

**ORDINANCE NO. 2483**

**AN ORDINANCE REVISING TITLE 13 UTILITIES, CHAPTER 13.25 ELECTRIC RATES OF THE GARDNER MUNICIPAL CODE.**

WHEREAS, said Gardner Municipal Code, Chapter 13.25 Electric Rates was identified as needing to be revised following the adoption of an Ordinance establishing the Utility Advisory Commission.

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

**SECTION ONE:** The Governing Body of the City of Gardner, Kansas now deems it advisable to revise Chapter 13.25 "Electric Rates" as follows:

13.25.010 Electric Rates.

All customers of electrical current supplied by the electric distribution system of the City shall pay for this service in accordance with one of the following rates:

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: \$ 6. 72; and
- b. \$0. 10819 per kilowatt hour.

B. Residential with Electric Heat.

1. Eligibility for the residential with electric heat rate is limited to dwelling units utilizing electric heat or add-on heat pumps. Electricity shall be 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 nondomestic purposes can be metered separately, then this rate is available to that portion used for domestic purposes.
2. The following monthly rates, fees and charges shall apply for the May, June, July, August and September electric meter readings.

- a. Service charge: \$ 6. 72; and
- b. \$0. 11088 per kilowatt hour.

3. The following monthly rates, fees and charges shall apply for the October, November, December, January, February, March and April meter readings.

- a. Service charge: \$ 6.72; and
- b. First 800 kilowatt hours at \$ 0. 11088 per kilowatt hours; and
- c. All over 800 kilowatt hours at \$ 0.04853 per kilowatt hour.

C. Commercial without Demand.

1. The commercial without demand rate is available to any customer utilizing electric service at one point of delivery for which no specific rate is provided.
2. Rate.

- a. Service charge: \$ 7.35; and
- b. \$0. 11152 per kilowatt hour.

3. Customers choosing the commercial without demand rate must pay this rate for a minimum of 12 consecutive months to be eligible for the commercial with demand rate.

D. Commercial Electric Heat.

1. The commercial electric heat rate is available to commercial, industrial and institutional customers utilizing electric heat or add-on heat pumps.

2. Rate. The following monthly rates, fees and charges shall apply for the May, June, July, August and September electric meter readings.

a. \$5.30 per kilowatt hour of billing demand; and

b. Service charge: \$ 7.35; and

c. \$0.04198 per kilowatt hour.

3. The following monthly rates, fees and charges shall apply for the October, November, December, January, February, March and April meter readings.

a. \$5.30 per kilowatt hour of billing demand; and

b. Service charge: \$ 7.35; and

c. \$0.03894 per kilowatt hour.

E. Commercial with Demand.

1. The commercial with demand rate is available to any customer utilizing electric service at one point of delivery for which no specific rate is provided.

2. Rate.

a. Service charge: \$ 16.70; and

b. \$14.06 per kilowatt for all kilowatts of billing demand; and

c. \$0.05835 per kilowatt hour for the first 5,000 kilowatt hours; and

d. All over 5,000 kilowatt hours at \$ 0.05109 per kilowatt hour.

3. Customers choosing the commercial with demand rate must pay this rate for a minimum of 12 consecutive months to be eligible for the commercial without demand rate.

F. Large Commercial.

1. Eligibility for the large commercial rate is limited to commercial, industrial and institutional customers that each billing period have a demand of 200 kilowatts or greater and a load factor of 50 percent or greater. Failure to maintain the minimum demand or load factor during any billing period shall make the customer ineligible for the large commercial rate. A customer disqualified from paying the large commercial rate may become eligible to resume the large commercial rate after meeting the minimum demand and load factor requirements for 12 consecutive months.

2. Rate.

a. Service charge: \$ 22.26; and

b. \$14.06 per kilowatt for all kilowatts of billing demand; and

c. \$0.05708 per kilowatt hour for the first 5,000 kilowatt hours; and

d. All over 5,000 kilowatt hours at \$ 0.05053 per kilowatt hour.

G. Residential and Commercial Electric Heat with Separate Meter.

1. The residential and commercial electric heat with separate meter rate is available to any customer utilizing separately metered electric heat or an add-on heat pump.

2. Rate.

a. \$0.07649 per kilowatt hour.

H. School District 231.

1. The School District 231 rate is available to any building used by U.S. D. 231 School District.

2. Rate.

- a. Service charge: \$ 11. 13; and
- b. \$12. 22 per kilowatt hour for all kilowatts of billing demand; and
- c. \$0.05356 per kilowatt hour for the first 5, 000 kilowatt hours; and
- d. All over 5, 000 kilowatt hours at \$ 0.03742 per kilowatt hour.

I. City of Gardner.

- 1. The City of Gardner rate is available to any building or facility owned by the City.
- 2. Rate.
  - a. Service charge: \$ 0.00; and
  - b. Demand charge: \$ 0.00; and
  - c. Energy charge: \$ 0.08545

13.25.020 Determination of demand.

The electric demand of a customer shall be measured in kilowatts (kW). The demand shall be determined by demand instruments or, at the City's option, by demand tests and shall be the highest demand indicated during any 15- to 30-minute interval during the billing period.

13.25.030 Determination of load factor.

The load factor of a customer shall be calculated by taking the actual energy consumed for a specific period of time, and dividing it by the peak demand multiplied by the length of the time period. This calculation is represented by the equation:

$$\text{Load Factor} = \frac{\text{Actual Energy Consumed (kWh)}}{\text{Peak Demand (kW) x Time}}$$

13.25.040 Estimation of bills.

In case any meter shall stop or for any reason fail to register or upon failure to read the meter, then the City of Gardner may estimate the monthly bill for electric to based on the average quantity consumed during the preceding 12 months.

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.

13.25.060 Yard lights fee.

The fee for yard lights owned and maintained by the City utilized for private purposes shall be as follows: \$13.65 per billing period for each 250 watt fixture.

13.25.070 Pole attachment charges.

The **City** will charge for the use of Gardner electric poles as follows:

- A. For each attachment to a utility pole, the annual fee will be \$17.95, payable quarterly. The number of attachments to be charged will be based on the total number of attachments as of January 1<sup>st</sup> of each year beginning January 1<sup>st</sup>, 2010.
- B. Permission to attach and the method of attachment are at the discretion of the Governing Body.
- C. Unified School District No. 231, the City of Gardner, and Kansas City Power and Light will not be charged.

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. 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 the 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.

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

**SECTION FOUR:** This Ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

PASSED by the City Council this 6th day of April, 2015.

SIGNED by the Mayor this 6th day of April, 2015.

CITY OF GARDNER, KANSAS

(SEAL)

/s/ Chris Morrow  
Chris Morrow  
Mayor

ATTEST:

/s/ Jeanne Koontz  
Jeanne Koontz  
City Clerk