

**ORDINANCE NO. O2020-61**

**AN ORDINANCE OF THE CITY OF WEATHERFORD, TEXAS, AMENDING TITLE IX, CHAPTER 8, (UTILITY RATES), SECTIONS 9-8-3 OF THE CITY CODE OF WEATHERFORD BY AMENDING ELECTRIC RATE SCHEDULES; BY AMENDING MINIMUM BILL SCHEDULES FOR ELECTRIC CUSTOMERS.**

**WHEREAS**, it is in the public interest of the citizens of Weatherford to reduce and, ultimately, eliminate the cross subsidization of services provided by the Municipal Utility System;

**WHEREAS**, the City Council for the City of Weatherford and Municipal Utility System commissioned a study regarding the cost of service and rate design for distributed generation customers and has received, reviewed and considered the findings and recommendations of the said study; and

**WHEREAS**, it is necessary, in order to adopt and effect the recommendations of the said report, to amend water, wastewater and electric rate schedules for the Municipal Utility System; and

**WHEREAS**, the amendment of the said electric rate schedules requires amendment of prior ordinances of the City Code of Weatherford,

**WHEREAS**, the provision of efficient utility services to the citizens of Weatherford and the certificated area of the City of Weatherford Municipal Utility System serves and promotes the health, safety and general welfare of the public; and

**WHEREAS**, it is necessary for the City to amend the provisions of Title IX, Chapter 8, Sections 9-8-3 of the City Code of Weatherford to effect the necessary amendments of electric service rates and minimum monthly bill schedules;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEATHERFORD, TEXAS:**

**Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life in the City.

**Amendments to Title IX, Chapter 8 of the City Code of Weatherford, Texas.** The City Council hereby amends the following chapter and sections of Title IX, Chapter 8 of the City Code of Weatherford to hereafter read as specifically set forth herein:

**Sec. 9-8-3. - Electric rates.**

The municipal utility system of the city shall charge, collect or receive for electric service supplied for various customers at the following monthly rates.

(1) *Residential Service Schedule RS-1*

*Applicable:* Entire service area.

- a. *Application* Available to any customer for electric service used for residential purposes in an individual private dwelling or an individually metered apartment. Service will be supplied at one point of delivery, which is specified by the city, and measured through one meter.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service.* The electric service furnished hereunder will be single phase, 60 hertz, at the city's standard secondary voltage through one standard transformation. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.

- c. *Monthly rate*

	<u>Effective: Oct 1, 2014</u>	<u>Effective: Oct 1, 2015</u>	<u>Effective: Oct 1, 2016</u>
Customer Charge	\$11.75	\$13.50	\$15.00
Energy Charge per kWh	\$0.0432	\$0.0424	\$0.0412
Minimum Bill	\$11.75	\$13 50	\$15 00

The monthly rate after FY 2017 shall be the same as FY 2017 unless otherwise amended.

FY - Fiscal year - October through September.

- d. *Terms and conditions.* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.

(2) *Residential Service Schedule RS-2.*

*Applicable:* Entire service area.

- a. *Application:* Available to any customer for electric service used for residential purposes in an individual private dwelling or an individually metered apartment. Service will be supplied at one point of delivery, which is specified by the city, and measured through one meter.

Applicable when all electric service used on the premises is supplied through one meter, when electricity is the sole source of energy for all domestic uses, and when approved electric space heating, electric water heating, and energy efficient standards are permanently installed.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service* The electric service furnished hereunder will be single phase, 60 hertz, at the city's standard secondary voltage through one standard transformation. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.

- c. *Monthly rate:*

	<u>Effective: Oct 1, 2014</u>	<u>Effective: Oct 1, 2015</u>	<u>Effective: Oct. 1, 2016</u>
Customer Charge	\$11.75	\$13.50	\$15.00
Energy Charge per kWh	\$0.0432	\$0.0424	\$0.0412
Minimum Bill	\$11.75	\$13.50	\$15.00

The monthly rate after FY 2017 shall be the same as FY 2017 unless otherwise amended.

FY - Fiscal year - October through September.

- d. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.

(3) *Residential Service Schedule RS-3*

*Applicable* Entire service area.

- a. *Application* Available only to Distributed Generation customers for electric service used for residential purposes in an individual private dwelling. Distributed Generation customers are required to execute an interconnection agreement according to the terms set forth in the city's Distributed Generation Procedures and Guidelines. Service will be supplied at one point of delivery, which is specified by the city, and measured through one meter. Energy received by the City from the customer will be credited at the City's Avoided Cost of Generation Rate as determined by the City.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service* The electric service furnished hereunder will be single phase, 60 hertz, at the city's standard secondary voltage through one standard transformation. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.

c. *Monthly rate*

	<b>Effective:</b> <u>Jan 1, 2020</u>
Customer Charge	\$15.00
Distributed Generation System Capacity Charge	\$5.00
Energy Charge per kWh	\$0.0374
Minimum Bill	\$20.00

The monthly rate after FY 2021 shall be the same as FY 2021 unless otherwise amended.

FY - Fiscal year - October through September.

- d. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.

(4) *General Service Schedule SGS-1*

*Applicable* Entire service area.

- a. *Application* Available to commercial customers with less than 20 kW demand for electric service supplied at one point of delivery, which is specified by the city, and measured through one meter.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service:* The electric service furnished hereunder will be single phase, 60 hertz, at the city's standard secondary voltage through one standard transformation. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.

c. *Monthly rate*

	<b>Effective:</b> <u>Oct 1, 2014</u>	<b>Effective:</b> <u>Oct. 1, 2015</u>	<b>Effective:</b> <u>Oct. 1, 2016</u>
Customer Charge	\$19.55	\$19.55	\$19.55
Energy Charge per kWh	\$0.0467	\$0.0446	\$0.0424
Minimum Bill	\$19.55	\$19.55	\$19.55

The monthly rate after FY 2017 shall be the same as FY 2017 unless otherwise amended.

FY - Fiscal year - October through September.

- d. *Determination of demand* The customer's maximum demand will be the kilowatt (kW) load established by the customer during the 15-minute period of maximum use during the month. This demand will be determined by city's demand meter.
  - e. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.
- (5) *General Service Schedule SGS-2.*  
*Applicable* Entire service area.

- a. *Application* Available only to Distributed Generation commercial customers with less than 20 kW demand for electric service supplied at one point of delivery, which is specified by the city, and measured through one meter. Distributed Generation customers are required to execute an interconnection agreement according to the terms set forth in the city's Distributed Generation Procedures and Guidelines. Energy received by the City from the customer will be credited at the City's Avoided Cost of Generation Rate as determined by the City.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service* The electric service furnished hereunder will be single phase, 60 hertz, at the city's standard secondary voltage through one standard transformation. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.
- c. *Monthly rate.*

	<b>Effective:</b> <u>Jan 1, 2020</u>
Customer Charge	\$19.55
Distributed Generation System Capacity Charge	\$10.00
Energy Charge per kWh	\$0.0320
Minimum Bill	\$29.55

The monthly rate after FY 2021 shall be the same as FY 2021 unless otherwise amended.

FY - Fiscal year - October through September.

- d. *Determination of demand* The customer's maximum demand will be the kilowatt (kW) load established by the customer during the 15-minute period of maximum use during the month. This demand will be determined by city's demand meter.

- e. *Terms and conditions:* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.

(6) *General Service (Large) Schedule LGS-1*

*Applicable* Entire service area.

- a. *Application* Available to commercial customers with 20 kW demand and less than 200 kW demand for electric service supplied at one point of delivery, which is specified by the city, and measured through one meter.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service:* The electric service furnished hereunder will be single phase, 60 hertz, at the city's standard secondary voltage through one standard transformation. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.

- c. *Monthly rate:*

	<u>Effective: Oct 1, 2014</u>	<u>Effective: Oct 1, 2015</u>	<u>Effective: Oct. 1, 2016</u>
Customer Charge	\$42.50	\$42 50	\$42 50
Demand Charge per kW	\$3 96	\$3 96	\$3.96
Energy Charge per kWh	\$0.0244	\$0.0238	\$0 0232

The monthly rate after FY 2017 shall be the same as FY 2017 unless otherwise amended.

FY - Fiscal year - October through September.

*Minimum bill* Customer charge plus the demand charge for 75 percent of the highest kW established during the last 12 months or the current demand charge whichever is higher.

- d. *Determination of demand* The customer's maximum demand will be the kilowatt (kW) load established by the customer during the 15-minute period of maximum use during the month. This demand will be determined by city's demand meter.
- e. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.

(7) *General Service (Large) Schedule LGS-2*

*Applicable* Entire service area.

- a. *Application* Available to all customers with 200 kVA demand and less than 1,000 kVA demand for electric service supplied at one point of delivery, which is specified by the city, and measured through one meter.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service* The electric service furnished hereunder will be three phase, 60 hertz, at the city's standard secondary voltage through one standard transformation or at the city's standard primary voltage. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.

- c. *Monthly rate.*

	<b>Effective:</b> <u>Oct 1, 2014</u>	<b>Effective:</b> <u>Oct. 1, 2015</u>	<b>Effective:</b> <u>Oct. 1, 2016</u>
Customer Charge	\$100 00	\$100.00	\$100.00
Demand Charge per kVA	\$4.00	\$4 30	\$4 65
Energy Charge per kWh	\$0.0256	\$0.0249	\$0.0240

The monthly rate after FY 2017 shall be the same as FY 2017 unless otherwise amended.

FY - Fiscal year - October through September.

*Minimum bill* Customer charge plus the demand charge for 75 percent of the highest kVA established during the last 12 months or the current demand charge whichever is higher. City will maintain all of its installed primary voltage distribution facilities regardless of the location of the metering point.

- d. *Determination of demand:* The customer's maximum demand will be the kVA load established by the customer during the 15-minute period of maximum use during the month. This demand will be determined by city's demand meter.
- e. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.

(8) *General Service (Large) Schedule LGS-3.*

*Applicable* Entire service area.

- a. *Application* Available to commercial customers with 1,000 kVA demand or more for electric service supplied at one point of delivery, which is specified by the city, and measured through one meter.

Not applicable for resale or breakdown service, nor temporary, standby, or supplementary service except in conjunction with applicable rider.

- b. *Type of service* The electric service furnished hereunder will be three phase, 60 hertz, at the city's standard secondary voltage through one standard transformation or at the city's standard primary voltage. Three phase service will be furnished as provided in city's terms and conditions governing utility service. Where service of the type desired by the customer is not already available at the point of service, special contract arrangements between the city and the customer may be required prior to service being furnished.

- c. *Monthly rate*

	<b>Effective:</b> <u>Oct 1, 2014</u>	<b>Effective:</b> <u>Oct 1, 2015</u>	<b>Effective:</b> <u>Oct. 1, 2016</u>
Customer Charge	\$195.00	\$195 00	\$195 00
Demand Charge per kVA	\$4.05	\$4.35	\$4 75
Energy Charge per kWh	\$0.0225	\$0 0223	\$0.0220

*Minimum bill* Customer charge plus the demand charge for 75 percent of the highest kVA established during the last 12 months or the current demand charge whichever is higher. City will maintain all of its installed primary voltage distribution facilities regardless of the location of the metering point.

- d. *Determination of demand.* The customer's maximum demand will be the kVA load established by the customer during the 15 minute period of maximum use during the month. This demand will be determined by city's demand meter.
- e. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service. An agreement for electric service with a term of not less than five years is required for customers having or expected to have electrical loads of 1,000 kVA or more

(9) *Security Lighting Service Schedule SLS-1*

*Applicable* Entire service area.

- a. *Application* Available to any customer in areas designated by the city on a city owned or joint-use utility poles.
- b. *Type of service* The electric service will be supplied exclusively to one or more outdoor type security lights. Lights will operate automatically every night from dusk to dawn, or approximately 4,000 hours per year.
- c. *Monthly rate*  
\$10.90 customer charge  
*Estimated energy use.* 40 kWh
- d. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.



Installation charges will be in accordance with the city's most current electric service policy.

City will at its own cost and expense, replace all burned-out lamps. All expenses covering replacement of lamps and refractors due to vandalism or other breakage shall be borne by the customer.

City will, upon request of customer, disconnect or change any of its facilities used in rendering service herein under insofar as it may be practical and permissible. Customer will pay to city all costs incurred by city in making any changes.

(10) *Street Lighting Service Schedule SLS-2*

*Applicable* Entire service area.

- a. *Application* Available only to the city in areas designated by the city on a city owned or joint-use utility poles.
- b. *Type of service* The electric service will be supplied exclusively to one or more outdoor type street lights. Lights will operate automatically every night from dusk to dawn, or approximately 4,000 hours per year.
- c. *Monthly rate*

	<u>Effective: Oct 1, 2014</u>	<u>Effective: Oct 1, 2015</u>	<u>Effective: Oct 1, 2016</u>	<u>Effective: Oct 1, 2017</u>	<u>Effective: Oct 1, 2018</u>
Fixed Charge per light	\$3 15	\$3 94	\$4.78	\$5.81	\$6.55

*Estimated energy use* kWh to be determined monthly from the city's street light system.

- d. *Terms and conditions* Service will be furnished under city's terms and conditions governing utility service and rules and regulations governing utility service.

(9) *Power Cost Adjustment Factor Schedule PCAF*

*Applicable* Entire service area—All rate schedules.

*Application* The energy charges stated in all rate schedules applicable for the current billing month will be increased or decreased by the amount by which the average cost of purchased power plus production cost per kilowatt hour sold for the previous month exceeds \$0.0150.

$$PCAF = (((PPC + PC + APM)/KWHP) - \$0.0150) +/- ADF$$

*Definitions.*

PCAF = Power cost adjustment factor.

PPC = Purchased power cost for the most recent month for which final costs are available.

PC = Production cost for the most recent month for which final costs are available.

APM = Adjustment for previous month over/under PCAF recovery.

KWHP = Total kilowatt hours purchased, previous month.

ADF = Annualized deferral factor based on projected costs and sales variances keeping a rate stabilization fund minimum as set by the utility board and revised as needed.

**Resolution of Conflicting Ordinances.** The terms and provisions of this ordinance are intended to supersede the prior provisions of the affected chapter and sections of the prior ordinance. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the provisions of this ordinance shall control.

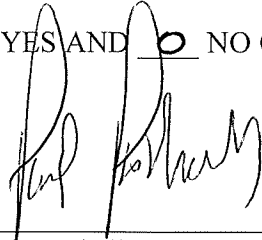
**Savings Clause.** All rights and remedies of the City of Weatherford are expressly saved as to any and all provisions of the affected prior chapter and sections pertaining to delinquent payments, re-connection fees or other charges due and owing to the City under the prior ordinance's provisions and to any and all violations of the provisions of the prior ordinance which have accrued as of the effective date of this ordinance; and as to such accrued fees, delinquent payments, re-connection fees or charges - collection activity, violations and any pending litigation, both civil and criminal, whether pending in court or not, under such prior ordinances, shall not be affected by this ordinance but may be prosecuted and pursued until final disposition by the courts.

**Effective Date.** This ordinance shall take effect immediately from and after its passage and publication in accord with the provisions of the Texas Local Government Code.

**Severability.** It is the express intent of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, sentence, paragraph or section should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance as the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision, and to this end the provisions of this ordinance are hereby declared to be severable.

**Open Meeting.** The City Council finds and determines that the meeting at which this ordinance is passed was open to the public as required by law and that public notice of the time, place and purpose of said meeting was duly given as required by the Texas Open Meetings Act.

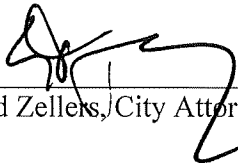
PASSED AND APPROVED BY A VOTE OF 5 AYES AND 0 NO ON THE 17th DAY  
OF NOVEMBER, 2020.

  
\_\_\_\_\_  
Paul Paschall, Mayor

ATTEST:

  
\_\_\_\_\_  
Malinda Nowell, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ed Zellers, City Attorney