities discount.* For all general service demand and general service large demand customers who own or lease and maintain and operate all transformation and distribution facilities on the customer's side of the metering point, a discount of \$0.15 per kilowatt will be applied to the base monthly demand charge.

- (c) *Primary metering adjustment.* Exclusive of a customer-owned facilities discount, all general service demand and service large demand customers who are rendered this electric service at a primary voltage of 12,470 volts or higher have a billing demand greater than 400 kilowatts shall receive a discount of 1.5 percent of their monthly demand energy charges.
- (d) *Transformer rental service.* For those customers who choose to rent rather than install their own transformation and distribution facilities, the public utilities board shall rent, operate, and maintain all transformer and related distribution facilities to a point as designated in a separate agreement. The monthly charge shall be computed to include the necessary capital recovery, operation, and maintenance costs and shall be at a rate of 1.33 percent per month of the installed cost including direct and indirect components.
- (e) *Power factor penalty.* For all general service demand and general service large demand customers establishing a metered kilowatt demand of 400 kilowatts or more, provisions shall also be made for metering kilovolt ampere demand. Should the power factor coincident with the peak measured demand during the month be above 90 percent, the customer's measured demand will be decreased for billing purposes by 0.4 percent for each one percent by which the power factor is above 90 percent. Should the coincident power factor during the month be below 90 percent, the customer's measured demand will be increased for billing purposes by 0.4 percent for each one percent by which the power factor is below 90 percent.

(Code 1971, § 34-91; Ord. No. 93-983-I, § 2, 1-26-1993; Ord. No. 94-983-J, § 14, 11-2-1994; Ord. No. 95-983-M, § 10, 11-21-1995; Ord. No. 96-983-P, § 11(34-91), 12-18-1996; Ord. No. 2002-983-Y, §§ 8, 9, 3-26-2002; Ord. No. 2005-983-Z, § 2, 7-5-2005; Ord. No. 2011-983-CC, § 3, 8-2-2011; Ord. No. 2012-1569, § 1, 12-17-2012; Ord. No. 2022-1702, Exh. A, 5-3-2022)

Sec. 102-198. - Billing demand.

The demand in kilowatts to be used for billing purposes under this division shall be the greater of the following:

- (1) The maximum of the average rate of energy used during any 15-minute interval during the month.
- (2) Eighty percent of the established maximum registered demand for the preceding 11 months.

(Code 1971, § 34-92)

Sec. 102-199. - Discounted rates for certain state institutions of higher education.

- (a) *Established.* The public utilities board shall discount charges for electric service provided to any facility of any four-year state university, upper-level institution, Texas State Technical College, or college (referred to as "state institution of higher education"). The discount shall be a 20 percent reduction of the electric base rates applicable to any facility of a state institution of higher education. Since an electric base rate includes all items except fuel, purchased energy, and marketing costs, the 20 percent discount shall be applied to the public utilities board's current electric rate applicable to any facility of a state institution of higher education. If a 20 percent discount results in a reduction greater than one percent of the public utilities board's total annual revenues or the city discounts base commercial rates for electric service provided to all four-year state universities or colleges in its service area by 20 percent or more or the city provides a discounted rate to the state for electric services below rates in effect on January 1, 1995 and the discounted rates provide a greater financial discount to the state than is provided to a state institution of higher education through the 20

percent discount provided by this section, the city has the sole discretion to repeal this section and terminate the reduction of 20 percent of the electric base rates applicable to any facility of a state institution of higher education.

- (b) *Applicability.* The discounted rate for electric service is applicable to electric service furnished to any facility of any state institution of higher education including security lighting and transformer rental service. Notwithstanding the application of the discounted rates for electric service to any facility of any state institution of higher education, subsections 102-196(a) and (b) pertaining to general services definitions and applicability shall apply to such electric service furnished to any facility of any state institution of higher education.
- (c) Base rate. The discounted rates to be charged and collected monthly for electric energy furnished to any facility of a state institution of higher education are equal to the sum of the charges itemized and fixed as follows:
- (1) Discounted rate for general service nondemand (GS-ND). The discounted rates to be charged and collected monthly for electric energy furnished to any facility of any state institution of higher education for general service nondemand are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
a. Customer charge:	\$4.40	\$4.69	\$4.99	\$5.37	\$5.74		
b. Energy charge:							
First 1,000 kWh	\$0.06558	\$0.06772	\$0.06995	\$0.07301	\$0.07623	0.07198	0.06772
Over 1,000 kWh	0.04042	0.04414	0.04801	0.05267	0.05726	0.05070	0.04414
c. Minimum monthly bill. The minimum monthly bill shall be equal to the discounted customer service charge, discounted energy charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.							

- (2) Discounted rate for general service demand (GS-D). The discounted rates to be charged and collected monthly for electric energy furnished to any facility of any state institution of higher education for general service demand are equal to the sum of the charges itemized and fixed as follows:

	Effective	Effective	Effective	Effective	Effective	Effective	Effective

	April 1, 2013	October 1, 2013	October 1, 2014	October 1, 2015	October 1, 2016	June 1, 2022	December 1, 2022
a. Customer charge:	\$20.00	\$21.60	\$23.33	\$25.42	\$27.20		
b. Demand charge:							
First 25 kW	\$3.86	\$3.98	\$4.11	\$4.29	\$4.43	4.21	3.98
Next 75 kW	3.15	3.45	3.77	4.12	4.42	3.94	3.45
Next 200 kW	2.30	2.51	2.74	3.00	3.22	2.87	2.51
Over 300 kW	1.60	1.75	1.91	2.09	2.24	2.00	1.75
c. Energy charge:							
First 50 kWh per kW	\$0.04215	\$0.04353	\$0.04626	\$0.05014	\$0.05385	0.04869	0.04353
Next 100 kWh per kW	0.03578	0.03874	0.04188	0.04574	0.04898	0.04386	0.03874
Next 150 kWh per kW	0.02919	0.03161	0.03417	0.03732	0.03997	0.03579	0.03161
Over 300 Kwh per kW	0.00422	0.00452	0.00485	0.00526	0.00565	0.00509	0.00452
d. Minimum monthly bill. The minimum monthly bill shall be equal to the discounted customer service charge plus the discounted demand charge, discounted energy charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.							

- (3) Discounted rate for general service large demand (GS-LD). The discounted rates to be charged and collected monthly for electric energy furnished to any facility of any state institution of higher education for general service large demand are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022

a. Customer charge:	\$120.00	\$130.80	\$142.58	\$155.41	\$166.29		
b. Demand charge:							
All kW	\$4.59	\$5.02	\$5.48	\$5.99	\$6.44	5.73	5.02
c. Energy charge:							
First 300 kWh per kW	\$0.02004	\$0.02162	\$0.02348	\$0.02550	\$0.02724	0.02443	0.02162
All over 300 kWh per kW	0.00391	0.00404	0.00418	0.00436	0.00455	0.00430	0.00404
d. Minimum monthly bill. The minimum monthly bill shall be equal to the discounted customer charge plus the discounted demand charge, discounted energy charge and other taxes, surcharges, charges and/or adjustments required by the chapter.							

- (d) *Security light fixtures.* Rates for security light fixtures for any facility of any state institution of higher education shall be discounted by 20 percent of the monthly rental charges for private security light fixtures as provided under section 102-218; provided, however, that no discount is applied to the fuel, purchased energy, and marketing charge charged under section 102-218(c). The public utilities board shall prepare and make available to any state institution of higher education a table of the discounted monthly rental charges upon request.
- (e) *Discount for transformer charge.* The public utilities board shall apply the 20 percent reduction, referred to in subsection (a) of this section, against the transformer rental service charge levied under existing contracts of the public utilities board for electric service to customers who have rented rather than installed their own substation equipment to qualify for the provision rate schedules which make it optional for the customer to take power at primary voltage. Under such existing contracts the public utilities board shall continue to rent, operate and maintain all transformers, accessories and service equipment to a point designated in the contract for electric service.
- (f) *Customer-owned facilities discount.* When the state institution of higher education qualifies as a general service demand or general service large demand customer who owns or leases and maintains and operates all transformation and distribution facilities on customer's side of the metering point, a discount of \$0.15 per kilowatt will be applied to the base monthly demand charge.
- (g) *Primary metering adjustment.* Exclusive of a customer-owned facilities discount, when the state institution of higher education qualifies as a general service demand or general service large demand customer who is rendered this electric service at a primary voltage of 12,470 volts or higher and has a billing demand greater

than 400 kilowatts, the customer shall receive a discount of 1.5 percent of its monthly discounted demand and discounted energy charge.

- (h) *Transformer rental service.* For those customers who choose to rent rather than install their own transformation and distribution facilities, the public utilities board shall rent, operate, and maintain all transformer and related distribution facilities to a point as designated in a separate agreement. The monthly charge shall be computed to include the necessary capital recovery, operation, and maintenance costs and shall be at a rate of 1.33 percent per month of the installed cost including direct and indirect components.
- (i) *Power factor penalty.* When the state institution of higher education qualifies as a general service demand or general service large demand customer and further establishing a metered kilowatt demand of 400 kilowatts or more, provisions shall also be made for metering kilovolt ampere demand. Should the power factor coincident with the peak measured demand during the month be above 90 percent, the customer's measured demand will be decreased for billing purposes by 0.4 percent for each one percent by which the power factor is above 90 percent. Should the coincident power factor during the month be below 90 percent, the customer's measured demand will be increased for billing purposes by 0.4 percent for each one percent by which the power factor is below 90 percent.

(Ord. No. 95-983-K, § 1, 9-5-1995; Ord. No. 95-983-M, § 14, 11-21-1995; Ord. No. 96-983-P, § 20, 12-18-1996; Ord. No. 2002-983-Y, §§ 10, 11, 3-26-2002; Ord. No. 2005-983-Z, § 3, 7-5-2005; Ord. No. 2011-983-CC, §§ 4, 5, 8-2-2011; Ord. No. 2012-1569, § 1, 12-17-2012; Ord. No. 2020-1569-B, § 2, 4-21-2020; Ord. No. 2022-1702, Exh. A, 5-3-2022)

Sec. 102-200. - Transformer rental service.

For those customers who choose to rent rather than install their own electric transformation and distribution facilities, the public utilities board shall rent, operate, and maintain all transformer and related distribution facilities to a point as designated in a separate agreement. The monthly charge shall be computed to include the necessary capital recovery, operation, and maintenance costs and shall be at a rate of 1.33 percent per month of the installed cost including direct and indirect components.

(Code 1971, § 34-94; Ord. No. 96-983-P, § 12(34-94), 12-18-1996)

Sec. 102-201. - Applicability of municipal electric service.

The municipal electric service rate is applicable to all electric service furnished to the city and the public utilities board for any purpose to include traffic and street lighting. No charge, however, shall ever be made for any power and associated energy furnished for such purposes. This rate shall be applied for record purposes only. Notwithstanding the application of the municipal service rate for municipal electric service, section 102-196(a) and (b) pertaining to general services definitions and applicability shall apply to such electric service furnished to the city and the public utilities board.

(Code 1971, § 34-100; Ord. No. 94-983-J, § 15, 11-2-1994; Ord. No. 95-983-M, § 11(34-100), 11-21-1995)

Sec. 102-202. - Municipal electric service rates.

- (a) *Base rate.* The base rate for municipal electric service shall be as follows:

- (1) *Municipal service nondemand (M-ND)*. The rates to be charged and collected monthly for electric energy furnished to consumers for municipal service nondemand are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
a. Customer charge:	\$2.35	\$2.51	\$2.69	\$2.91	\$3.11		
b. Energy charge:							
First 1,000 kWh	\$0.06674	\$0.07159	\$0.07681	\$0.08324	\$0.08941	0.08050	0.07159
Over 1,000 kWh	0.04157	0.04459	0.04784	0.05184	0.05568	0.05014	0.04459
c. Minimum monthly bill. The minimum monthly bill shall be equal to the customer service charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.							

- (2) *Municipal service demand (M-D)*. The rates to be charged and collected monthly for electric energy furnished to consumers for municipal service demand are equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
a. Customer charge:	\$3.80	\$4.07	\$4.35	\$4.70	\$5.03		
b. Demand charge:							
First 25 kW	\$4.00	\$4.29	\$4.60	\$4.98	\$5.35	4.82	4.29
Next 75 kW	3.16	3.39	3.64	3.94	4.23	3.81	3.39
Next 200 kW	2.32	2.49	2.67	2.89	3.10	2.80	2.49
Over 300 kW	1.61	1.73	1.86	2.02	2.17	1.95	1.73

c. Energy charge:

First 50 kWh per kW	\$0.04403	\$0.04723	\$0.05067	\$0.05491	\$0.05898	0.05311	0.04723
Next 100 kWh per kW	0.03246	0.03482	0.03736	0.04049	0.04349	0.03916	0.03482
Next 150 kWh per kW	0.02657	0.02850	0.03058	0.03314	0.03560	0.03205	0.02850
Over 300 Kwh per kW	0.00632	0.00678	0.00727	0.00788	0.00846	0.00762	0.00678

d. Minimum monthly bill. The minimum monthly bill shall be equal to the customer service charge plus the demand charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.

- (b) *Customer-owned facilities discount.* For all municipal service demand customers who own or lease and maintain and operate all transformation and distribution facilities on the customer's side of the metering point, a discount of \$0.15 per kilowatt will be applied to the base monthly demand charge.
- (c) *Primary metering adjustment.* Exclusive of a customer-owned facilities discount, all municipal service demand customers who are rendered this electric service at a primary voltage of 12,470 volts or higher and have a billing demand greater than 400 kilowatts shall receive a discount of 1.5 percent of their monthly demand and energy charges.
- (d) *Transformer rental service.* For those customers who choose to rent rather than install their own transformation and distribution facilities, the public utilities board shall rent, operate, and maintain all transformer and related distribution facilities to a point as designated in a separate agreement. The monthly charge shall be computed to include the necessary capital recovery, operation, and maintenance costs and shall be at a rate of 1.33 percent per month of the installed cost including direct and indirect components.
- (e) *Power factor penalty.* For all municipal service demand customers establishing a metered kilowatt demand of 400 kilowatts or more, provisions shall also be made for metering kilovolt ampere demand. The billing demand shall increase one percent for each one percent the customer's monthly power factor is below 90-percent lagging.

(Code 1971, § 34-101; Ord. No. 94-983-J, § 16, 11-2-1994; Ord. No. 95-983-M, § 12, 11-21-1995; Ord. No. 96-983-P, § 13(34-101), 12-18-1996; Ord. No. 2012-1569, § 1, 12-17-2012; Ord. No. 2022-1702, Exh. A, 5-3-2022)

Sec. 102-203. - Streetlight service application.

- (a) A request for installation of public streetlights shall be addressed to the city manager, who shall determine, based upon considerations of public welfare and availability of funds, if the installation should be made.
- (b) All costs of installing, operating and maintaining, exclusive of free service provisions, the public streetlight

system shall be paid by the general city government.

- (c) Ownership of the public street lighting system shall reside with the public utilities board. Installation, operation and maintenance of the public streetlight system shall be the responsibility of the public utilities board.

(Code 1971, § 34-102)

Sec. 102-204. - Streetlight service rates.

- (a) Streetlight service rates charged and collected for municipal streetlights are calculated under the M-ND rate, to which a fixed monthly charge based upon the public utilities board's operating and maintenance expenses shall be added until such time as section 102-204(b) may apply. The fixed monthly charge, which may be adjusted no more than once annually by the public utilities board in the manner provided under section 102-17(a), is equal to \$20,550.00.
- (b) Ten years after the date a city's municipal streetlights are converted to utilize only lighting utilizing light-emitting diode ("LED") technology, the streetlight service rates charged and collected for municipal streetlights are calculated under this section. Monthly capital recovery, operational and maintenance charges, exclusive of demand and energy charges, shall be as follows:

Fixture Size and Type	Monthly Charge
40-watt (LED) streetlight	\$7.14
50-watt (LED) streetlight	7.34
120-watt (LED) streetlight	8.58
125-watt (LED) streetlight	8.68
185-watt (LED) streetlight	9.78
200-watt (LED) streetlight	10.07
252-watt (LED) streetlight	10.97

- (c) To the extent a fixture size or type that is not listed in part (b) of this section is used as part of the utility systems, the public utilities board shall apply the monthly charge that most closely recovers the equivalent wattage for the type of streetlight indicated.
- (d) The fuel, purchased energy, and marketing charge as enumerated in section 102-193 shall be applicable to

streetlight service.

(Ord. No. 2020-1569-A, § 1, 1-21-2020; Ord. No. 2020-1569-B, § 1, 4-21-2020)

Editor's note— Ord. No. 2020-1569-A, § 1, adopted Jan. 21, 2020, repealed and reenacted § 102-204, as set out herein. The former 102-204 pertained to similar subject matter and derived from the Code of 1971, § 34-103.

Sec. 102-205. - Specifications for streetlight service.

Municipal street lighting service shall be through overhead fixtures supported by poles of the electric transmission and distribution system conforming to standard specifications and approved by the public utilities board. Special street lighting and standard street lighting installations, other than on existing poles with existing secondaries, shall be reimbursed by the city's general government as funds in aid of construction at actual direct costs plus indirect costs to the public utilities board.

(Code 1971, § 34-104)

Sec. 102-206. - Time of use rider (TOU rider) definition, availability and terms.

- (a) *Definition.* The time of use rider (TOU rider) service furnished under this section shall be three phase, 60 hertz, alternating current supplied at standard voltage as available through one transformation point for general service demand service or at 69,000 volts through one point of delivery for large industrial service.
- (b) *Availability.* At any point on the public utilities board's existing distribution system, this rider is offered as an optional experimental rider and is limited to 20 customers. The selection of participants from among the applicants for service on this rider is at the sole discretion of the public utilities board.
- (c) *Applicability.* This service applies to the general service demand (GS-D), general service large demand (GS-LD), and large industrial service (LIS) rates.
- (d) *Terms.* This option shall be available to any customer served under the general service demand (GS-D) or general service large demand (GS-LD), or large industrial service (LIS) rates, provided that all additional costs of providing such metering are paid by the customer.
- (e) *Designation of on-peak and off-peak hours.* The public utilities board's on-peak hours are designated as being from 1:00 p.m. to 7:00 p.m. each Monday through Friday during the summer months. Memorial Day, Labor Day, and Independence Day (July 4) shall not be considered on peak. Summer months as used in this section will be the five-month service period beginning with the revenue month of June and ending with the revenue month of October. Should the public utilities board's on-peak hours change, the customer will be notified 12 months prior to the time such change becomes effective. The public utilities board's off-peak hours are all hours of the year not designated as on-peak hours. On-peak and off-peak demands are defined as the maximum average rate of energy used during any 15-minute interval during on-peak and off-peak hours.
- (f) *Demand measurement.* The electrical demand of customers served under this rider shall be measured each 15-minute interval of the billing period.
- (g) *Billing demand.* The billing demand during the summer months shall be the contract demand, as mutually agreed upon, or the greatest average kilowatt demand measured in any 15-minute period between the hours of 1:00 p.m., and 7:00 p.m., each Monday through Friday, but not less than 50 kilowatts. The billing demand

during the remaining months of the year shall be the lesser of the measured demand or the largest demand during the preceding June—October period.

(Ord. No. 96-983-P, § 14, 12-18-1996; Ord. No. 2011-983-CC, § 6, 8-2-2011)

Sec. 102-207. - Economic development rider (EDR) definition, availability and terms.

- (a) *Definition.* The economic development rider (EDR) service furnished under this section shall be three phase, 60 hertz, alternating current supplied at 12,500 volts or higher, available through one transformation point.
- (b) *Availability.* This rider is available to a customer qualified for service under the public utilities board's general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates with 500 or more kilowatts demand and as more fully set forth in this section. This rider is available only when, in the sole opinion of public utilities board, there is sufficient system capacity and fuel to serve the requirements of its other customers and to maintain its spinning reserve. This rate is not applicable to customers who are not full requirements customers of the public utilities board or for temporary service for construction power. This rider is not applicable to relocations or transfers of load within the public utilities board service territory. This rider is not applicable for loads under an existing contract or for facilities under construction prior to the original effective date of this rider (December 18, 1996).
- (c) *Applicability.* This rider applies to a new customer or the additional load of an existing customer who is or may be, in the opinion of public utilities board, qualified for service under the general service demand (GS-D), or general service large demand (GS-LD), or large industrial service (LIS) rates and who meets the following criteria:
 - (1) The customer makes application for the rider which includes a notarized affidavit from an officer of the customer confirming that this rider was an important contributing factor in the customer's decision to add new or additional load.
 - (2) The new or additional load creates at least ten new jobs.
 - (3) The added monthly electrical demand of the customer is or is estimated to be at least 200 kilowatts.
 - (4) Application for service under this rider shall be accompanied by sufficiently detailed information to enable the public utilities board to determine whether the new customer or additional load meets the criteria in subsections (c) (1) through (3) of this section. This rider shall become effective upon board approval. Service under this rider is subject to a contract between the customer and public utilities board containing such terms and conditions as may be required by the public utilities board.
 - (5) The additional energy use is or is expected to be at least 20 percent greater than the base period energy.
 - (6) Complete electric power requirements. The customer agrees that public utilities board shall be the sole source of electricity used at the facility and agrees to purchase, during the term of the agreement, all of its electric power requirements from the public utilities board.
- (d) *Incentives.* Incentives are as follows:
 - (1) *Rate discounts.* The economic development rider (EDR) provides a five-year discounted rate on energy based on the marginal cost of energy on new or expanded energy or customers under the public utilities board's general service demand (GS-D), general service large demand (GS-LD), or large industrial service

(LIS) rates with loads of 500 kilowatts or more. For new customers, the incremental energy is the entire kilowatts per hour. For existing customers incremental energy is energy in excess of the base period kilowatts per hour. The base period is the 12-month period immediately preceding the month that service is provided under this rider or a period mutually agreed upon by the customer and public utilities board. Energy billed under the provisions of this rider shall be determined by subtracting from the then-current monthly usage the base period energy use divided by 12. All incremental energy for this rider is billed as follows:

First year, per kWh\$0.001

Second year, per kWh0.002

Third year, per kWh0.003

Fourth year, per kWh0.004

Fifth year, per kWh0.005

If at any time the public utilities board determines that its marginal average cost of energy for any customer or any new load exceeds the rates charged under this rider, it may, upon six months' notice, adjust the rates for that customer or new load to exceed the marginal average cost. If the scheduled rates as shown in this subsection exceed the then-billed rate for such energy, the lower value shall apply. The economic development rider provides a five-year discounted rate on energy. After the fifth contract year, this incentive provision shall cease. Demand charges will remain as provided under the public utilities board's general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates.

For existing customers with qualifying additional load, monthly energy charges during the five-year period of discounted energy rates for the base period kilowatts per hour will be a fixed amount based on the average base period kilowatts per hour energy use and average monthly base period kilowatt billing demand under the otherwise applicable rate. Average monthly base period kilowatt billing demand will be the sum of the base period kilowatt billing demand divided by 12.

- (2) *Local service facilities.* The public utilities board will not require a contribution in aid of construction for standard facilities installed to serve the customer if the expected revenues from the new load are, in the opinion of public utilities board, sufficient to justify the required investment in the facilities. A contract for a minimum term of electric service to be taken from the public utilities board may be required.
- (e) *Fuel and purchased energy charge.* There shall be added to the base rate of every electric rate schedule the currently effective fuel and purchased energy charge subject to section 102-193.
- (f) *Term.* The public utilities board may freeze the availability of this rider with respect to new loads at any time following the first anniversary of the initial offering of this rider. Any customer receiving service under this rider on the date it is frozen may continue to receive the benefits of the incentive provisions in this section through the remaining term of such customer's contract.

(Ord. No. 96-983-P, § 15(34-106), 12-18-1996; Ord. No. 2011-983-CC, § 7, 8-2-2011)

Sec. 102-208. - Off-peak service rider definition and availability.

- (a) *Definition.* The service furnished under the off-peak service rider shall be three phase, 60 hertz, alternating current supplied at standard voltage as available through one transformation point for general service demand service or at 69,000 volts through one point of delivery for large industrial service.
- (b) *Availability.* The off-peak service rider (OPSR) is available to customers receiving service at one point of delivery in conjunction with the public utilities board's general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates. This rider is offered as an optional experimental rider to the GS-D, GS-LD and LIS rates and is limited to 20 customers. The selection of participants from among the applicants for service on this rider is at the sole discretion of the public utilities board.

(Ord. No. 94-983-J, § 17(34-107), 11-2-1994; Ord. No. 2011-983-CC, § 8, 8-2-2011)

Sec. 102-209. - Off-peak service rider rate.

- (a) *Base rate.* The base rate for the off-peak service rider shall be as follows:
 - (1) *Customer charge.* The charge per month will be in accordance with the provisions of the rate schedule used in conjunction with this rider.
 - (2) *Demand charge.* The charge per kilowatt will be in accordance with the provisions of the rate schedule used in conjunction with this rider.
 - (3) *Energy charge.* The charge per kilowatt hour will be in accordance with the provisions of the rate schedule used in conjunction with this rider with a discount of 20 percent on the energy charge in months when the off-peak demand exceeds the highest demand established during on-peak hours in the 12 months ending with and including the current billing month.
 - (4) *Minimum monthly bill.* The minimum monthly bills shall be equal to the monthly customer service charge plus the demand charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.
- (b) *Fuel and purchased energy charge.* There shall be added to the base rate of every electric rate schedule the currently effective fuel and purchased energy charge subject to section 102-193.
- (c) *Designation of on-peak and off-peak hours.* The public utilities board's on-peak hours are designated as being from 1:00 p.m. to 7:00 p.m. each Monday through Friday during the summer months. Memorial Day, Labor Day, and Independence Day (July 4) shall not be considered on peak. Summer months as used in this section will be the five-month service period beginning with the revenue month of June and ending with the revenue month of October. Should the public utilities board's on-peak hours change, the customer will be notified 12 months prior to the time such change becomes effective. The public utilities board's off-peak hours are all hours of the year not designated as on-peak hours. On-peak and off-peak demands are defined as the maximum average rate of energy used during any 15-minute interval during on-peak and off-peak hours.
- (d) *Determination of billing demand.* The billing demand to be used in calculating the monthly bill will be

determined in accordance with the following:

- (1) If the current month's off-peak demand is equal to or less than the highest demand established during on-peak hours in the 12 months ending with and including the current month, the billing demand will be the highest of the following:
 - a. The current month's on-peak demand.
 - b. The current month's off-peak demand.
 - c. The rate schedule minimum demand.
 - d. Eighty percent of the maximum on-peak demand for the preceding 11 months.
- (2) If the current month's off-peak demand is greater than the highest demand established during on-peak hours in the 12 months ending with and including the current month, the billing demand will be the sum of subsections (d)(2)a and (d)(2)b of this section as follows:
 - a. The highest demand established during on-peak hours in the 12 months ending with and including the current month, but not less than the rate schedule minimum demand.
 - b. Forty-five percent of the off-peak demand that is in excess of the amount in subsection (d)(2)a of this section, rounded to the nearest whole kilowatt.

Subsections (d)(2)a and (d)(2)b of this section are not applicable to new customers taking service for the first time during the period starting November 1 and continuing through May 31 or for existing customers operating new facilities during such period. Under these circumstances, subsection (d)(2) of this section shall be the off-peak demand, but not less than the rate schedule minimum.

- (e) *Terms and conditions.* Service furnished under this rider is subject to all provisions of the rate schedule used in conjunction with the rider, except for those provisions which are specifically modified in this section.

(Ord. No. 94-983-J, § 18, 11-2-1994; Ord. No. 96-983-P, § 16(34-108), 12-18-1996)

Sec. 102-210. - Applicability of transformer rental service.

The charges in section 102-211 shall be made in conjunction by the public utilities board for electric service to consumers who rent rather than install their own transformation and distribution facilities. The public utilities board shall rent, operate and maintain all transformers and related distribution facilities to a point designated in a separate agreement.

(Code 1971, § 34-112)

Sec. 102-211. - Transformer rental service rate.

The monthly charge for transformer rental service shall be computed to include the necessary capital recovery, operation and maintenance cost and shall be at a rate of 1.67 percent per month of the installed cost, including direct and indirect components.

(Code 1971, § 34-113)

Sec. 102-212. - Applicability and rate for temporary service.

- (a) The rate schedule for temporary service is applicable for service for only a short period of time, such as to traveling shows, carnivals, fairs, church socials, Christmas lighting and building contractors. Service under this schedule will not be rendered for a period longer than six months.
- (b) Temporary service charges are made according to the cost of installation and removal of required facilities. Demand and energy charges are computed in accordance with those charges found in section 102-197. The public utilities board reserves the right to furnish such service only when proper equipment is available at the location and when the conditions set out in this schedule are met.

(Code 1971, § 34-114)

Sec. 102-213. - Church rider (CR) definition, availability and terms.

- (a) *Definition.* The service furnished under the church rider (CR) shall be single or three phase, 60 hertz, alternating current supplied at standard voltage as available through one transformation point for general service nondemand or general service demand service.
- (b) *Availability.* This service is available for all religious organizations which meet the requirements of the state comptroller of public accounts for exemption from the payment of state and local sales taxes. This rate is not available in conjunction with any other rate schedule rider.
- (c) *Discount.* The discount shall be equal to ten percent of the monthly base rate charges as calculated under the appropriate rate. The discount will not apply to the fuel and purchased energy charge. Additionally, the monthly bill shall exclude any local, state or federal sales taxes.

(Ord. No. 96-983-P, § 17(34-115), 12-18-1996)

Sec. 102-214. - Experimental load aggregation rider (ELAR).

- (a) *Definition.* The experimental load aggregation rider (ELAR) is designed to accommodate customers who are billed under the general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates and who have requested aggregation of electric service billing. Aggregate billing involves a customer with multiple metering points at more than one location. The demand (kilowatts) and energy (kilowatts per hour) for each service point are metered separately and totaled for all locations on a coincident basis. The billing kilowatts will be the maximum 15-minute measured coincident demand for all locations. The billing kilowatts per hour will be the sum of kilowatts per hour metered at each location. Aggregate billing applies only to the billing kilowatts and kilowatts per hour and the resulting charges. It does not apply to customer charges which are imposed at each meter location. Under this method, the customer pays a customer charge applicable for each location, as opposed to the multiple customer charges paid under summary billing. By aggregating demands, the customer's demand billing units will likely result in a lower total demand reflecting the diversity between the several metered locations and, therefore, a lower demand charge will result.
- (b) *Metering.* Application of the aggregation to billing procedures will require certain particular metering facilities that allow for the required collection of time-differentiated billing data. The public utilities board may require load profile information. The customer is responsible for phone lines for the meters.

- (c) *Applicability.* This experimental bill aggregation rider may be offered to customers at the general service demand, general service large demand (GS-LD), or large industrial service (LIS) rates and who have requested aggregation billings.
- (d) *Aggregated bills.* Requirements, measurements and billing for aggregated bills are as follow:
- (1) *Requirements.* Requirements are as follow:
 - a. Single, common ownership.
 - b. Must have coincident demand metering.
 - c. May aggregate bills only within rate classes.
 - d. Have combined monthly demands of 600 kilowatts or more for the previous 12 months or can demonstrate that future loads will be 600 kilowatts or more per month.
 - e. Service requested must include all of the customer's facilities in the certificated service area of the public utilities board.
 - (2) *Measurements.* Measurements are as follow:
 - a. Aggregated kilowatts per hour equals the summation of individually metered kilowatts per hour.
 - b. Aggregated kilowatts equals the maximum coincident demand for the month determined by aggregating individually metered kilowatts, adjusted for primary metering as applicable, for each hour of the service and identifying the maximum aggregated kilowatt amount.
 - c. Customer service charges apply for each metered location.
 - (3) *Billing.* Billing shall be as follows:
 - a. The monthly billed energy (kilowatts per hour) charge shall be the aggregated energy times the applicable energy rate for the particular rate class being aggregated.
 - b. The monthly billed demand charge will be the maximum coincident demand of all meters resulting from the aggregation (integration) of individually metered demands times the applicable demand rate for the particular rate class being aggregated.
 - c. The customer service charge shall be applied to each meter location.
 - d. Discounts offered for primary metering will continue to be given for measurements at the primary level. Primary metering discounts will be computed as if the primary metered location were not being aggregated with other meter locations. The dollar amount of the discount so computed will be applied to the customer's aggregated billing for the month.
- (g) *Term.* This rider shall be in force for a period of 12 months from the customer's first billing month and may be renewed by mutual agreement of the customer and the public utilities board. Thereafter, this term shall renew based on mutual agreement of the customer and the public utilities board.

(Ord. No. 99-983-S, § 2, 2-3-1999; Ord. No. 99-983-U, § 1(34-116), 3-23-1999; Ord. No. 2011-983-CC, § 9, 8-2-2011)

Sec. 102-215. - Definition and availability of large industrial service.

- (a) *Definition.* Large industrial service shall be three phase, 60 hertz, alternating current supplied at 69,000 volts through one point of delivery.

- (b) *Availability.* Large industrial service (LIS) is available under the public utilities board's contract for electric service for a minimum period of five years. The contract for electric service shall contain provisions for a minimum one-year notice of cancellation. Such notice of cancellation can be provided one year prior to the expiration of the contract. The contract capacity will be 10,000 kilowatts or more.

(Ord. No. 93-983-I, § 3, 1-26-1993)

Sec. 102-216. - Large industrial service rate.

- (a) *Base rate.* The rate to be charged and collected per month for large industrial services is equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016	Effective June 1, 2022	Effective December 1, 2022
(1) Customer charge:	\$112.63	\$120.51	\$128.95	\$139.26	\$149.01		
(2) Demand charge:							
All kW	8.73	9.34	10.00	10.80	11.55	10.45	9.34
(3) Energy charge:							
All kWh	0.00597	0.00639	0.00684	0.00738	0.00790	0.00715	0.00639
(4) Minimum monthly bill. The minimum monthly bill shall be equal to the monthly customer service charge plus the demand charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.							

- (b) *Determination of billing demand.* The demand in kilowatts to be used for billing under this section shall be the greater of the following:
- (1) The maximum of the average rate of energy used during any 15-minute interval during the month.
 - (2) Eighty percent of the established maximum registered demand for the preceding 11 months.
 - (3) The contract capacity.
- (c) *Fuel and purchased energy charge.* There shall be added to the base rate of every electric rate schedule the currently effective fuel and purchased energy charge subject to [section 102-193](#).
- (d) *Substation rental service.* For those customers who choose to rent rather than install their own

transformation facilities, the public utilities board shall rent, operate, and maintain all required facilities as designated in a separate agreement. The monthly charge shall be computed to include the necessary capital recovery, operation, and maintenance costs and shall be at a rate of 1.33 percent per month of the installed cost including direct and indirect components.

- (e) *Metering voltage.* If service is metered on the low voltage side of any transformation, one percent of the metered kilowatt hours will be added to metered energy for billing to cover transformer losses.

(Ord. No. 93-983-I, § 4, 1-26-1993; Ord. No. 96-983-P, § 18(34-118), 12-18-1996; Ord. No. 2012-1569, § 1, 12-17-2012; Ord. No. 2022-1702, Exh. A, 5-3-2022)

Sec. 102-217. - Applicability of private security lighting.

- (a) Private security lighting service shall be provided solely for security purposes and in accordance with adopted policies and requirements of the public utilities board. Application for arrangement for such service shall be made through and contracted for by the consumer with the public utilities board. The contractual arrangement may require a nonrefundable prepayment of a specified number of months' charges not to exceed 12 before service is rendered to ensure against loss for early cancellation of the service by the consumer. Consumer-initiated relocations of rental security light equipment shall be performed solely at the consumer's expense. The consumer shall also be required to pay any extraordinary costs associated with primary and secondary line extensions to the point of designated service. Such service provided by the public utilities board shall be on existing poles, inside and outside the corporate city limits, to any consumer already receiving electric service by the public utilities board.
- (b) The contractual arrangement shall specify in detail the billable units (fixtures) to be furnished and shall allow the public utilities board reasonable access across private property for the purposes of maintaining facilities supplied. Contractual arrangements for service by firms, partnerships, associations and corporations shall be tendered only by their duly authorized agents, and the official title of such party shall be signed to the application.

(Code 1971, § 34-119)

Sec. 102-218. - Private security lighting rates.

- (a) The monthly rental charges for private security light fixtures are as follows:

Fixture Size and Type	Monthly Charge
40-watt (LED) Area	\$12.53
40-watt (LED) Flood	13.02
50-watt (LED) Area	13.80
50-watt (LED) Flood	14.77

100-watt (HPS) Area	20.55
100-watt (HPS) Flood	20.68
100-watt (MH) Area	20.42
100-watt (MH) Flood	20.61
120-watt (LED) Area	15.41
120-watt (LED) Flood	15.89
125-watt (LED) Area	17.87
125-watt (LED) Flood	18.80
150-watt (HPS) Area	21.97
150-watt (HPS) Flood	22.05
150-watt (MH) Area	21.64
185-watt (LED) Area	16.84
185-watt (LED) Flood	19.60
200-watt (LED) Area	19.41
200-watt (LED) Flood	24.83
250-watt (HPS) Area	23.94
250-watt (HPS) Flood	23.82
250-watt (MH) Area	23.87
250-watt (MH) Flood	23.71
252-watt (LED) Area	22.08

252-watt (LED) Flood	22.08
400-watt (HPS) Area	27.42
400-watt (HPS) Flood	27.45
400-watt (MH) Area	27.29
400-watt (MH) Flood	27.18
1000-watt (HPS) Area	40.30
1000-watt (HPS) Flood	40.65
1000-watt (MH) Area	40.03
1000-watt (MH) Flood	40.23

- (b) To the extent a fixture size or type that is not listed in part (a) of this section is used as part of the utility systems, the public utilities board shall apply the monthly charge that most closely recovers the equivalent wattage for the type of fixture indicated.
- (c) The fuel, purchased energy, and marketing charge as enumerated in section 102-193 shall be applicable to private security lighting service.

(Ord. No. 2020-1569-A, § 2, 1-21-2020)

Editor's note— Ord. No. 2020-1569-A, § 2, adopted Jan. 21, 2020, repealed and reenacted § 102-218, as set out herein. The former 102-218 pertained to similar subject matter and derived from the Code of 1971, § 34-120; Ord. No. 93-983-I, § 5, adopted Jan. 26, 1993; Ord. No. 95-983-L, § 1, adopted Sept. 26, 1995; Ord. No. 95-983-M, § 13, adopted Nov. 21, 1995; Ord. No. 96-983-P, § 19, adopted Dec. 18, 1996; Ord. No. 99-983-V, § 1, adopted Dec. 1, 1999; Ord. No. 2005-983-Z, § 4, adopted July 5, 2005; Ord. No. 2012-1569, § 1, adopted Dec. 17, 2012.

Sec. 102-219. - Definition and availability of large industrial service II.

- (a) *Definition.* Large industrial service II shall be three phase, 60 hertz, alternating current supplied at 138,000 volts through one point of delivery.
- (b) *Availability.* Large industrial service II is available under the public utilities board's contract for electric service for a minimum period of ten years. The contract for electric service shall contain provisions for a minimum

one-year notice of cancellation. Such notice of cancellation can be provided one year prior to the expiration of the contract. The contract capacity will be 3,000 kilowatts or more.

(Ord. No. 98-983-R(A), § 1(34-121), 7-13-1998)

Sec. 102-220. - Large industrial service II rates.

- (a) *Base rate.* The rate to be charged and collected per month for large industrial service II is equal to the sum of the charges itemized and fixed as follows:

	Effective April 1, 2013	Effective October 1, 2013	Effective October 1, 2014	Effective October 1, 2015	Effective October 1, 2016
(1) Customer charge:-	—	—	—	—	—
(2) Demand charge:					
All kW	—	—	—	—	—
(3) Energy charge, based on the public utilities board's annualized cost of fuel (i.e., natural gas and coal) for the given time period:					
All kWh	\$0.06309	\$0.06499	\$0.06703	\$0.06954	\$0.07195
(4) Minimum monthly bill. The minimum monthly bill can be equal to the monthly customer service charge plus the demand charge and any other taxes, surcharges, charges and/or adjustments required by this chapter.					

- (b) *Fuel and purchased energy charge.* There shall be added to the base rate on a yearly basis the annualized effective fuel and purchased energy charge subject to section 102-193.
- (c) *Substation rental service.* For those customers who choose to rent rather than install their own transformation facilities, the public utilities board shall rent, operate and maintain all required facilities as designated in a separate agreement. The monthly charge shall be determined.
- (d) *Metering voltage.* If service is metered on the low voltage side of any transformation, three percent of the metered kilowatt hours will be added to metered energy for billing to cover transformer losses.

(Ord. No. 98-983-R(A), § 1(34-122), 7-13-1998; Ord. No. 2012-1569, § 1, 12-17-2012)

Sec. 102-221. - Experimental economic development rider (EEDRB).

- (a) *Definition.* The service furnished under the experimental economic development rider (EEDRB) shall be three phase, 60 hertz, alternating current supplied at 12,500 volts or higher, available through one transformation point. This experimental rider is designed to encourage and retain service to large customers with high load factors which contribute to increased employment in the community.
- (b) *Metering.* All costs related to installation, reading, and maintenance of meters, as may be required, will be borne by the public utilities board.
- (c) *Applicability.* This rider applies to new or existing customers which qualify for service under the general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates which meet the following criteria:
 - (1) The customer shall make application for this rider which includes, in addition to the normally required customer data, a notarized affidavit from an officer of the customer confirming that this rider was an important contributing factor in the customer's decision to receive electric service for new or additional load.
 - (2) The customer shall provide new or additional load which creates at least 20 permanent new jobs in the community.
 - (3) The added monthly electrical demand of the customer is or is estimated to be at least 600 kilowatts.
 - (4) The monthly load factor will be at least 80 percent. The monthly load factor will be determined as follows:
Billing load factor, for any billing period, shall be computed as follows:

BLF = M kWh / (M kW × D × 24)

Where:

BLF	=	Billing load factor
M kWh	=	Metered kWh usage
M kW	=	Maximum metered noncoincidental demand
D	=	Number of days in the billing period

- (5) For existing facilities, the additional energy use is or is expected to be at least 20 percent greater than the base period energy.
- (6) Application for service under this rider shall be accompanied by sufficiently detailed information to enable the public utilities board to determine whether the new customer or additional load meets the criteria in subsections (c) (1) through (5) of this section. Service under this rider is subject to a determination by the

public utilities board that the prospective customer meets the criteria for service under this rider and may be subject to a contract between the customer and the public utilities board containing additional terms and conditions.

- (7) This rider is not available in conjunction with any other service riders, except the experimental load aggregation rider to customers who are not full requirement customers of the public utilities board or for temporary service for construction power.

(d) *Rate incentives.*

- (1) *[Rate discounts.]* The economic development rider (EEDRB) provides a credit of \$6.50 per megawatt hour on energy based for customers under the public utilities board's general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates, with loads of 600 kilowatts or more and a monthly load factor of 80 percent or more. For new customers, the incremental energy is the entire monthly energy (kilowatt hours). For existing customers, incremental energy is energy in excess of the base period kilowatt hours. The base period is the 12-month period immediately preceding the month that service is initially provided under this rider divided by 12, or a period mutually agreed upon by the customer and the public utilities board.

For any billing period where the customer's established metered demand is less than 600 kilowatts or the billing factor is less than 80 percent, billing will be in accordance with the provisions of the public utilities board's general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates, and the discount will not apply to the billing period.

If this rider is used in conjunction with the primary service or the experimental load aggregation rider, the discount will be applied to the individual billings using individual demand and energy use and the appropriate rates.

If at any time the public utilities board determines that its marginal average cost of energy for any customer or any new load exceeds the average net energy rates, including the credit, charged under this rider, the public utilities board may, upon 12 months' notice, adjust the rates so that they exceed the marginal average cost of energy.

The experimental economic development rider provides this discount rate on energy for a specified term after which this discount provision shall cease.

- (2) *Demand billing.* Demand rates will remain as provided for under the public utilities board's general service demand (GS-D), general service large demand (GS-LD), or large industrial service (LIS) rates. The base period demand (kilowatts) will be the average monthly demand immediately preceding the month service is initially provided under this rider.
- (3) *Local service facilities.* The customer shall not be required to make a contribution in aid of construction for standard facilities installed to serve the customer if the expected revenues from the new load are, in the opinion of the public utilities board, sufficient to justify the required investment in the facilities. A contract for a minimum term of electric service to be taken from the public utilities board may be required.

- (e) *Fuel and purchased energy charge.* There shall be added to the base rate of every electric rate schedule the

currently effective fuel and purchased energy charge subject to section 102-193.

- (f) *Other charges.* All other charges will be in accordance with the provisions of the applicable public utilities board's rates and charges.
- (g) *Term.* Service under this rider shall be discontinued if the customer's monthly billing demand falls below 600 kilowatts for more than six consecutive months or if the customer's monthly load factor falls below 80 percent for six consecutive months, unless waived by the public utilities board.
- (h) *Restrictions.* Availability of this rider may be frozen with respect to new loads at any time following the first anniversary of the initial offering. Any customer receiving service under this rider on the date it is frozen may continue to receive the benefits of the incentive provisions in this section through the first 12 months of such customer's contract.

(Ord. No. 99-983-S, § 1(34-123), 2-3-1999; Ord. No. 2011-983-CC, § 10, 8-2-2011)

Secs. 102-222—102-250. - Reserved.