

ORDINANCE NO. 3105-23

AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES TO BE CHARGED FOR ELECTRIC SERVICE FURNISHED BY THE COMBINED UTILITY SYSTEM OF THE CITY OF NEBRASKA CITY, NEBRASKA; TO REPEAL ORDINANCE NO. 3055-20 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEBRASKA CITY, OTOE COUNTY, NEBRASKA, AS FOLLOWS:

**SECTION 1.** That the following rates and charges for electric service furnished by the Combined Utilities System of the City of Nebraska City, Nebraska are established and shall become effective on October 1, 2023 as shown below.

**A. UNIFORM PROVISIONS.** The following provisions shall be effective for all rates included in this ordinance.

1. Effective Date: All charges imposed through this Ordinance shall be effective with billings rendered after October 1, 2023 as shown in Subsections B, C, D, E, F, G, and H hereof.
2. Rates and Charge(s): All bills shall be based upon the Customer Charge per month, plus the charges for demand and consumption, or other charges as applicable.
3. Production Cost Adjustment: All rates are subject to the Production Cost Adjustment Clause as set forth in Section 2 hereof.
4. Term of Payment: All bills are due and payable on date as indicated on bill. Delayed payment charge -- five (5) percent.
5. Seasons: Applicable to bills for usage in the seasons as shown below:  
Summer: June through September; Winter: October through May.
6. Urban shall mean customers located within the city limits of Nebraska City, Nebraska.
7. Rural shall mean customers located outside of the city limits of Nebraska City, Nebraska.
8. Contract Term: All non-residential users which elect, by signed request, to be served by NCU, shall thereby agree to a service commitment of not less than twelve months duration, renewable, automatically and indefinitely until cancellation by consumer.
9. Changing Rates: If more than one rate is applicable, the consumer shall have the right and responsibility to choose the rate which is most advantageous. Consumer may not change rates more than once in any 12 months period, unless otherwise agreed by Nebraska City Utilities (NCU).

10. Rules and Policies: All usage is subject to all rules and policies of NCU.

**B. RESIDENTIAL RATES.**

**1. Residential Service - Urban Summer (RUS):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$22.00
First 800 kWh/month (per kWh)	\$0.1117
Balance (per kWh)	\$0.1067

**2. Residential Service - Urban Winter (RUW):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$22.00
First 800 kWh/ month (per kWh)	\$0.1067
Balance (per kWh)	\$0.0917

**3. Minimum Bill:**

Customer Charge or any higher minimum as stipulated in an individual service agreement.

**4. Applicable To:**

All domestic single-family usage and all churches for customary church uses. Customers with mixed domestic and non-domestic usages at the same meter location whose usage exceeds 5,000 kWh for three consecutive months shall be transferred to the applicable business rate. New three-phase service is not available for residential service under this rate.

**C. BUSINESS - URBAN RATES.**

**1. Business "A" - Urban Summer (BAS):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$45.00
First 2,700 kWh/ month (per kWh)	\$0.1178
Balance (per kWh)	\$0.1128

**2. Business "A" - Urban Winter (BAW):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$45.00
First 2,700 kWh/ month (per kWh)	\$0.1128
Balance (per kWh)	\$0.1003

**3. Minimum Bill:**

Customer Charge or any higher minimum as stipulated in an individual service agreement.

**4. Applicable To:**

All business usage of less than 15,000 kWh per month, including apartment buildings and trailer courts where dwelling units are not individually metered.

**D. INTERMEDIATE BUSINESS RATES.**

**1. Business "B" Summer (BB):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$85.00
Demand Charge (\$/kW)	\$16.50
Energy Charge (\$/kWh)	\$0.0693

**2. Business "B" Winter (BB):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$85.00
Demand Charge (\$/kW)	\$13.75
Energy Charge (\$/kWh)	\$0.0613

**3. Minimum Bill:**

The Minimum Bill of the Customer shall be the Customer Charge, plus the greater of the following:

- a) Monthly demand and energy as metered;
- b) 60 percent of highest billing demand occurring during the prior months of June, July, August or September;
- c) Any higher minimum as stipulated in an individual service agreement.

**4. Applicable To:**

At the discretion of NCU: all urban or rural business usage with peak demands of greater than 40 kilowatts or 15,000 kilowatt-hours of usage for three consecutive months.

**E. RESIDENTIAL - RURAL RATES.**

**1. Residential Service - Rural Summer (RRS):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$ 29.50
First 800 kWh/ month (per kWh)	\$0.1162

Balance (per kWh)	\$0.1112
<b>2. <u>Residential Service - Rural Winter (RRW):</u></b>	
	<u>Oct 1, 2023</u>
Customer Charge/Month	\$ 29.50
First 800 kWh/ month (per kWh)	\$0.1112
Balance (per kWh)	\$0.0937

**3. Minimum Bill:**

Customer Charge or any higher minimum as stipulated in an individual service agreement.

**4. Applicable To:**

All domestic single-family usage and all churches for customary church uses. Customers with mixed domestic and non-domestic usages at the same meter location whose usage exceeds 5,000 kWh for three consecutive months shall be transferred to the applicable business rate. New three-phase service is not available for residential service under this rate.

**F. BUSINESS - RURAL RATES.**

**1. Business "A" Rural Summer (BRS):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$48.00
First 2,700 kWh/ month (per kWh)	\$0.1196
Balance (per kWh)	\$0.1146

**2. Business "A" Rural Winter (BRW):**

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$48.00
First 2,700 kWh/ month (per kWh)	\$0.1146
Balance (per kWh)	\$0.1021

**3. Minimum Bill:**

Customer Charge or any higher minimum as stipulated in an individual service agreement.

**4. Applicable To:**

All business usage of less than 15,000 kWh per month, including apartment buildings and trailer courts lots where dwelling units are not individually metered.

## G. LARGE BUSINESS RATES.

### 1. Large Light and Power - Summer (LLP):

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$165.00
Demand Charge (\$/kW)	\$16.90
Energy Charge (\$/kWh)	\$0.0652

### 2. Large Light and Power - Winter (LLP):

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$165.00
Demand Charge (\$/kW)	\$14.15
Energy Charge (\$/kWh)	\$0.0592

### 3. Minimum Bill:

The Minimum Bill of the Customer shall be the Customer Charge, plus the greater of the following:

- a) Monthly demand and energy as metered;
- b) 60 percent of highest billing demand occurring during the prior months of June, July, August or September;
- c) Any higher minimum as stipulated in an individual service agreement.

### 4. Applicable To:

All large light and power consumers with peak demands of greater than 1,000 kilowatts for three consecutive months. Customers may request other service parameters not provided under this schedule. A service LLP contract rate for such non-standard service may be offered only at the discretion of and approval by the NCU Board.

## H. MUNICIPAL RATES (charges are the same as INTERMEDIATE BUSINESS RATES)

### 1. Municipal Wholesale Rate - Summer (MWR):

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$85.00
Demand Charge (\$/kW)	\$16.50
Energy Charge (\$/kWh)	\$0.0693

### 2. Municipal Wholesale Rate - Winter (MWR):

	<u>Oct 1, 2023</u>
Customer Charge/Month	\$85.00
Demand Charge (\$/kW)	\$13.75
Energy Charge (\$/kWh)	\$0.0613

### **3. Minimum Bill:**

The Minimum Bill of the Customer shall be the Customer Charge, plus the greater of the following:

- a) Monthly demand and energy as metered;
- b) 60 percent of highest billing demand occurring during the prior months of June, July, August or September;
- c) Any higher minimum as stipulated in an individual service agreement.

### **4. Applicable To:**

Any municipal customer within the Nebraska City service area for resale.

## **SECTION 2. PRODUCTION COST ADJUSTMENT (PCA) Clause:**

All rates are subject to a Production Cost Adjustment (PCA) as may be set from time-to-time by the City Council. The Power Cost Adjustment (PCA) clause may be invoked, for periods of no longer than 12 months in cases when significant revenue changes are necessary because of substantial increases/decreases in the cost of power and/or other emergencies that are estimated to be greater than a 10% deviation in FY power costs budgeted. In some cases, the City's wholesale provider of electric power may bill an adjustment clause for a period of time and these costs may be passed on with losses using the PCA clause.

## **SECTION 3. POWER FACTOR CORRECTION:**

All demand rates included herein are subject to adjustment for power factors of less than ninety-five (95) percent lagging. If the power factor, by meter or test, is found to be less than ninety-five percent, at or near peak monthly demand, the billing demand shall be increased by the ratio of 95 divided by the measured power factor. To allow the customer appropriate time to correct a low power factor, the penalty correction shall be advisory for the first three bills rendered after the customer has been advised in writing of a power factor charge determination has provided by NCU.

## **SECTION 4. SERVICE QUALITY:**

Customers operating equipment having highly fluctuating or large instantaneous demands, or which require electric service quality exceeding customary industry standards, shall be required to provide adequate corrective and/or protective equipment, isolating transformers, or other equipment necessary to avoid interference with or be affected by customary service to other customers. Such special service conditions shall be subject to such additional monthly charges as the Utility deems necessary and appropriate.

## **SECTION 5. DISCOUNTS:**

A credit of one and one-half (1 1/2) percent of the energy charge shall be granted for primary metering of utility-owned transformers. A credit of three and one-half (3 1/2) percent of the energy charge shall be granted for customer-owned transformers where metering is located on

the low voltage side of the transformers. A credit of five (5) percent of the energy charge shall be granted for primary metering of customer-owned transformers. No credit shall be allowed when energy is delivered through more than one bank of utility-owned transformers.

**SECTION 6. DISCRIMINATION PROHIBITED:**

No service shall be provided under any other rate than as provided in these articles, except by written contract.

**SECTION 7. DEFINITIONS:**

1. kW shall mean peak kilowatt demand.
2. kWh shall mean kilowatt hour consumption.

**SECTION 8. SERVICE POLICIES:**

All rates and services included hereinabove are subject to the standard service policies and regulations of the NCU.

**SECTION 9. TAXES:**

In the event of the imposition of any new tax or the increase of any existing tax, or any increase in payments in lieu thereof, franchise fee, by any lawful authority; the electric bills determined under this ordinance may be increased by the amount of such tax or charge.

**SECTION 10. REPEAL:**

That Ordinance No. 3055-20, and all Ordinances or portions of Ordinances in conflict herewith are hereby repealed.

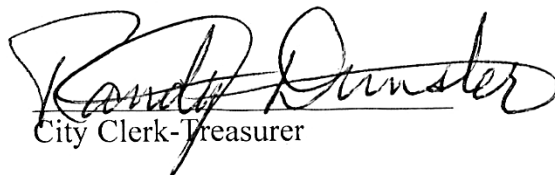
**SECTION 11. EFFECTIVE DATE:**

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 5<sup>th</sup> day of September, 2023.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk-Treasurer

