

ORDINANCE NO. 830

AN ORDINANCE PROVIDING FOR AND FIXING THE RATE SCHEDULE TO BE CHARGED FOR ELECTRICITY SOLD BY THE MUNICIPAL ELECTRIC DEPARTMENT OF THE CITY OF BURLINGTON, KANSAS; AMENDING CHAPTER XV, ARTICLE 3, BY REPLACING SECTION 15-318 THROUGH SECTION 15-323 OF THE 1997 CODE FOR THE CITY OF BURLINGTON, KANSAS. THIS ORDINANCE REPEALS ORDINANCE 314, ORDINANCE 564 AND ORDINANCE 749.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGTON, KANSAS:

SECTION 1. That Section 15-318 in its entirety is hereby amended to read as follows:

Section 15-318. RESIDENTIAL SERVICE; RATES

- (a) The provisions of this section shall apply to residential service electric rate schedule, including rural residential.
- (b) The schedule is available for residential service, separately metered, to a single-family dwelling located within the urban area of the community or served from a common low tension network serving such area. This schedule is not available for service through a single meter to multifamily dwellings, rooming houses, etc, nor for service to two or more dwellings.
- (c) The net rate shall be as follows:
 - (1) Consumer Charge = \$8.00 per month
 - (2) First 200 kWh @ \$0.130 per kWh per month;
 - (3) Next 800 kWh @ \$0.115 per kWh per month;
 - (4) Excess over 1,000 kWh @ \$0.100 per kWh per month.

This rate is subject to the Power Supply Adjustment Clause. (Chapter XV, Article 3, Section 15-322)

- (d) The total net monthly bill, calculated as above, shall be not less than \$8.00.
- (e) The conditions of service shall be as follows:
 - (1) Voltage, phase and frequency of energy supplied under this schedule shall be as specified by the City;
 - (2) Service under this schedule shall be furnished for the sole use of the customer and shall not be resold or submetered;
 - (3) Service shall be supplied through a single meter unless authorized by the City. At the request of the customer, separate meters may be retained, in which case each meter shall be billed as a separate customer;
 - (4) Service shall be of the overhead type. In event the customer desires an underground type of service, the City will furnish and install such service, and the customer shall pay the City for all expenses incurred over and above the normal overhead type service;
 - (5) Welding, x-ray or other equipment characterized by severe or fluctuating demands, shall not be served under this schedule;
 - (6) This schedule shall apply to regular service as distinguished from intermittent or seasonal service.

SECTION 2. That Section 15-319 in its entirety is hereby amended to read as follows:

Section 15-319. SMALL COMMERCIAL SERVICE

- (a) The provisions of this section shall apply to small commercial service electric rate schedule, including small rural commercial.
- (b) This schedule is available for service within the urban area of the community, or from a common low tension network serving such area, to commercial establishments, rooming houses, multi-family dwellings, or for combined commercial and residential use for usage up to 8,000 kWh/month.

- (c) The net rate shall be as follows:
 - (1) Consumer Charge = \$10.00 per month;
 - (2) First 250 kWh @ \$0.1360 per kWh per month;
 - (3) Next 1,000 kWh @ \$0.1190 per kWh per month;
 - (4) Next 6,750 kWh @ \$0.1020 per kWh per month;
 - (5) Excess over 8,000 kWh @ \$0.1065 per kWh per month.

This rate is subject to the Power Supply Adjustment Clause (Chapter XV, Article 3, Section 15-322)

(d) The total net monthly bill, calculated as above, shall be not less than \$10.00.

(e) The conditions shall be as follows:

- (1) Voltage, phase and frequency of energy supplied hereunder shall be as specified by the City;
- (2) Service under the schedule is furnished for the sole use of the customer; and there shall be no submetering or resale of service, unless otherwise authorized by the City;
- (3) Service shall be supplied through a single meter, unless otherwise authorized by the City. At the request of the customer, separate meters may be retained, in which case each meter shall be considered a separate customer. Polyphase service, metered separately, shall be considered a separate customer;
- (4) Service shall be of the overhead type. In event the customer desires an underground type of service, the City will furnish and install such service, and the customer shall pay the City for all expenses incurred over and above the normal overhead type service;
- (5) All motor driven devices of one and one-half horsepower capacity or larger must be operated on a nominal voltage of 208 volts or higher.
- (6) The maximum size of any single phase motor shall be 10 horsepower;
- (7) All polyphase motors of 25 horsepower and larger shall be controlled by reduced voltage starters. Reduced voltage starters shall be of the auto transformer, resistor or part winding type. Requests for exceptions to this requirement are to be submitted in writing to the City. Exceptions granted by the City will be granted in writing;
- (8) Service shall be rendered under this schedule up to a demand of 15 kW or a usage of 8000 kWh per month. When a customer's usage reaches this level for any two months during a 12 month period, the City shall install a demand meter and place the customer on the large commercial rate for a period of 12 successive months;

SECTION 3. That Section 15-320 in its entirety is amended to read as follows:

Section 15-320. LARGE COMMERCIAL SERVICE.

- (a) The provisions of this section shall apply to large commercial service electric rate schedule.
- (b) The schedule is available for service located on the lines of the city for lighting or power within the urban area of the community, or from a common low tension network serving such area, to commercial establishments, rooming houses, multi-family dwellings, or for combined commercial and residential use for usage which exceeds either 8,000 kWh/month, or a peak monthly demand which exceeds 25 kW for three consecutive months. If there is less than three previous of data, applicability will be determined from available data.
- (c) The net rate shall be as follows:
 - (1) Demand Charge: \$8.00 per Kilowatt of Demand per month.
 - (2) Energy Charge:
 - a. First 8,000 kWh @ \$0.099 per kWh per month;
 - b. Excess over 8,000 kWh @ \$0.087 per kWh per month.

(3) The net minimum bill, calculated as above, shall be not less than \$200.00 per month.

This rate is subject to the Power Supply Adjustment Clause. (Chapter XV, Article 3, Section 15-322)

- (d) The demand shall be the highest 15 minute kilowatt demand occurring during the month as measured by a suitable meter. The monthly demand shall not be less than seventy-five percent (75%), the maximum demand recorded for the preceding 11 months.
- (e) Where the customer supplies all facilities (other than metering equipment) for utilization of service at the voltage of the City's distribution system, the above demand and energy charges shall be decreased four percent (4%).
- (f) The above rate applies for service metered at the voltage of the City's secondary line feeding to such location. Where service is metered at primary voltage, adjustment for billing shall be made by decreasing demands and energy charges by two percent (2%).
- (g) The minimum monthly bill shall be the higher of the following:
 - (1) \$0.75 per kVa of installed transformed capacity;
 - (2) \$8.00 per kilowatt of billing demand.
- (h) The customer shall maintain a power factor of not less than ninety percent (90%) lagging. The average power factor during the month used for billing purposes shall be obtained from the measured kilowatt hours and the measured reactive kilovolt-ampere hours taken during the month. The meter for measurement of reactive kilovolt-ampere hours will be ratcheted to prevent reverse registration. If the average power factor during the month is less than ninety percent (90%) lagging, the total bill for the month shall be increased one percent (1%) for each one percent (1%) or major fraction thereof by which the average power factor during the month is less than ninety percent (90%) lagging.
- (i) The conditions of service shall be as follows:
 - (1) Voltage, phase and frequency of service hereunder shall be specified by the City;
 - (2) More than one class of service, as to character of voltage, phase and frequency, if separately metered, shall not be combined for billing hereunder;
 - (3) Service to each separate location or point of delivery hereunder shall be billed separately;
 - (4) Service under this schedule is for the sole use of the customer and shall not be resold or submetered;
 - (5) Lighting service incidental to power may be rendered hereunder if such combined lighting and power is served through one point of delivery, and the customer furnishes all additional equipment necessary for further transformation or regulation of energy for lighting service. Should such service to incidental single phase load result in phase unbalance, whereby the average of the separate loads on the three phases is less than ninety percent (90%) of the load of maximum phase, the customer shall correct such phase unbalance to meet the above limitation. Should the customer fail to correct such phase unbalance, the demand as determined shall be increased in due proportion to such phase unbalance; or such single phase service shall be rendered separately and billed under the appropriate rate covering such service;
 - (6) All polyphase motors of 25 horsepower and larger shall be controlled by reduced voltage starters. Reduced voltage starters shall be of the solo transformer, resistor, or part winding type. Requests for exceptions to this requirement are to be submitted in writing to the City. Exceptions granted by the City will be granted in writing.
 - (7) Service shall be of the overhead type. In event the customer desires an underground type of service, the City will furnish and install such service, and the customer shall pay the City for all expenses incurred over and above the normal overhead type service;
 - (8) The maximum size of any single phase motor shall be 10 horsepower.
 - (9) The term of service shall be not less than one year.

SECTION 4. That Section 15-321 in its entirety is hereby amended to read as follows:

Section 15-321. INDUSTRIAL SERVICE SCHEDULE ISS 1.

- (a) The provisions of this section shall apply to the industrial service ISS 1 electric rate schedule.
- (b) This schedule is available for service to any customer located on lines of the City for lighting or power whose energy usage exceeds either 200,000 kWh/month or peak monthly demand is above 500 kW for three consecutive months. If there is less than three previous months of data, applicability will be determined from available data. These schedules are available for service in the community, for industrial or commercial use. Not applicable for seasonal service.
- (c) The net rate shall be as follows:
 - (1) Demand Charge: \$12.00 per kWh of Demand per month;
 - (2) Energy Charge:
 - a. First 200,000 kWh @ \$0.080 per kWh per month;
 - b. Excess over 200,000 kWh @ \$0.070 per kWh per month.
 - (3) The net minimum bills, as calculated above, shall be not less than \$1,800.00 per month.

This rate is subject to the Power Supply Adjustment Clause. (Chapter XV, Article 3, Section 15-322)

- (d) The billing demands shall be the highest of the following:
 - (1) The highest 15 minute demand occurring during the month;
 - (2) Seventy-five percent (75%) of the maximum demand recorded during the preceding 12 months;
- (e) The minimum monthly bill shall be the demand charge.
- (f) The customer shall maintain a power factor of not less than ninety percent (90%) lagging. The average power factor during the month used for billing purposes shall be obtained from the measured kilowatt hours and the measured reactive kilovolt-ampere hours taken during the month. The meter for measurement of reactive kilovolt-ampere hours will be ratcheted to prevent reverse registration. If the average power factor during the month is less than ninety percent (90%) lagging, the total bill for the month shall be increased one percent (1%) for each one percent (1%) or major fraction thereof by which the average power factor during the month is less than ninety percent (90%) lagging.
- (g) The conditions of service shall be as follows:
 - (1) The voltage, phase and frequency of service hereunder shall be approved by the City;
 - (2) More than one character of service, as to voltage, phase and frequency of delivery, shall not be combined for billing hereunder except as follows:
 - (A) Customers with existing multiple service may retain such services;
 - (B) Billing will be accomplished by adding demand and kilowatt hour readings of all meters numerically;
 - (C) Credit for diversity will not be granted.
 - (3) Service shall be of the overhead type. In event the customer desires an underground type of service, the City will furnish and install such service, and the customer shall pay the City for all expenses incurred over and above the normal overhead type service;
 - (4) Service to each separate location or point of delivery hereunder shall be billed separately.
 - (5) Service under this schedule is for the sole use of the customer, and shall not be resold or submetered.
 - (6) Lighting will be served hereunder, subject to the provisions of determination of demand. Lighting service incidental to power may be rendered hereunder if such combined lighting and power is served through one point of delivery, and the customer furnishes all additional equipment necessary for further transformation or regulation of energy for lighting service. Should such service to incidental single phase load result in phase unbalance, whereby the average of the separate loads on the three phases is less

than ninety percent (90%) of the load of maximum phase, the customer shall correct such phase unbalance to meet the above limitation. Should the customer fail to correct such phase unbalance, the demand as determined shall be increased in due proportion to such phase unbalance; or such single phase service shall be rendered separately and billed under the appropriate rate covering such service.

- (7) All polyphase motors of 25 horsepower and larger shall be controlled by reduced voltage starters. Reduced voltage starters shall be of the auto transformer, resistor, or part winding type.
- (8) The maximum size of any single phase motor shall be 10 horsepower.
- (9) The term of service shall not be less than one year.

SECTION 5. That Section 15-322 in its entirety is hereby amended to read as follows:

Section 15-322 POWER SUPPLY ADJUSTMENT CLAUSE. All electric rate schedules are based on an average wholesale power cost to the City of 64.620 mils/kWh. In the event that the wholesale power cost increases above 64.620 mils per kWh, the following clause shall apply:

- (a) The above rates shall be increased by 0.110 mil per kWh for each 0.10 mil or major fraction thereof which Seller's average power cost per kilowatt hour exceeds 64.620 mils per kWh.
- (b) The adjustment will be computed monthly and applied monthly.
- (c) The average wholesale power cost will include purchased power costs, generated power costs, and debt service payments.

SECTION 6. That Section 15-323, be hereby amended to read as follows:

Section 15-323 RIGHTS RESERVED. City of Burlington reserves the right to at any time change the rates provided Chapter XV, Article 3 of the 1997 Code of the City of Burlington, or to reclassify the consumers on the basis of the purpose for which electric service of the City may be used. In the case of any conflict or dispute over the proper rate or class of rates to be applied to any customer or service, the decision of the Superintendent shall be final and conclusive.

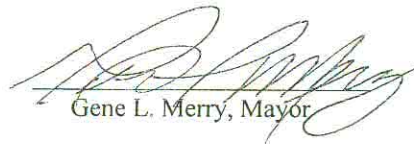
SECTION 7. REPEAL OF ORDINANCES IN CONFLICT. Ordinance 314, Ordinance 564 and Ordinance 749, in their entirety, be and the same are hereby repealed.

SECTION 8. SAVING CLAUSE. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

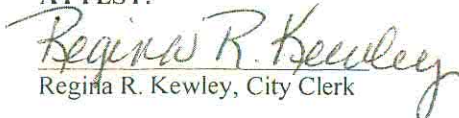
SECTION 9. ORDINANCE IN FORCE. This Ordinance 830 shall after adoption be published in the Coffey County Republican, the official newspaper, and shall take effect for the utility billing of August 15, 2014 that will be due on September 10, 2014, and thereafter.

ADOPTION: ORDINANCE 830 IS HEREBY ADOPTED by the Governing Body of the City of Burlington, Kansas, and approved by the Mayor on the 18th day of June, 2014.

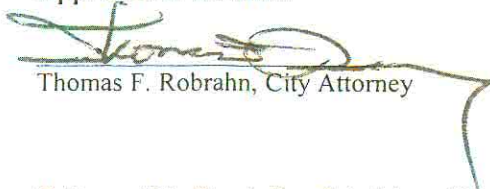
(S E A L)


Gene L. Merry, Mayor

ATTEST:


Regina R. Kewley, City Clerk

Approved as to Form:


Thomas F. Robrahn, City Attorney

