

ORDINANCE NO. 030280  
0-03-80

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (5) NATURAL GAS OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING NATURAL GAS BASE RATES AND ADJUSTING THE MANUFACTURED GAS PLANT COST RECOVERY FACTOR; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

**WHEREAS**, at least ten (10) days notice has been given of the public hearings once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearings in the City Commission meeting room, first floor, City Hall, City of Gainesville; and

**WHEREAS**, the public hearings were held pursuant to the published notices described above at which hearings the parties with interest and all others had an opportunity to be and were, in fact, heard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

**Section 1.** Appendix A, Section Utilities(5) Natural Gas of the Gainesville Code of Ordinances is amended to read as follows:

(5) *Natural gas:*

a. Appliance service and repair charges (§27-279):

1. Trip charge..... \$ 25.00
2. Labor charge, per one-half hour ..... \$ 18.50

Minimum charge of one-half hour; total charge in one-half hour increments

3. In addition, for other than normal working hours (8:00 a.m. to 5:00 p.m.,

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- 1 M-F, excluding city holidays), per one-half hour ..... \$ 18.50
- 2 b. Residential service rates (§27-272):
- 3 1. Base rate. The rates to be charged and collected for natural gas sales
- 4 on a firm basis furnished by the City to consumers for residential service
- 5 are hereby fixed as follows:
- 6 (i) Customer charge, per month, per bill rendered ..... \$ ~~6.90~~ 7.04
- 7 (ii) Energy charge, per therm ..... \$ ~~0.39742~~ 0.40537
- 8 (iii) Manufactured gas plant cost recovery factor, per therm ..... \$ ~~0.0207~~ 0.0321
- 9 2. Minimum Monthly Bill. The minimum monthly bill shall be equal to the
- 10 customer charge.
- 11 3. Purchased gas adjustment. (see Section 27-273)
- 12 c. General service rates (§27-272):
- 13 1. Base rate. The rates to be charged and collected for natural gas sales
- 14 on a firm basis furnished by the City to consumers for general service
- 15 are hereby fixed as follows:
- 16 (i) Customer charge, per month, per bill rendered ..... \$ ~~47.25~~ 17.60
- 17 (ii) Energy Charge, per therm..... \$ ~~0.23029~~ 0.23490
- 18 (iii) Manufactured gas plant cost recovery factor, per therm ..... \$ ~~0.0207~~ 0.0321
- 19 2. Minimum Monthly Bill. The minimum monthly bill shall be equal to the
- 20 customer charge.
- 21 3. Purchased gas adjustment. (see Section 27-273)
- 22 d. Interruptible service rates (§27-272):
- 23 1. Base rate. The rates to be charged and collected for natural gas sales
- 24 on an interruptible basis furnished by the City to consumers for
- 25 interruptible service are hereby fixed as follows:
- 26 (i) Customer charge, per month, per bill rendered ..... \$ ~~345.00~~ 351.90
- 27 (ii) Energy charge, per therm ..... \$ ~~0.16817~~ 0.17153

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- 1           (iii) Manufactured gas plant cost recovery factor, per therm ..... \$ ~~0.0207~~ 0.0321
- 2           2. Minimum Monthly Bill. The minimum monthly bill shall be equal to the customer
- 3           charge plus a minimum billing volume of natural gas as specified in the interruptible
- 4           service contract.
- 5           3. Purchased gas adjustment. (see Section 27-273)
- 6           4. Make-up gas. If, in any month, the consumer does not take the minimum monthly
- 7           quantity and as a consequence is required to pay the sum of the non-fuel energy
- 8           charge and the manufactured gas plant cost recovery factor for natural gas not
- 9           taken, then and in that event, the consumer shall be entitled to receive from the City
- 10          without payment of a further non-fuel energy charge and manufactured gas plant
- 11          cost recovery factor, at any time within the subsequent eleven (11) months, a
- 12          quantity of make-up gas equal to the quantity paid for but not taken; provided,
- 13          however, that consumer shall be entitled to receive make-up gas in a subsequent
- 14          month only if and to the extent that the consumer has actually taken natural gas
- 15          (excluding any natural gas taken in violation of an interruption or curtailment order)
- 16          in excess of the minimum monthly quantity during such subsequent month. The
- 17          minimum monthly quantity shall in each subsequent month be the first natural gas
- 18          taken. Consumer shall pay the Purchased Gas Adjustment charge applicable to
- 19          such make-up gas at the time it is taken.
- 20          5. Availability. This service is available to consumers in the natural gas service area
- 21          both within and outside the corporate limits of the City who have executed an
- 22          Interruptible Gas Service Contract with the City and only to the extent that supplies
- 23          are available for this service under the City's service contracts with its suppliers.
- 24          e. Contract interruptible service rates (§27-272):
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1. Base rate. The rates to be charged and collected for natural gas sales on an interruptible basis furnished by the City to consumers for contract interruptible service are hereby fixed as follows:

- (i) Customer charge, per month, per bill rendered ..... \$~~345.00~~ 351.90
- (ii) Energy charge, per therm. A contract rate which is not less than the adjusted current cost of alternative fuel and which is not greater than the sum of the non-fuel energy charge and the manufactured gas plant cost recovery factor for interruptible service. In no event shall the contract rate be less than \$0.00 per therm. The non-fuel energy charge for a consumer not complying with the provisions of section 5(ii) below shall be equal to the sum of the current non-fuel energy charge and the manufactured gas plant cost recovery factor for interruptible service.

2. Minimum Monthly Bill. The minimum monthly bill shall be equal to the customer charge plus a minimum billing volume of natural gas as specified in the contract interruptible service contract.

3. Purchased gas adjustment. (see Section 27-273)

4. Make-up gas. If, in any month, the consumer does not take the minimum monthly quantity and as a consequence is required to pay the sum of the non-fuel energy charge and the manufactured gas plant cost recovery factor for natural gas not taken, then and in that event, the consumer shall be entitled to receive from the City without payment of a further non-fuel energy charge and manufactured gas plant cost recovery factor, at any time within the subsequent eleven (11) months, a quantity of make-up gas equal to the quantity paid for but not taken; provided, however, that consumer shall be entitled to receive make-up gas in a subsequent month only if and to the extent that the consumer has actually taken natural gas (excluding any natural gas taken in violation of an interruption or curtailment order) in excess of the minimum monthly quantity during such subsequent month. The

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1 minimum monthly quantity shall in each subsequent month be the first natural gas  
2 taken. Consumer shall pay the Purchased Gas Adjustment charge applicable to  
3 such make-up gas at the time it is taken.

4 5. Availability. This service is available to consumers in the natural gas service area  
5 both within and outside the corporate limits of the City:

6 (i) who have executed an Contract Interruptible Gas Service Contract with the  
7 City; and,

8 (ii) who have completed and submitted a Contract Interruptible Service Affidavit  
9 and Agreement form specifying their adjusted current cost of alternative fuel.

10 Such forms shall be submitted monthly, on the first day of each month, and  
11 anytime there is a change to information contained in a form previously  
12 submitted; and,

13 (iii) only to the extent that supplies are available for this service under the City's  
14 service contracts with its suppliers.

15 The city reserves the right, upon twenty-four (24) hours notice to the consumer and  
16 in the sole discretion of the general manager for utilities or his/her designee, to  
17 discontinue service under this rate classification or to discontinue the contract rate  
18 and to offer the consumer an increased contract rate, not to exceed the current  
19 non-fuel energy charge for interruptible service.

20 f. Large volume interruptible service rates (§27-272):

21 1. Base rate. The rates to be charged and collected for natural gas sales on an  
22 interruptible basis furnished by the City to consumers for large volume interruptible  
23 service are hereby fixed as follows:

- 24 (i) Customer charge, per month, per bill rendered ..... \$ ~~345.00~~ 351.90  
25 (ii) Energy charge, per therm ..... \$ ~~0.10280~~ 0.10486  
26 (iii) Manufactured gas plant cost recovery factor, per therm ..... \$ ~~0.0207~~ 0.0321  
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2. Minimum Monthly Bill. The minimum monthly bill shall be equal to the customer charge plus the minimum monthly quantity of 790,000 therms times the rate per therm, excluding the Purchased Gas Adjustment, and shall apply to each billing or portion thereof.

3. Purchased gas adjustment. (see Section 27-273)

4. Make-up gas. If, in any month, the consumer does not take the minimum monthly quantity and as a consequence is required to pay the sum of the non-fuel energy charge and the manufactured gas plant cost recovery factor for natural gas not taken, then and in that event, the consumer shall be entitled to receive from the City without payment of a further non-fuel energy charge and manufactured gas plant cost recovery factor, at any time within the subsequent eleven (11) months, a quantity of make-up gas equal to the quantity paid for but not taken; provided, however, that consumer shall be entitled to receive make-up gas in a subsequent month only if and to the extent that the consumer has actually taken natural gas (excluding any natural gas taken in violation of an interruption or curtailment order) in excess of the minimum monthly quantity during such subsequent month. The minimum monthly quantity shall in each subsequent month be the first natural gas taken. Consumer shall pay the Purchased Gas Adjustment charge applicable to such make-up gas at the time it is taken.

5. Availability. This service is available to consumers in the natural gas service area both within and outside the corporate limits of the City who have executed a Large Volume Interruptible Gas Service Contract with the City and only to the extent that supplies are available for this service under the City's service contracts with its suppliers.

g. Liquid propane gas service rates (§27-288.1):

1 1. Base rate. The rates to be charged and collected for liquid propane gas sales  
2 furnished by the City to consumers are hereby fixed as follows:

- 3 (i) Customer charge, per month, per bill rendered ..... \$ ~~6.90~~ 7.04  
4 (ii) Energy charge (Non-fuel), per gallon. A contract rate which shall equal the  
5 sum of the current non-fuel energy charge for residential natural gas  
6 customers and one of the following fixed charges as determined by the  
7 general manager for utilities or his/her designee:  
8 A. Three-year recovery, per gallon ..... \$ 0.15  
9 B. Five-year recovery, per gallon ..... \$ 0.10  
10 C. Seven-year recovery, per gallon ..... \$ 0.075  
11 D. More than seven-year recovery, per gallon ..... \$ 0.03

12 2. Minimum Monthly Bill. The minimum monthly bill shall be equal to the  
13 customer charge.

14 3. Liquid propane purchased gas adjustment. (see Section 27-288.2)

15 h. Curtailment penalty, per therm (§ 27-277(b)(3)) ..... \$1.75  
16

17 **Section 2.** It is the intention of the City Commission that the provisions of  
18 Section 1 of this Ordinance shall become and be made a part of the Code of  
19 Ordinances of the City of Gainesville, Florida, and that the Sections and Paragraphs of  
20 this Ordinance may be renumbered or relettered in order to accomplish such intentions.

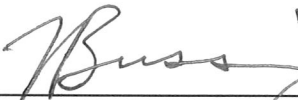
21 **Section 3.** All ordinances, or parts of ordinances, in conflict herewith are to the  
22 extent of such conflict hereby repealed.

23 **Section 4.** If any portion of this ordinance is declared invalid by a court of  
24 competent jurisdiction, such invalidity shall not affect the remaining portions of this  
25 ordinance.

1           **Section 5.** This ordinance shall take effect immediately upon its adoption;  
2 provided however, the rates and charges as provided for herein shall be applicable to all  
3 monthly bills which are for the first time rendered and postmarked after 12:01 A.M.,  
4 October 1, 2003.


5           PASSED and ADOPTED this 8th day September, 2003.

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Thomas D. Bussing  
Mayor

ATTEST:

  
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Clerk of the Commission

Approved as to form and legality  
  
\_\_\_\_\_  
Marion J. Radson  
City Attorney           SEP - 9 2003

This ordinance passed on first reading this 25th day of August, 2003.

This ordinance passed on second reading this 8th day of September, 2003.