

ORDINANCE NO. 2759

AN ORDINANCE AMENDING SECTIONS 13.25.010(A), 13.25.050, AND 13.25.080 OF THE GARDNER MUNICIPAL CODE RELATING TO ELECTRIC RATES FOR THE CITY OF GARDNER, KANSAS

WHEREAS, CERTAIN SECTIONS OF THE GARDNER MUNICIPAL CODE WERE IDENTIFIED AS NEEDING TO BE REVISED FOLLOWING A RECOMMENDATION BY THE UTILITY ADVISORY COMMISSION.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: Section 13.25.010 of the Gardner Municipal Code shall be edited as follows:

13.25.010(A) - Electric Rates - Residential

A. Residential.

1. Eligibility for the residential electric rate is limited to dwelling units supplied through one meter for domestic use. This rate is not available to dwelling units used for commercial purposes; however, if the customer's wiring is so arranged that electric service for domestic and non-domestic purposes can be metered separately, then this rate is available to that portion used for domestic purposes.
2. Rate.
 - a. Service charge: \$ 2.72; and
 - b. \$0. 1017 per kilowatt hour.

SECTION TWO: Section 13.25.050 of the Gardner Municipal Code shall be edited as follows:

13.25.050 Power cost adjustment.

Electric charges for all classes of customers shall be increased or decreased each billing period by the amount of a power cost adjustment. The power cost adjustment shall be calculated by dividing the sum of City' s net cost of purchasing wholesale power and for the cost of fuel used to produce electric power for the past 12 billing periods by the City's total retail power sales for the past 12 billing periods. The base total power cost rate per kilowatt-hour shall be subtracted from this quotient to determine the power cost adjustment per kilowatt-hour. When a new base rate is calculated, the old rate will be adjusted in equal increments over a 12- month period until it equals the new rate. The Utility Advisory Commission shall make a recommendation to the Governing Body to set the base rate at an amount less than or equal to the calculated factor.

As of March 1, 2023, the Power Cost Adjustment (PCA) is hereby suspended until further notice.

SECTION THREE: Section 13.25.080 of the Gardner Municipal Code shall be edited as follows:

13.25.080 - Renewable energy resource rate.

An owner or operator of a qualified electric energy generation unit which is powered by a renewable generator as defined by Kansas State Statute K.S.A. 66-1,184 (2009) and has an electric generating capacity of not more than the following wattage schedule may apply for parallel generation services with the City of Gardner:

- A. Residential customer - 25 kilowatts or less.
- B. Commercial customer - 200 kilowatts or less.

If all technical requirements are met, including demonstrated compliance with K.S.A. 66-1,184, the Application for Interconnection is accepted by the Utility Director, and an Interconnection Agreement is approved by the Governing Body, the Customer-generator shall be allowed to interconnect to the City's electric system.

The customer-generator shall be fairly and equitably compensated for energy supplied to the City. The City shall measure the Customer-generator produced electricity fed to the grid and provide compensation to the Customer-generator on a monthly basis.

For commercial customer-generator, such compensation shall be recalculated and updated on April 1st of each year at the rate of 100% of the electric utility's monthly system average cost of energy per kilowatt hour except that in the case of renewable generators with a capacity of 200 kilowatts or less, such compensation shall be not less than 150% of the electric utility's monthly system average cost of energy per kilowatt hour. As provided for within an interconnection agreement, the electric utility may credit such compensation to the customer's account or pay such compensation to the customer at least annually or when the total compensation due equals \$25 or more.

For Quasi Net Metering residential customer-generator, the renewable energy resource rate shall equal the residential kWh retail rate.

SECTION FOUR: All other ordinances not in conformity herewith are hereby repealed or amended to conform hereto.

SECTION FIVE: This Ordinance shall take effect upon March 1, 2023 or after its passage, approval and publication as provided by law, whichever occurs later.

PASSED by the City Council this 17th day of January, 2023

SIGNED by the Mayor this 17th day of January, 2023.

(SEAL)

CITY OF GARDNER, KANSAS

/s/
Todd Winters, Mayor

Attest:

/s/
Sharon Rose, City Clerk

Approved as to form:

/s/
Ryan B. Denk, City Attorney