

ORDINANCE NO. 090284
0-09-46

AN ORDINANCE AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY OF THE GAINESVILLE CODE OF ORDINANCES BY INCREASING ELECTRIC BASE RATES AND CUSTOMER SERVICE CHARGES; ADDING A RENTAL LIGHT CATEGORY AND RATE FOR LED LIGHTING; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

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 in the parties in 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 (1) Electricity of the Gainesville Code of Ordinances is hereby amended to read as follows:

UTILITIES

(1) Electricity

- a. Reserved.
- b. Reserved.

c. Additional monthly billing charge for meter read by consumer (§ 27-8(b)) \$ 1.00

d. General Service, Time-of-Demand meter installation (§ 27-21) \$200.00

e. Breaking of meter-pan seal (§ 27-26.2(e)) \$ 10.00

f. Residential service rates (§ 27-27):

1. Base rate. The rates to be charged and collected for electric energy furnished by the city to consumers for residential service are hereby fixed as follows:

(i) Non-time-differentiated rate. All residential customers may elect service at this rate:

(A) Customer charge, per month ~~\$ 7.60~~\$8.45

(B) First 250 kilowatt hours per month, per kWh

Generation, taxable fuel \$0.00650

Generation, non-fuel ~~\$0-0085~~00869

Transmission ~~\$0-0007~~00080

Distribution ~~\$0-0103~~01201

Total, per kWh ~~\$0-0260~~02800

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

| | | |
|----|--|----------------------------------|
| 1 | (C) All kWh per month between 250 and 750 kilowatt hours per month, per kWh | |
| 2 | Generation, taxable fuel | \$0.0065 |
| 3 | Generation, non-fuel | \$0.0260 <u>0245</u> |
| 4 | Transmission | \$0.0022 <u>0020</u> |
| 5 | Distribution | \$0.0313 <u>0340</u> |
| 6 | Total, per kWh | \$0.0660 <u>0670</u> |
| 7 | (D) All kWh per month over 750, per kWh | |
| 8 | Generation charge, taxable fuel | \$0.0065 |
| 9 | Generation, non-fuel | \$0.0400 <u>0388</u> |
| 10 | Transmission charge | \$0.0033 <u>0032</u> |
| 11 | Distribution charge | \$0.0482 <u>0535</u> |
| 12 | Total charge, per kWh | \$0.0980 <u>1020</u> |
| 13 | (ii) Time-of-use rate. All residential customers may elect service at this rate, except that | |
| 14 | the city may, at its option, limit the number of customers and type of residences which | |
| 15 | will be served at this rate. | |
| 16 | (A) Customer charge, per month | \$17.60 |
| 17 | Note: The time-of-use rate customer charge includes a base customer charge of | |
| 18 | \$7.60 per month and an additional charge of \$10.00 per month time-of-use meter | |
| 19 | charge. | |
| 20 | (B) Energy charge: | |
| 21 | All energy used on-peak, per kWh | \$0.139 |
| 22 | All energy used off-peak, per kWh | \$0.035 |
| 23 | Note: To calculate the true ratio of on-peak to off-peak energy costs, the fuel | |
| 24 | adjustment per kWh should be added to the above-stated energy charges. On- | |
| 25 | peak period shall be as follows: | |
| 26 | Weekdays, 6:00 a.m. through 10:00 p.m., excluding holidays. Off-peak periods | |
| 27 | shall be all periods not included in on-peak periods. | |
| 28 | (C) Transfer to non-time-differentiated rate. Customers who elect to take service | |
| 29 | under the time-of-use rate shall have the option to transfer to the non-time-of-use | |
| 30 | rate at any time during the initial term of service; however, any such customer | |
| 31 | who subsequently elects to take service under the time-of-use rate at the same | |
| 32 | service location shall be required to remain on the time-of-use rate for a minimum | |
| 33 | term of twelve (12) consecutive months. | |
| 34 | | |
| 35 | 2. Fuel adjustment. (See section 27-28.) | |
| 36 | | |
| 37 | 3. Minimum monthly bill. The minimum monthly bill shall be equal to the customer charge. | |
| 38 | | |
| 39 | 4. All bills rendered will express charges in terms of total charge per kWh. | |
| 40 | | |
| 41 | g. General service rates (§ 27-27): | |
| 42 | | |
| 43 | 1. Base rate. | |
| 44 | (i) Non-demand. The rates to be charged and collected for electric energy furnished by | |
| 45 | the city to consumers for general service, non-demand are hereby fixed as follows: | |
| 46 | (A) Customer charge, per month | \$16.00 <u>25.50</u> |
| 47 | (B) First 1,500 kilowatt hours per month, per kWh | |
| 48 | Generation charge, taxable fuel | \$0.0065 |
| 49 | Generation charge, non-fuel | \$0.0280 <u>0247</u> |
| 50 | Transmission charge | \$ 0.0024 <u>0021</u> |
| 51 | Distribution charge | \$ 0.0314 <u>0367</u> |
| 52 | Total charge, per kWh | \$ 0.0680 <u>0700</u> |

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

| | | |
|----|--|-----------------------|
| 1 | (C) All kWh per month over 1,500, per kWh | |
| 2 | Generation charge, taxable fuel | \$0.0065 |
| 3 | Generation charge, non-fuel | <u>\$0.04040.0375</u> |
| 4 | Transmission charge | <u>\$0.00340.0032</u> |
| 5 | Distribution charge | <u>\$0.04470.0558</u> |
| 6 | Total charge, per kWh | <u>\$0.09500.1030</u> |
| 7 | (D) Minimum monthly bill. The minimum monthly bill shall be equal to the | |
| 8 | customer charge. | |
| 9 | (E) All bills rendered will express charges in terms of total charge per kWh. | |
| 10 | (ii) Time-of-use rate. All general service non-demand customers may elect service at | |
| 11 | this rate, except that the city may, at its option, limit the number of customers and | |
| 12 | type of businesses which will be served at this rate. | |
| 13 | (A) Customer charge, per month | \$26.00 |
| 14 | Note: The time-of-use rate customer charge includes a base customer charge of | |
| 15 | \$16.00 per month and an additional charge of \$10.00 per month time-of-use | |
| 16 | meter charge. | |
| 17 | (B) Energy charge: | |
| 18 | All energy used on-peak, per kWh | \$0.169 |
| 19 | All energy used off-peak, per kWh | \$0.042 |
| 20 | Note: To calculate the true ratio of on-peak to off-peak energy costs, the fuel | |
| 21 | adjustment per kWh should be added to the above-stated energy charges. On- | |
| 22 | peak period shall be as follows: | |
| 23 | Weekdays, 6:00 a.m. through 10:00 p.m., excluding holidays. Off-peak periods | |
| 24 | shall be all periods not included in on-peak periods. | |
| 25 | (C) Transfer to non-time-of-use rate. Customers who elect to take service under the | |
| 26 | time-of-use rate shall have the option to transfer to the non-time-of-use rate any | |
| 27 | time during the initial term of service; however, any such customer who | |
| 28 | subsequently elects to take service under the time-of-use rate at the same | |
| 29 | service location shall be required to remain on the time-of-use rate for a minimum | |
| 30 | term of twelve (12) consecutive months. | |
| 31 | | |
| 32 | (iii) Demand. The rates to be charged and collected for electric energy furnished by the | |
| 33 | city to consumers for general service demand for all monthly bills which are for the | |
| 34 | first time rendered and postmarked as indicated are hereby fixed as follows: | |
| 35 | (A) Customer charge, per month | \$45.00 |
| 36 | (B) Demand charge | |
| 37 | I. No discounts, per kW, per month: | |
| 38 | Generation charge | <u>\$3.643.540</u> |
| 39 | Transmission charge | <u>\$0.860.750</u> |
| 40 | Distribution charge | <u>\$4.704.960</u> |
| 41 | Total charge, per kW | <u>\$9.209.250</u> |
| 42 | II. With primary metering discount, per kW, per month | |
| 43 | Generation charge | <u>\$3.6403.540</u> |
| 44 | Transmission charge | <u>\$0.8600.750</u> |
| 45 | Distribution charge | <u>\$4.5164.775</u> |
| 46 | Total charge, per kW | <u>\$9.0169.065</u> |
| 47 | III. With primary service discount, per kW per month | |
| 48 | Generation charge | <u>\$3.6403.540</u> |
| 49 | Transmission charge | <u>\$0.8600.750</u> |
| 50 | Distribution charge | <u>\$4.5504.810</u> |
| 51 | Total charge, per kW | <u>\$9.0509.100</u> |
| 52 | | |

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

| | |
|--|---------------------|
| IV. With primary metering and service discounts, per kW, per month | |
| Generation charge | <u>\$3-6403.540</u> |
| Transmission charge | <u>\$0-8600.750</u> |
| Distribution charge | <u>\$4-3694.628</u> |
| Total charge, per kW | <u>\$8-8698.918</u> |

The billing demand is the highest demand established during the month.
The demand shall be integrated over a thirty (30) minute period.

| | |
|------------------------------------|-----------------------|
| (C) Energy charge: | |
| I. No discounts, per kWh | |
| Generation charge, taxable fuel | \$0.0065 |
| Generation charge, non-fuel | <u>\$0-02010.0280</u> |
| Transmission charge | <u>\$0-00090.0012</u> |
| Distribution charge | <u>\$0-00450.0063</u> |
| Total charge, per kWh | <u>\$0-03200.0420</u> |
| II. With primary metering discount | |
| Generation charge, taxable fuel | \$0.0065 |
| Generation charge, non-fuel | <u>\$0-02010.0280</u> |
| Transmission charge | <u>\$0-00090.0012</u> |
| Distribution charge | <u>\$0-00400.0055</u> |
| Total charge, per kWh | <u>\$0-03150.0412</u> |

- (D) Fuel adjustment. (See section 27-28.)
- (E) Minimum monthly bill. The minimum monthly bill shall be equal to the monthly customer charge plus thirty-five (35) times the demand charge. For those customers with an established demand of less than 50 kilowatts who have entered into an agreement for service under this schedule, the minimum monthly bill shall be equal to the monthly customer charge plus 35 times the demand charge.
- (F) All bills rendered will express charges in terms of total charges per kWh or kW.

(iv) Time-of-use energy rate. All general service demand customers may elect service at this rate, except that the city may, at its option, limit the number of customers and type of businesses which will be served at this rate.

(A) Customer charge, per month \$50.00
Note: The time-of-use rate customer charge includes a base customer charge of \$45.00 per month and an additional charge of \$5.00 per month time-of-use meter programming charge.

(B) Energy charge:
 All energy used on-peak, per kWh \$0.064
 All energy used off-peak, per kWh \$0.016
Note: To calculate the true ratio of on-peak to off-peak energy costs, the fuel adjustment per kWh should be added to the above-stated energy charges. On-peak period shall be as follows:
Weekdays, 6:00 a.m. through 10:00 p.m., excluding holidays. Off-peak periods shall be all periods not included in on-peak periods.

(C) Transfer to non-time-of-use rate. Customers who elect to take service under the time-of-use rate shall have the option to transfer to the non-time-of-use rate any time during the initial term of service; however, any such customer who subsequently elects to take service under the time-of-use rate at the same service location shall be required to remain on the time-of-use rate for a minimum term of twelve (12) consecutive months.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

2. Primary service discount. All general service customers whose demand has been estimated to be four hundred (400) kilowatts or more, by the general manager for utilities or his/her designee, who are metered at primary voltage (twelve (12) kilovolts), and who own or lease all transformation and distribution facilities on the customer side of the metering point, shall receive credit of fifteen cents (\$0.15) per kW applied to the monthly demand charge.
3. Primary metering discount. All general service customers who are metered at primary voltage (twelve (12) kilovolts) shall receive a credit of two (2) percent of the monthly base rate energy and demand charges. Metering voltage will be determined by the general manager for utilities or his/her designee.
4. Facilities leasing adjustment. All general service demand customers who desire the benefits of a single-point-of-service metering, but do not wish to make the required investment in transformation and distribution facilities beyond the metering point, and whose demand has been established to be four hundred (400) kilowatts or more by the general manager for utilities or his/her designee, may request the city to make such investment in these facilities. The city shall provide, install, operate, and maintain the desired facilities and lease them to the qualified customer for a monthly consideration of one and one-half (1.5) percent of the installed cost of the facilities.

h. Large power service rates (§ 27-27):

1. Base rate. The rates to be charged and collected for energy furnished by the City to consumers for large power service are hereby fixed as follows:

(A) Customer charge, per month \$300.00

(B) Demand charge

- I. No discounts, per kW, per month:

Generation charge \$3,803.760

Transmission charge \$0,830.730

Distribution charge \$4,574.760

Total charge, per kW \$9,209.250

- II. With primary metering discount, per kW, per month

Generation charge \$3,800.760

Transmission charge \$0,830.730

Distribution charge \$4,386.575

Total charge, per kW \$9,016.065

- III. With primary service discount, per kW per month

Generation charge \$3,803.760

Transmission charge \$0,830.730

Distribution charge \$4,424.610

Total charge, per kW \$9,059.100

- IV. With primary metering and service discounts, per kW, per month

Generation charge \$3,803.760

Transmission charge \$0,830.730

Distribution charge \$4,239.428

Total charge, per kW \$8,869.918

The billing demand is the highest demand established during the month. The demand shall be integrated over a thirty (30) minute period.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

(C) Energy charge:

| | |
|------------------------------------|-----------------------|
| I. No discounts, per kWh | |
| Generation charge, taxable fuel | \$0.0065 |
| Generation charge, non-fuel | <u>\$0.00700.0093</u> |
| Transmission charge | <u>\$0.00230.0031</u> |
| Distribution charge | <u>\$0.01520.0201</u> |
| Total charge, per kWh | <u>\$0.03100.0390</u> |
| II. With primary metering discount | |
| Generation charge, taxable fuel | \$0.0065 |
| Generation charge, non-fuel | <u>\$0.00700.0093</u> |
| Transmission charge | <u>\$0.00230.0031</u> |
| Distribution charge | <u>\$0.01470.0193</u> |
| Total charge, per kWh | <u>\$0.03050.0382</u> |

(D) Fuel adjustment. (See section 27-28.)

(ii) Time-of-use energy rate. All large power customers may elect service at this rate, except that the city may, at its option, limit the number of customers and type of businesses which will be served at this rate.

(A) Customer charge, per month \$305.00

Note: The time-of-use rate customer charge includes a base customer charge of \$300.00 per month and an additional charge of \$5.00 per month time-of-use meter programming charge.

(B) Energy charge:

| | |
|-----------------------------------|---------|
| All energy used on-peak, per kWh | \$0.062 |
| All energy used off-peak, per kWh | \$0.016 |

Note: To calculate the true ratio of on-peak to off-peak energy costs, the fuel adjustment per kWh should be added to the above-stated energy charges. On-peak period shall be as follows:

Weekdays, 6:00 a.m. through 10:00 p.m., excluding holidays. Off-peak periods shall be all periods not included in on-peak periods.

(C) Transfer to non-time-of-use rate. Customers who elect to take service under the time-of-use rate shall have the option to transfer to the non-time-of-use rate any time during the initial term of service; however, any such customer who subsequently elects to take service under the time-of-use rate at the same service location shall be required to remain on the time-of-use rate for a minimum term of twelve (12) consecutive months.

(D) Fuel adjustment. (See section 27-28.)

(E) Minimum monthly bill. The minimum monthly bill shall be equal to the monthly customer charge plus seven hundred (700) times the demand charge.

(F) All bills rendered will express charges in terms of total charges per kWh or kW.

2. Primary service discount. All large power service customers who are metered at primary voltage (twelve (12) kilovolts), and who own or lease all transformation and distribution facilities on the customer side of the metering point, shall receive credit of fifteen cents (\$0.15) per kW applied to the monthly demand charge.

3. Primary metering discount. All large power service customers who are metered at primary voltage (twelve (12) kilovolts) shall receive a credit of two (2) percent of the monthly base rate energy and demand charges. Metering voltage will be determined by the general manager for utilities or his/her designee.

4. Facilities leasing adjustment. All large power service demand customers who desire the

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

benefits of a single-point-of-service metering, but do not wish to make the required investment in transformation and distribution facilities beyond the metering point, may request the city to make such investment in these facilities. The city shall provide, install, operate, and maintain the desired facilities and lease them to the qualified customer for a monthly consideration of one and one-half (1½) percent of the installed cost of the facilities.

i. Distributed Resources Rates (§ 27-27):

1. General Provision.

(A) Net Metering: Applicable only to electric customers of the utility on solar photovoltaic systems of less than or equal to 10 kW.

(i) Residential: To be credited at \$0.062 per kWh plus the prevailing retail fuel adjustment (See § 27-28).

(ii) Non-Residential: The rates applicable hereunder shall only be available to any non-residential customer that installed a photovoltaic system under this net metering provision prior to March 1, 2009 and shall be available for the life of said system:

| | |
|------------------------------------|---------|
| General Service Non-Demand(\$/kWh) | \$0.077 |
| General Service Demand (\$/kWh) | \$0.032 |
| Large Power (\$/kWh) | \$0.031 |

plus the prevailing retail fuel adjustment (See section 27-28) .

Net metering shall not be offered to non-residential classes for systems installed on or after March 1, 2009.

(iii) Non-solar distributed resource(s) greater than 10kW, kWh payment to be credited at avoided cost as negotiated by contract.

(B) Standard Offer Contract (Solar Feed In Tariff): Applicable to all classes of electric customers and non-customers located within the utility electric distribution service area.

(i) Energy generated from qualified solar photovoltaic generated distributed resources shall be purchased through a Standard Offer Contract at non-negotiated rates set forth in the Standard Offer Contract.

(ii) To become and remain "qualified", solar photovoltaic distributed resources must adhere to all conditions and terms of applicable utility interconnection agreements promulgated by the general manager or his/her designee and applicable federal, state and local safety, building and other applicable codes.

(iii) Each contract will be in effect for a maximum term of the balance of the calendar year in which the contract is executed plus 20 calendar years for each photovoltaic generation system unless sooner terminated under the terms of the Standard Offer Contract.

(iv) The general manager or his/her designee may cease to offer new contracts after a total of 4 MW of solar photovoltaic distributed generation has been connected to the utility system per year, or as safety and reliability of the utility system require, subject to City Commission policy review.

(v) All Renewable Energy Credits (RECs) or any other environmental attributes that accrue as a result of operation of this solar photovoltaic system qualifying for the Feed-In-Tariff shall be the property of the utility.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

(vi) The solar feed-in-tariff rate is established in accordance with the following schedule:

| Contract Entered into Under This Policy During Calendar Year | Fixed Rate per kWh Applied Uniformly From the Date of Installation Through December 31, | Fixed Rate \$/kWh Over Life of Contract | |
|--|---|--|--|
| | | Building or Pavement Mounted (any size), or Ground Mounted < 25 kW | Free Standing (Non-Building or Non-Pavement Mounted) |
| 2009 | 2030 | \$0.32 | \$0.26 |
| 2010 | 2031 | \$0.32 | \$0.26 |
| 2011 | 2032 | \$0.30 | \$0.25 |
| 2012 | 2033 | \$0.28 | \$0.23 |
| 2013 | 2034 | \$0.27 | \$0.22 |
| 2014 | 2035 | \$0.26 | \$0.21 |
| 2015 | 2036 | \$0.25 | \$0.20 |
| 2016 | 2037 | \$0.23 | \$0.19 |

j. Interruptible-Curtailable service rider (§ 27-27):

1. General provisions.

- (A) Customer must make application to the city for service under this Rider and the city must approve such application before service hereunder commences.
- (B) Conditions pertaining to any application of this Rider shall be stipulated to by contract between the city and the customer receiving service hereunder. Such contract shall be for a minimum term of ten (10) years.
- (C) All terms and conditions under the normally applicable Schedule, either Large Power or Transmission Service, shall apply to service supplied to the customer except as modified by this Rider.
- (D) Service under this rider is subject to interruption/curtailment during any time period that electric power and energy delivered hereunder from the City's available generating resources is required to a) maintain service to the city's firm power customers and firm power sales commitments, or b) supply emergency Interchange service to another utility for its firm load obligations only, or c) when the price of power available to the city from other sources exceeds 15 cents (\$0.15) per kWh.
- (E) The city reserves the right to interrupt/curtail electric services at least once each calendar year in order to test the availability or operability of interruptible/curtailable capacity, irrespective of city system capacity available or operating conditions.
- (F) Pursuant to any agreement to provide service hereunder, the city and customers may stipulate for the provision of "Buy-Through" service for customers to replace power during times of interruption or curtailment. For all "Buy-Through" services

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1 purchased on behalf of customers, customers shall pay the city three dollars
2 (\$3.00) per MWh for such energy as well as reimburse the city for associated
3 energy and transmission costs necessary to affect the delivery of "Buy-Through"
4 energy to the city's system for customers.
5

6 (G) The city shall make reasonable efforts to provide advance notice to the customer
7 of an impending interruption/curtailment of service sufficient to enable the
8 customer to modify its operations or avail itself to the "Buy-Through" provision in
9 General Provisions "F", above.
10

11 (H) Any contract for curtailable service hereunder shall specify a Non-Curtailable
12 Demand. The contract Non-Curtailable Demand may be revised, from time to
13 time, on a prospective basis only, by mutual consent of the city and the customer.
14

15 (I) Upon each curtailment request by the city, it shall be the customer's responsibility
16 to curtail its energy demand fulfilled pursuant to General Provision "F", above. If
17 the customer fails to so curtail its energy demand, the customer shall refund to
18 the city 1.25 times (125% of) the total amount of discounts or demand credits
19 granted to customer, pursuant to this Rider, over the preceding twelve (12) billing
20 periods.
21

22 2. Application of discount. For service hereunder, a discount of one dollar twenty-five cents
23 (\$1.25) shall be applied to the normally applicable Demand (kW) Charge, inclusive of any
24 other applicable discounts.
25

26 k. Retained, Expanded or Attracted Load Service Rider (§ 27-27):
27

28 1. General Provisions.
29

30 (A) Customer must make application to the city for service under this Rider and the
31 city must approve such application before service hereunder commences.
32

33 (B) Conditions pertaining to any application of this Rider shall be stipulated to by
34 contract between the city and the customer receiving service hereunder. Such
35 contract shall be for a minimum term of ten (10) years.
36

37 (C) All terms and conditions under the normally applicable Schedule, either General
38 Service Demand, Large Power or Transmission Service, shall apply to service
39 supplied to the customer except as modified by this Rider.
40

41 2. Application of discount. For service hereunder, a percentage discount shall be applied to
42 the normally applicable Customer Charge, Demand (kW) Charge and Energy (kWh)
43 Charge, inclusive of any other applicable discounts. The maximum discount applicable
44 hereunder for any twelve-month period shall be 13.0%. Percentage discounts shall be
45 specified for each of the four twelve-month billing periods, beginning with the first monthly
46 billing period for service hereunder and continuing through the forty-eighth (48th) billing
47 period. Discounts are not applicable beyond the forty-eighth (48th) billing period. Hence:
48

| Billing Period | Discount |
|----------------------------|------------------|
| 1st - 12th Billing period | To be negotiated |
| 13th - 24th Billing period | To be negotiated |
| 25th - 36th Billing period | To be negotiated |

49
50
51
52
CODE: Words ~~stricken~~ are deletions; words underlined are additions.

I. Business Partners Rate Discount Rider (§27-27):

1. General Provisions.

- (A) Customer must make application to the city for service under this Rider and the city must approve such application before service hereunder commences.
- (B) Conditions pertaining to any application of this Rider shall be stipulated to by contract between the city and the customer receiving service hereunder. Such contract shall be for a minimum term of ten (10) years.
- (C) The percentage discounts applicable hereunder shall be available to any customer that had entered into a contract for the provision of retail electric service by the city prior to October 1, 1997 and such contract has a termination date at least ten (10) years after October 1, 1997.
- (D) All terms and conditions under the normally applicable Schedule, either General Service Non-Demand, General Service Demand, Large Power, or Transmission Service, shall apply to service supplied to the customer except as modified by this Rider.
- (E) No new Business Partners Rider applications shall be accepted after September 30, 2006. Contracts in effect as of October 1, 2006, will remain in effect until expiration under the existing contract terms.

2. Application of discount. For service hereunder, a percentage discount shall be applied to the normally applicable Customer Charge, Demand (kW) Charge and Energy (kWh) Charge, inclusive of any other applicable discounts. The discount applicable hereunder for customers in the General Service Non-Demand, General Service Demand and Large Power rate classes shall be according to the following schedule:

Business Partners Rider Executed:

| Rate Class | before April 1, 2002 Maximum Discount | on or after April 1, 2002 Maximum Discount |
|----------------------------|--|---|
| General Service Non-Demand | 7% | 7% |
| General Service Demand | 7% | 10% |
| Large Power | 10% | 13% |

Discounts are not applicable beyond the one hundred twentieth (120th) billing period unless otherwise agreed to in writing by the City and customer.

3. Contract period. Customers requesting service hereunder must enter into a contract designating the city as the customer's exclusive supplier of electricity for a minimum initial term of ten (10) years. Either party may terminate the contract at the end of the initial term or at the end of any subsequent term, pursuant to provisions stipulated to in the contract. At the sole discretion of the city, discounts available under this Rider may be withdrawn or adjusted if a change occurs to the customer's normally applicable Rate Schedule, resulting from either the customer's request or from the city's reclassification of the customer due to changes in the customer's load. If the customer violates any terms and conditions of this Rider or of the contract under this Rider, the city may discontinue service under this Rider. In the event of early termination of any contract under this Rider, the customer will be required to pay the city any costs due to such early termination, including reimbursement of discounts granted to the extent stipulated to in the contract.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

m. Public streetlight service rates (§ 27-29.1):

1. Monthly rental charges for approved public streetlight fixtures (does not include underground civil infrastructure costs or pole rental fees):

| <u>Fixture Description</u> | <u>Monthly charge per fixture</u> |
|--|---------------------------------------|
| <u>Group 1 Flood Lights</u> | |
| Light Type 7 – 400 watt MV Flood Light* | \$11.50 |
| Light Type 10 – 400 watt HPS Flood Light | \$11.00 |
| Light Type 12 – 250 watt HPS Flood Light | \$ 9.75 |
| Light Type 22 – 400 watt MH Flood Light | \$13.75 |
| <u>Group 1 Luminaires</u> | |
| Light Type 1 – 70 watt HPS Cutoff Light* | \$ 7.75 |
| Light Type 3 - 175 watt MV Area Light* | \$ 8.00 |
| Light Type 11 – 100 watt HPS Cutoff Street Light Grey | \$ 7.75 |
| Light Type 13 – 100 watt HPS Area Light* | \$ 8.00 |
| Light Type 14 – 150 watt HPS Cutoff Street Light Grey | \$ 8.25 |
| <u>Group 2 Luminaires</u> | |
| Light Type 4 – 250 watt HPS Non Cutoff Street Light* | \$12.00 |
| Light Type 5 – 400 watt MV Non Cutoff Street Light* | \$12.00 |
| Light Type 6 – 400 watt HPS Non Cutoff Street Light* | \$12.00 |
| Light Type 16 – 250 watt HPS Cutoff Street Light Grey | \$10.25 |
| Light Type 23 – 400 watt HPS Cutoff Street Light Grey* | \$11.75 |
| <u>Group 3 Luminaires</u> | |
| Light Type 24 – 400 watt HPS Cutoff Street Light Black | \$18.00 |
| Light Type 31 – 250 watt HPS Cutoff Street Light Black | \$16.75 |
| Light Type 32 – 150 watt HPS Cutoff Street Light Black | \$16.00 |
| <u>Group 1 Decorative Lights</u> | |
| Light Type 2 – 175 watt MV Post Top Street Light Conical Style* | \$13.50 |
| Light Type 15 – 150 watt HPS Bronze Decorative Shoe Box Style | \$11.25 |
| Light Type 19 – 100 watt HPS Post Top Street Light Conical Style | \$13.50 |
| Light Type 25 – 100 watt HPS Cutoff Lantern Style Street Light* | \$14.50 |
| <u>Group 2 Decorative Lights</u> | |
| Light Type 17 – 400 watt MH Round Cutoff Roadway Light Black | \$23.25 |
| Light Type 26 – 100 watt HPS Granville Style Light* | \$29.75 |
| Light Type 29 – 100 watt HPS Cutoff Street Light Traditional Style | \$32.00 |
| <u>Group 3 Decorative Lights</u> | |
| Light Type 27 – 100 watt HPS Domus Style Light | \$33.75 |
| Light Type 30 – 100 watt MH Cutoff Street Light Traditional Style | \$33.00 |
| Light Type 33 – 200 watt HPS Renaissance II Style Light | \$36.00 |
| Light Type 34 – 200 watt HPS Renaissance IV Style Light | \$36.75 |

* Not Available for Installation

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

Monthly kWh per fixture based on wattage:

| | |
|--------------|-----|
| 70 – watt | 35 |
| 100 – watt | 41 |
| 150 – watt | 66 |
| 175 – watt | 69 |
| 250 – watt | 103 |
| 400 – watt | 163 |
| 1,000 – watt | 374 |

2. Monthly rental charges for approved public streetlight fixtures for which lights are operated and maintained by the city's utilities department, and for which installation costs were borne by a government agency other than the city's utilities department (does not include underground civil infrastructure costs or pole rental fees):

| <u>Fixture size and type</u> | <u>Monthly charge per fixture</u> |
|--|-----------------------------------|
| Light Type 1 - 70 watt HPS Light | \$ 4.00 |
| Light Type 13, 19, 25 - 100 watt HPS Light* | \$ 4.00 |
| Light Type 11 – 100 watt HPS Light | \$ 4.00 |
| Light Type 14, 15, 32 - 150 watt HPS Light | \$ 5.50 |
| Light Type 2, 3 - 175 watt MV Light | \$ 5.25 |
| Light Type 4- 250 watt HPS Light* | \$ 8.00 |
| Light Type 12, 16, 31, - 250 watt HPS Light | \$ 8.00 |
| Light Type 5, 6, 7 - 400 watt HPS Light* | \$11.50 |
| Light Type 10, 17, 22, 23, 24 – 400 watt HPS Light | \$11.50 |
| Light Type 26 – 100 watt Granville Style Light | \$ 8.50 |
| Light Type 27 – 100 watt HPS Domus Light | \$ 5.50 |
| Light Type 28 - 100 watt MV Coach Style Light* | \$ 9.00 |
| Light Type 29 - 100 watt HPS Traditional Style Light | \$ 9.75 |
| Light Type 30 – 100 watt MH Traditional Style Light | \$10.00 |
| Light Type 33, 34 – 200 watt HPS Renaissance Style Light | \$ 9.00 |
| 60 watt LED Light | \$ 3.42 |

* Not Available for Installation

Monthly kWh per fixture based on wattage:

| | |
|--------------|-----|
| 70 – watt | 35 |
| 100 – watt | 41 |
| 150 – watt | 66 |
| 175 – watt | 69 |
| 250 – watt | 103 |
| 400 – watt | 163 |
| 1,000 – watt | 374 |

3. Should an agency request public streetlight service utilizing fixtures and/or poles for which no rate has been set forth in the Gainesville Code of Ordinances, the city may provide such service if the service is approved by the general manager for utilities or his/her designee, and if the agency requesting such service enters into a contract with the city

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1 specifying terms and conditions of such service. Unapproved fixtures shall be installed on
2 metered service only.

3
4 4. Fuel adjustment. (See section 27-31).

5
6 n. Rental outdoor light service rates (§ 27-30.1.):

7
8 1. Monthly rental charges for approved rental outdoor light fixtures (does not include
9 underground civil infrastructure costs or pole rental charges):

| <u>Group/Fixture Description</u> | <u>Monthly charge per fixture</u> |
|--|---------------------------------------|
| Group 1 Flood Lights | |
| Light Type 7 – 400 watt MV Flood Light* | \$13.25 |
| Light Type 10 – 400 watt HPS Flood Light | \$12.75 |
| Light Type 12 – 250 watt HPS Flood Light | \$11.50 |
| Light Type 22 – 400 watt MH Flood Light | \$13.75 |
| Group 1 Luminaires | |
| Light Type 1–70 watt HPS Cutoff Light* | \$ 9.50 |
| Light Type 3-175 watt MV Area Light* | \$ 9.75 |
| Light Type 11–100 watt HPS Cutoff Street Light Grey | \$ 9.50 |
| Light Type 13–100 watt HPS Area Light* | \$ 9.75 |
| Light Type 14–150 watt HPS Cutoff Street Light Grey | \$ 10.00 |
| Group 2 Luminaires | |
| Light Type 4 – 250 watt HPS Non Cutoff Street Light* | \$15.00 |
| Light Type 5 – 400 watt MV Non Cutoff Street Light* | \$13.25 |
| Light Type 6 – 400 watt HPS Non Cutoff Street Light* | \$15.50 |
| Light Type 16 – 250 watt HPS Cutoff Street Light Grey | \$12.00 |
| Light Type 23 – 400 watt HPS Cutoff Street Light Grey* | \$15.25 |
| Group 3 Luminaires | |
| Light Type 24 – 400 watt HPS Cutoff Street Light Black | \$20.75 |
| Light Type 31 – 250 watt HPS Cutoff Street Light Black | \$19.25 |
| Light Type 32 – 150 watt HPS Cutoff Street Light Black | \$18.50 |
| Group 1 Decorative Lights | |
| Light Type 2 – 175 watt MV Post Top Street Light Conical Style* | \$15.25 |
| Light Type 15 – 150 watt HPS Bronze Decorative Shoe Box Style | \$13.00 |
| Light Type 19 – 100 watt HPS Post Top Street Light Conical Style | \$15.25 |
| Light Type 25 – 100 watt HPS Cutoff Lantern Style Street Light* | \$16.75 |
| Group 2 Decorative Lights | |
| Light Type 17 – 400 watt MH Round Cutoff Roadway Light Black | \$25.00 |
| Light Type 26 – 100 watt HPS Granville Style Light* | \$34.50 |
| Light Type 28 – 100 watt MV Pedestrian Street Light Coach Style* | \$30.25 <u>\$33.75</u> |
| Light Type 29 – 100 watt HPS Cutoff Street Light Traditional Style | \$36.75 |
| Group 3 Decorative Lights | |
| Light Type 27 – 100 watt HPS Domus Style Light | \$39.25 |

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
CODE: Words ~~stricken~~ are deletions; words underlined are additions.

| | |
|---|---------|
| Light Type 30 – 100 watt MH Cutoff Street Light Traditional Style | \$38.00 |
| Light Type 33 – 200 watt HPS Renaissance II Style Light | \$41.50 |
| Light Type 34 – 200 watt HPS Renaissance IV Style Light | \$42.50 |

* Not Available for Installation

Monthly kWh per fixture based on wattage:

| | |
|--------------|-----|
| 70 – watt | 35 |
| 100 – watt | 41 |
| 150 – watt | 66 |
| 175 – watt | 69 |
| 250 – watt | 103 |
| 400 – watt | 163 |
| 1,000 – watt | 374 |

2. Monthly rental charges for approved rental outdoor light fixtures for which lights are operated and maintained by the city's utilities department, and for which installation costs were borne by a customer other than the city's utilities department (does not include underground civil infrastructure costs or pole rental fees):

| <u>Fixture size and type</u> | <u>Monthly charge per fixture</u> |
|--|-----------------------------------|
| Light Type 1 - 70 watt HPS Light* | \$ 4.00 |
| Light Type 13, 19, 25 - 100 watt HPS Light* | \$ 4.00 |
| Light Type 11 – 100 watt HPS Light | \$ 4.00 |
| Light Type 14, 15, 32 - 150 watt HPS Light | \$ 5.50 |
| Light Type 2, 3 - 175 watt MV Light* | \$ 4.25 |
| Light Type 4 - 250 watt HPS Light* | \$ 8.00 |
| Light Type 12, 16, 31 – 250 watt HPS Light | \$ 8.00 |
| Light Type 5, 6, 7 - 400 watt HPS Light* | \$11.50 |
| Light Type 10, 17, 22, 23, 24 – 400 watt HPS Light | \$11.50 |
| Light Type 26 – 100 watt Granville Style Light | \$ 8.50 |
| Light Type 27 – 100 watt HPS Domus Light | \$ 5.50 |
| Light Type 28 - 100 watt MV Coach Style Light | \$ 9.00 |
| Light Type 29 - 100 watt HPS Traditional Style Light | \$ 9.75 |
| Light Type 30 – 100 watt MH Traditional Style Light | \$10.00 |
| Light Type 33, 34 – 200 watt HPS Renaissance Style Light | \$ 9.00 |
| 60 watt LED Light | \$ 3.42 |

* Not Available for Installation

Monthly kWh per fixture based on wattage:

| | |
|--------------|-----|
| 70 – watt | 35 |
| 100 – watt | 41 |
| 150 – watt | 66 |
| 175 – watt | 69 |
| 250 – watt | 103 |
| 400 – watt | 163 |
| 1,000 – watt | 374 |

3. Should a utility customer request rental outdoor light service utilizing fixtures and/or poles for which no rate has been set forth in the Gainesville Code of Ordinances, the city may provide such service if the service is approved by the general manager for utilities or

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

his/her designee, and if the customer requesting such service enters into a contract with the city specifying terms and conditions of such service. Unapproved fixtures shall be installed on metered service only.

4. Rental Contract Termination Fee. The rates for rental outdoor lighting service includes a recovery of installation charges over a sixty (60) month period. If a customer elects to terminate the five (5) year contract prior to the end of the sixty month period, an early removal fee of ten dollars (\$10.00) per month per light and six dollars (\$6.00) per month per pole shall be billed to the account for each month remaining on the contract, which is less than sixty (60) months beyond the first month's billing of the contract.

5. Fuel adjustment. (See section 27-31).

o. Reserved.

p. Public streetlight pole service rates

1. Rental charges for poles installed by the city's utilities department for the purpose of supporting public streetlights when required, including poles installed by the city's utilities department to replace poles for which installation costs were borne initially by a customer or by an agency other than the city's utilities department (§§ 27-29.1, 27-30.1):

| <u>Pole Group/Description</u> | <u>Monthly charge per pole</u> |
|--|------------------------------------|
| Pole Group 1 | |
| P3 – 12 Foot Aluminum Pole for use with Light Type 2 and 19 | \$ 7.50 |
| P4 – 18 Foot Aluminum Pole for use with Light Type 2 and 19 | \$ 8.50 |
| P6 – 19 foot Fiberglass Pole Black for use with Light Type 25 | \$ 3.75 |
| P8 – 30 foot wood pole | \$ 4.50 |
| P12 – 35 foot wood pole | \$ 4.75 |
| Pole Group 2 | |
| P9 – 30 foot concrete pole | \$ 6.50 |
| P13 – 35 foot concrete pole | \$ 6.75 |
| P15 – 40 foot wood pole | \$ 5.00 |
| P18 – 45 foot wood pole | \$13.25 |
| Pole Group 3 | |
| P1 – 10 foot (direct buried) pole decorative concrete | \$12.75 |
| P2 – 10 foot fiberglass pole black for use with Light Type 28 | \$17.25 |
| P10 – 30 foot fiberglass breakaway pole grey | \$15.00 |
| P14 – 35 foot (direct buried) decorative octagonal concrete pole black | \$16.00 |
| P16 – 40 foot concrete pole | \$ 8.75 |
| P17 – 40 foot direct buried decorative octagonal concrete pole black | \$24.00 |
| P19 – 45 foot concrete pole | \$ 9.25 |
| Pole Group 4 | |
| P5 – 18 foot Domus pole black for use with Light Type 27 | \$19.00 |
| P11 – 30 foot aluminum pole black for use with Light Type 17 | \$26.75 |
| Pole Group 5 | |

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

- 1 P7 – 26 foot steel Renaissance pole black \$30.75
 2 q. Rental charges for poles which are for the purpose of supporting rental light fixtures
 3 when required, (does not include underground civil infrastructure costs):
 4

| | Monthly charge |
|--|-----------------|
| <u>Pole Group/Description</u> | <u>per pole</u> |
| Pole Group 1 | |
| P3–12 Foot Aluminum Pole for use with Light Type 2 and 19 | \$ 8.75 |
| P4–18 Foot Aluminum Pole for use with Light Type 2 and 19 | \$ 9.50 |
| P6–19 foot Fiberglass Pole Black for use with Light Type 25 | \$ 3.75 |
| P8–30 foot wood pole | \$ 4.50 |
| P12–35 foot wood pole | \$ 4.75 |
| Pole Group 2 | |
| P9 – 30 foot concrete pole | \$ 6.50 |
| P13 – 35 foot concrete pole | \$ 6.75 |
| P15 – 40 foot wood pole | \$ 5.00 |
| P18 – 45 foot wood pole | \$15.00 |
| Pole Group 3 | |
| P1–10 foot (direct buried) pole decorative concrete | \$15.00 |
| P2–10 foot fiberglass pole black for use with Light Type 28 | \$20.00 |
| P10 – 30 foot fiberglass breakaway pole grey | \$15.00 |
| P14 – 35 foot (direct buried) decorative octagonal concrete pole black | \$18.25 |
| P16 – 40 foot concrete pole | \$ 8.75 |
| P17 – 40 foot direct buried decorative octagonal concrete pole black | \$27.75 |
| P19 – 45 foot concrete pole | \$ 9.25 |
| Pole Group 4 | |
| P5 – 18 foot bottleneck pole black for use with Light Type 27 | \$22.00 |
| P11 – 30 foot aluminum pole black for use with Light Type 17 | \$30.75 |
| Pole Group 5 | |
| P7 – 26 foot steel Renaissance pole black | \$35.50 |

35 **Section 2.** All ordinances in conflict herewith are to the extent of such conflict hereby repealed.

36 **Section 3.** It is the intention of the City Commission that the provisions of Section 1 of this Ordinance
 37 shall become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the
 38 Sections and Paragraphs of this Ordinance may be renumbered or re-lettered in order to accomplish such
 39 intentions.

40 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance or the
 41 application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect
 42 the other provisions or applications of the ordinance which can be given effect without the invalid or
 43 unconstitutional provisions or application, and to this end the provisions of this ordinance are declared

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1 severable.

2 **Section 5.** This ordinance shall take effect immediately upon its adoption; provided however, the
3 rates and charges as provided for herein shall be applicable to all monthly bills which are for the first time
4 rendered and postmarked after 12:01 A.M., October 1, 2009.

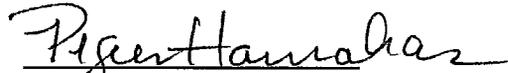
5 PASSED and ADOPTED this 17th day September, 2009.

6

7

8

9



Pegeen Hanrahan
Mayor

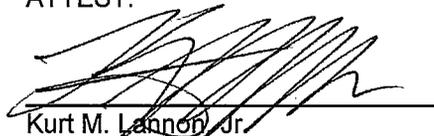
10

11 ATTEST:

12

13

14



Kurt M. Lannon, Jr.
Clerk of the Commission

15

16

17

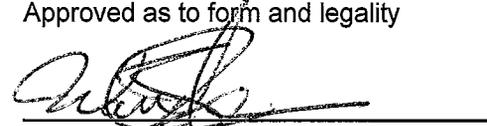
Approved as to form and legality

18

19

20

21



Marion J. Radson
City Attorney

22

23

24

25

26

27

28

29

30

This ordinance passed on first reading this 3rd day of September, 2009.

This ordinance passed on second reading this 17th day of September, 2009.

SEP 17 2009

CODE: Words ~~stricken~~ are deletions; words underlined are additions.