

ORDINANCE NO. 2291

AN ORDINANCE ESTABLISHING A NEW SCHEDULE OF RATES TO BE CHARGED FOR ELECTRIC SERVICES FURNISHED BY BRYAN TEXAS UTILITIES (BTU); PROVIDING DEFINITIONS; REPEALING ALL ORDINANCES IN CONFLICT; REPEALING ORDINANCE NO. 2060; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR METER ACCESS AND A PENALTY; FINDING AND DETERMINING THAT THE MEETINGS AT WHICH THE ORDINANCE IS PASSED ARE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYAN:

That the following schedule for electric services shall be charged for said services furnished by BTU:

SECTION 1

A. CITY ELECTRIC UTILITY SYSTEM

**1. ELECTRIC RATE - SCHEDULE R-C
(Residential-City)**

Applicability:

This rate applies to electric service for all single-family dwellings and single metered apartment units whose point of delivery is located within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies). Multiple-dwelling units where served under one meter shall be billed under the applicable commercial rate.

Character of Service:

Service must be taken at delivery voltages of 120/240 or as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>Monthly Charges November Through April</i> | <i>Monthly Charges May Through October</i> |
|----------------------------|---|--|
| Customer Charge | \$11.00/Month | \$11.00/Month |
| Energy Charge | \$0.0256/kWh | \$0.0383/kWh |
| Delivery Charge | \$0.0122/kWh | \$0.0122/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance | As set forth in Section 4 of this ordinance |

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

2. ELECTRIC RATE - SCHEDULE SSS-C
(Secondary Service Small-City)

Applicability:

This rate applies to electric service for all commercial customers and multiple-dwelling units within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies) receiving service at secondary voltage and with peak kilowatt (kW) demand less than 25 kW. A customer on this schedule with demand greater than or equal to 25 kW for any billing period shall be billed under Schedule SSD-C for the next 12-month period beginning with the current month.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$15.50/Month |
| Energy Charge | \$0.0345/kWh |
| Delivery Charge | \$0.0110/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

3. ELECTRIC RATE - SCHEDULE SSD-C
(Secondary Service Demand-City)

Applicability:

This rate applies to electric service for all commercial and industrial customers within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies) with peak kW demand greater than or equal to 25 kW and less than 1,000 kW. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 25 kW, Schedule SSS-C shall apply beginning with the first month succeeding such 12-month period. Likewise, a customer on this schedule whose demand is greater than or equal to 1,000 kW for any billing period may be billed under Schedule SSL-C for the next 12-month period beginning with the current month, provided that the measured demand is made up of Normally Installed Equipment.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$37.00/Month |
| Energy Charge | \$0.0086/kWh |
| Demand Charge | \$6.60/kW |
| Delivery Charge | \$2.79/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the Power Factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Billed Demand.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**4. ELECTRIC RATE - SCHEDULE SSDTOU-C
(Secondary Service Demand Time of Use-City)**

Applicability:

This rate applies to electric service for all commercial or industrial customers within the City Electric Utility System's area of service (subject to City Electric Utility System extension policies) with peak kW demand greater than or equal to 500 kW and less than 1,000 kW. Service to athletic stadium lights may also be considered for this rate. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 500 kW, Schedule SSD-C shall apply beginning with the first month succeeding such 12-month period. Likewise, a customer on this schedule whose demand is greater than or equal to 1,000 kW for any billing period may be billed under Schedule SSL-C for the next 12-month period beginning with the current month, provided that the measured demand is made up of Normally Installed Equipment.

Character of Service:

Service must be taken at delivery voltages of: three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|--|
| Customer Charge | \$137.00/Month |
| Base Energy Charge | \$0.0314/kWh |
| Shoulder Energy Charge | \$0.0737/kWh |
| Peak Energy Charge | \$0.0918/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance – to be billed during Peak Hours only |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 3:00 p.m. to 7:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Peak Hours.

BTU's Shoulder Hours, for the purpose of this rate schedule, are designated as being from 12:00 p.m. to 3:00 p.m. and from 7:00 p.m. to 9:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Shoulder Hours.

BTU's Base Hours, for the purpose of this rate schedule, are all hours not designated as Peak Hours or Shoulder Hours.

BTU's time of use hours may be changed from time-to-time, and the customer will be notified 12-months prior to such changes becoming effective.

Minimum Bill:

The minimum bill shall be the Customer Charge.

Change of Service:

Customers may elect to have electric services received under a different rate schedule in October of each year. Changing services to another schedule will not be allowed at any other time except as approved solely at BTU's discretion.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**5. ELECTRIC RATE - SCHEDULE GSTOU-1-C
(General Service Commercial Time of Use-City)**

Applicability:

This rate is closed to new customers. This rate applies to electric service for all commercial and industrial customers within the City Electric Utility System's area of service (subject to City Electric Utility System extension policies) with peak kW demand greater than or equal to 25 kW and less than 1,000 kW. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 25 kW, Schedule SSS-C

shall apply beginning with the first month succeeding such 12-month period. Likewise, a customer on this schedule whose demand is greater than or equal to 1,000 kW for any billing period may be billed under Schedule SSL-C or SSLTOU-C for the next 12-month period beginning with the current month, provided that the measured demand is made up of Normally Installed Equipment.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$26.91/Month |
| Energy Charge | \$0.0142/kWh |
| Base Demand Charge | \$2.70/kW |
| Peak Demand Charge | \$4.14/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 12:00 p.m. to 10:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year.

BTU's Base Hours, for the purpose of this rate schedule, are all hours not designated as Peak Hours.

BTU's Peak Hours may be changed from time-to-time, and the customer will be notified 12 months prior to such changes becoming effective.

Base Demand:

The Base Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Peak Demand:

The Peak Demand shall be the maximum 15 minutes measured kW in the Peak Hours during the month, but not less than 50 percent of the maximum 15 minutes measured kW in the Peak Hours during the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the total of the Customer Charge, Base Demand Charge, and Peak Demand Charge.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**6. ELECTRIC RATE - SCHEDULE SSL-C
(Secondary Service Large-City)**

Applicability:

This rate applies to electric service for all commercial or industrial customers within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies) with peak kW demand greater than or equal to 1,000 kW. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 1,000 kW, Schedule SSD-C shall apply beginning with the first month succeeding such 12-month period.

Character of Service:

Service must be taken at delivery voltages of: three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$400.00/Month |
| Energy Charge | \$0.0075/kWh |
| Demand Charge | \$8.85/kW |
| Delivery Charge | \$3.65/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Billed Demand.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**7. ELECTRIC RATE - SCHEDULE SSLTOU-C
(Secondary Service Large Time of Use-City)**

Applicability:

This rate applies to electric service for all commercial or industrial customers within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies) with peak kW demand greater than or equal to 1,000 kW. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 1,000 kW, Schedule SSD-C or Schedule SSDTOU-C shall apply beginning with the first month succeeding such 12-month period.

Character of Service:

Service must be taken at delivery voltages of: three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|--|
| Customer Charge | \$500.00/Month |
| Base Energy Charge | \$0.0288/kWh |
| Shoulder Energy Charge | \$0.0675/kWh |
| Peak Energy Charge | \$0.0839/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance – to be billed during Peak Hours only |
| Power Supply Adjustment | Applicable to all periods set forth in Section 4 of this ordinance |

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 3:00 p.m. to 7:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Peak Hours.

BTU's Shoulder Hours, for the purpose of this rate schedule, are designated as being from 12:00 p.m. to 3:00 p.m. and from 7:00 p.m. to 9:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Shoulder Hours.

BTU's Base Hours, for the purpose of this rate schedule, are all hours not designated as Peak Hours or Shoulder Hours.

BTU's time of use hours may be changed from time-to-time, and the customer will be notified 12 months prior to such changes becoming effective.

Minimum Bill:

The minimum bill shall be the Customer Charge.

Change of Service:

Customers may elect to have electric services received under a different rate schedule in October of each year. Changing services to another schedule will not be allowed at any other time except as approved solely at BTU's discretion.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**8. ELECTRIC RATE - SCHEDULE PSL-C
(Primary Service Large-City)**

Applicability:

This rate applies to electric service taken at BTU's primary voltage level for all commercial or industrial customers within the City Electric Utility System's area of service (subject to City Electric Utility System extension policies).

Character of Service:

Service must be taken at BTU's primary delivery voltage: three-phase 7,200/12,470. Service will be provided at one point of service and metered at a single meter. Metering may be primary or secondary (corrected for transformer losses) at BTU's option.

Monthly Charges:

Monthly charges shall be the same as the applicable monthly charges shown for Schedule SSL-C or SSLTOU-C with a credit equal to 2 percent applied to the Demand, Energy, Delivery, and Regulatory charges. The Customer Charge shall be applied without a discount. A Power Supply Charge calculated for primary delivery voltage customers will be assessed as set forth in Section 4 of this ordinance.

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Billed Demand.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**9. ELECTRIC RATE - SCHEDULE TS-C
(Transmission Service-City)**

Applicability:

This rate applies to electric service for all large industrial customers within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies) who take electric services at BTU’s transmission voltage level. To qualify for this rate, the customer must own and maintain all electric facilities beyond BTU’s metering point.

Character of Service:

Service will be provided at delivery voltages of 69,000 volts or higher, at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$1,725.00/Month |
| Energy Charge | \$0.0010/kWh |
| Demand Charge | \$12.68/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 80 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Billed Demand.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**10. ELECTRIC RATE - SCHEDULE TSTOU-C
(Transmission Service Time of Use-City)**

Applicability:

This rate applies to electric service for all large industrial customers within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies) who take electric services at BTU’s transmission voltage level. To qualify for this rate, customer must own and maintain all electric facilities beyond BTU’s metering point.

Character of Service:

Service will be provided at delivery voltages of 69,000 volts or higher, at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|--|
| Customer Charge | \$1,825.00/Month |
| Base Energy Charge | \$0.0250/kWh |
| Shoulder Energy Charge | \$0.0622/kWh |
| Peak Energy Charge | \$0.0765/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance – to be billed during Peak Hours only |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 3:00 p.m. to 7:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Peak Hours.

BTU's Shoulder Hours, for the purpose of this rate schedule, are designated as being from 12:00 p.m. to 3:00 p.m. and from 7:00 p.m. to 9:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Shoulder Hours.

BTU's Base Hours, for the purpose of this rate schedule, are all hours not designated as Peak Hours or Shoulder Hours.

BTU's time of use hours may be changed from time-to-time, and the customer will be notified 12 months prior to such changes becoming effective.

Minimum Bill:

The minimum bill shall be the Customer Charge.

Change of Service:

Customers may elect to have electric services provided under a different rate schedule in October of each year. Changing services to another schedule will not be allowed at any other time except as approved solely at BTU's discretion.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

11. ELECTRIC RATE - CONTRACT SERVICE - CITY

Applicability:

This rate applies to electric service for all commercial or industrial customers within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies) who elect to enter into a multiyear contract with BTU. To be eligible for this rate, customers must take electric services at BTU’s secondary, primary, or transmission voltage levels and have an average monthly load factor, measured in the 12-month period ending with the current month, of greater than or equal to 75 percent. For new customers the load factor may be modeled at BTU’s sole discretion. Customer’s peak kW demand must be greater than or equal to 10,000 kW. To qualify for this rate, the customer must own and maintain all electric facilities beyond BTU’s metering point.

Character of Service:

Service will be provided at delivery voltages of three-phase 120/240, 120/208, 277/480, 7,200/12,470, or 69,000 volts or higher, at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | The otherwise applicable Schedule |
| Energy Charge | The otherwise applicable Schedule |
| Demand Charge | The otherwise applicable Schedule |
| Delivery Charge | The otherwise applicable Schedule |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | Per Contract Terms and Conditions |

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 80 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be specified by the Contract Terms and Conditions.

Power Supply Adjustment:

In lieu of the Power Supply Adjustment, the customer’s service contract may provide a fixed power supply charge for energy for a defined term, based on the cost of wholesale power market prices and associated ancillary costs. All billed energy not subject to fixed power supply pricing is subject to Contract Terms and Conditions.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

Contract Length:

Contract length will be based on Contract Terms and Conditions. In absence or expiration of Contract, customer shall be billed under the otherwise applicable rate schedule.

**12. ELECTRIC RATE - SCHEDULE SCLS-C
(Security Lighting Service-City)**

Applicability:

This rate applies to any customer in areas designated by BTU for un-metered lighting service supplied exclusively to one or more outdoor type 100-watt high pressure sodium lamp, or LED equivalent, operating automatically from dusk to dawn within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies).

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Lamp Charge | \$9.78 per lamp per month |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Power Supply Adjustment and Regulatory Charge Calculation:

Each lamp will be assigned 0.4 kilowatt-hours (kWh) per watt of rated bulb wattage for monthly energy usage for the purposes of calculating the applicable Regulatory Charge and Power Supply Adjustment.

Contract Period:

The customer will file an application with BTU agreeing to accept the service for a period of 24 months. After 24 months, the agreement can be cancelled by either BTU or the customer on 30 days written notice. The rate is subject to change by ordinance.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**13. ELECTRIC RATE - SCHEDULE STLS-C
(Street Lighting Service-City)**

Applicability:

This rate applies to cities, governmental agencies, real estate developers, and other groups requesting the installation of street lights within the City Electric Utility System’s area of service (subject to City Electric Utility System extension policies).

Monthly Charges:

| <i>Item</i> | <i>Schedule A</i> | <i>Schedule B</i> |
|---|---|---|
| High Pressure Sodium 100 Watt Lamp (or LED equivalent) | \$6.73 per lamp per month | \$4.75 per lamp per month |
| High Pressure Sodium 150 Watt Lamp (or LED equivalent) | \$7.55 per lamp per month | \$4.95 per lamp per month |
| High Pressure Sodium 250 Watt Lamp (or LED equivalent) | \$10.85 per lamp per month | \$5.69 per lamp per month |
| Mercury Vapor 175 Watt Lamp (or LED equivalent) | \$8.73 per lamp per month | N/A |
| Regulatory Charge | As set forth in Section 3 of this ordinance | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance | As set forth in Section 4 of this ordinance |

Power Supply Adjustment and Regulatory Charge Calculation:

Each lamp will be assigned 0.4 kWh per watt of rated bulb wattage for monthly energy usage for the purposes of calculating the applicable Regulatory Charge and Power Supply Adjustment.

Schedule A: Applicable to one or more lamps mounted on distribution poles and served by overhead conductors.

Schedule B: Applicable to customer-owned lighting.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

14. WHOLESALE SERVICE TO RURAL ELECTRIC DIVISION OF BRYAN TEXAS UTILITIES

Applicability:

This rate applies to electric service provided to the Rural Electric Division of BTU.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$200,000/Month |
| Energy Charge | \$0.01357/kWh |
| Demand Charge | \$1.43/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

B. RURAL ELECTRIC UTILITY SYSTEM

**1. ELECTRIC RATE - SCHEDULE R-R
(Residential-Rural)**

Applicability:

This rate applies to electric service for all single-family dwellings and single metered apartment units whose point of delivery is located within the Rural Electric Utility System’s area of service (subject to Rural Electric Utility System extension policies) excluding customers within the city limits of College Station. Multiple-dwelling units served under one meter shall be billed under the applicable secondary service rate.

Character of Service:

Service must be taken at delivery voltages of 120/240 or as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>Monthly Charges November Through April</i> | <i>Monthly Charges May Through October</i> |
|----------------------------|---|--|
| Customer Charge | \$12.00/Month | \$12.00/Month |
| Energy Charge | \$0.0311/kWh | \$0.0465/kWh |
| Delivery Charge | \$0.0150/kWh | \$0.0150/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance | As set forth in Section 4 of this ordinance |

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**2. ELECTRIC RATE - SCHEDULE R-CS
(Residential-College Station)**

Applicability:

This rate applies to electric service for all single-family dwellings and single metered apartment units whose point of delivery is located within the Rural Electric Utility System’s area of service (subject to Rural Electric Utility System extension policies) and within the city limits of College Station. Multiple-dwelling units served under one meter shall be billed under the applicable secondary service rate.

Character of Service:

Service must be taken at delivery voltages of 120/240 or as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>Monthly Charges November Through April</i> | <i>Monthly Charges May Through October</i> |
|-------------------------|---|--|
| Customer Charge | \$11.00/Month | \$11.00/Month |
| Energy Charge | \$0.0268/kWh | \$0.0401/kWh |
| Delivery Charge | \$0.0150/kWh | \$0.0150/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance | As set forth in Section 4 of this ordinance |

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**3. ELECTRIC RATE - SCHEDULE SSS-R
(Secondary Service Small-Rural)**

Applicability:

This rate applies to electric service for all commercial customers and multiple-dwelling units within the Rural Electric Utility System's area of service (subject to Rural Electric Utility System extension policies) with peak kW demand less than 25 kW. A customer on this schedule with demand greater than or equal to 25 kW for any billing period shall be billed under Schedule SSD-R for the next 12-month period beginning with the current month.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$16.00/Month |
| Energy Charge | \$0.0330/kWh |
| Delivery Charge | \$0.0112/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**4. ELECTRIC RATE - SCHEDULE SSD-R
(Secondary Service Demand-Rural)**

Applicability:

This rate applies to electric service for all commercial and industrial customers within the Rural Electric Utility System’s area of service (subject to Rural Electric Utility System extension policies) with peak kW demand greater than or equal to 25 kW and less than 1,000 kW. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 25 kW, Schedule SSS-R shall apply beginning with the first month succeeding such 12-month period. Likewise, a customer on this schedule whose demand is greater than or equal to 1,000 kW for any billing period may be billed under Schedule SSL-R for the next 12-month period beginning with the current month, provided that the measured demand is made up of Normally Installed Equipment.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$21.00/Month |
| Energy Charge | \$0.0104/kWh |
| Demand Charge | \$5.96/kW |
| Delivery Charge | \$3.06/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Billed Demand.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**5. ELECTRIC RATE - SCHEDULE SSDTOU-R
(Secondary Service Demand Time of Use-Rural)**

Applicability:

This rate applies to electric service for all commercial or industrial customers within the Rural Electric Utility System’s area of service (subject to Rural Electric Utility System extension policies) with peak kW demand greater than or equal to 500 kW and less than 1,000 kW. Service to athletic stadium lights may also be considered for this rate. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 500 kW, Schedule SSD-R shall apply beginning with the first month succeeding such 12-month period. Likewise, a customer on this schedule whose demand is greater than or equal to 1,000 kW for any billing period may be billed under Schedule SSL-R for the next 12-month period beginning with the current month, provided that the measured demand is made up of Normally Installed Equipment.

Character of Service:

Service must be taken at delivery voltages of: three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|--|
| Customer Charge | \$137.00/Month |
| Base Energy Charge | \$0.0321/kWh |
| Shoulder Energy Charge | \$0.0754/kWh |
| Peak Energy Charge | \$0.0939/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance – to be billed during Peak Hours only |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 3:00 p.m. to 7:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Peak Hours.

BTU's Shoulder Hours, for the purpose of this rate schedule, are designated as being from 12:00 p.m. to 3:00 p.m. and from 7:00 p.m. to 9:00 p.m. each Monday through Friday starting

on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Shoulder Hours.

BTU's Base Hours, for the purpose of this rate schedule, are all hours not designated as Peak Hours or Shoulder Hours.

BTU's time of use hours may be changed from time-to-time, and the customer will be notified 12-months prior to such changes becoming effective.

Minimum Bill:

The minimum bill shall be the Customer Charge.

Change of Service:

Customers may elect to have electric services received under a different rate schedule in October of each year. Changing services to another schedule will not be allowed at any other time except as approved solely at BTU's discretion.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**6. ELECTRIC RATE - SCHEDULE GSTOU-1-R
(General Service Commercial Time of Use-Rural)**

Applicability:

This rate is closed to new customers. This rate applies to electric service for all commercial and industrial customers within the Rural Electric Utility System's area of service (subject to Rural Electric Utility System extension policies) with peak kW demand greater than or equal to 25 kW and less than 1,000 kW. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 25 kW, Schedule SSS-R shall apply beginning with the first month succeeding such 12-month period. Likewise, a customer on this schedule whose demand is greater than or equal to 1,000 kW for any billing period may be billed under Schedule SSL-R or SSLTOU-R for the next 12-month period beginning with the current month, provided that the measured demand is made up of Normally Installed Equipment.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$26.62/Month |
| Energy Charge | \$0.0152/kWh |
| Base Demand Charge | \$3.33/kW |
| Peak Demand Charge | \$4.72/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 12:00 p.m. to 10:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year.

BTU's Base Hours, for the purpose of this rate schedule, are all hours not designated as Peak Hours.

BTU's time of use hours may be changed from time-to-time, and the customer will be notified 12 months prior to such changes becoming effective.

Base Demand:

The Base Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Peak Demand:

The Peak Billed Demand shall be the maximum 15 minutes measured kW in the Peak Hours during the month, but not less than 50 percent of the maximum 15 minutes measured kW in the Peak Hours during the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the total of the Customer Charge, Base Demand Charge, and Peak Demand Charge.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

7. ELECTRIC RATE - SCHEDULE SSL-R
(Secondary Service Large-Rural)

Applicability:

This rate applies to electric service for all commercial or industrial customers within the Rural Electric Utility System's area of service (subject to Rural Electric Utility System extension policies) with peak kW demand greater than or equal to 1,000 kW, provided that the measured demand is made up of Normally Installed Equipment. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 1,000 kW, Schedule SSD-R shall apply beginning with the first month succeeding such 12-month period.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

Monthly charges shall be the same as the applicable monthly charges shown for Schedule SSL-C with a surcharge equal to 2.5 percent applied to the Demand, Energy, Delivery, and Regulatory charges. A Power Supply Charge calculated for secondary delivery voltage rural customers will be assessed as set forth in Section 4 of this ordinance.

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Billed Demand.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**8. ELECTRIC RATE - SCHEDULE SSL-R- LLF
(Secondary Service Large-Rural – Low Load Factor)**

Applicability:

This rate applies to electric service for all commercial or industrial customers within the Rural Electric Utility System’s area of service (subject to Rural Electric Utility System extension policies) with peak kW demand greater than or equal to 1,000 kW, provided that the measured demand is made up of Normally Installed Equipment and the average monthly load factor is less than or equal to 25 percent, as measured in the 12-month period ending with the current month. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 1,000 kW or the average monthly load factor as measured in the 12-month period ending with the current month is less than 25 percent, Schedule SSD-R shall apply beginning with the first month succeeding such 12-month period.

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | \$400.00/Month |
| Energy Charge | \$0.0000/kWh |
| Peak Demand Charge | \$6.28/kW |
| Delivery Charge | \$6.80/kW |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 1:00 p.m. to 7:00 p.m. each Monday through Friday starting on May 1 and continuing through October 31 and from 6:00 a.m. to 9:00 a.m. and 6:00 p.m. to 9:00 p.m. each Monday through Friday starting on November 1 and continuing through April 30 each year. Federal holidays are excluded from the Peak Hours.

BTU's Peak Hours may be changed from time-to-time, and the customer will be notified 12 months prior to such changes becoming effective.

Peak Billed Demand:

The Peak Billed Demand shall be the maximum 15 minutes measured kW during the Peak Hours.

Delivery Billed Demand:

The Delivery Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Delivery Charge.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**9. ELECTRIC RATE - SCHEDULE SSLTOU-R
(Secondary Service Large Time of Use-Rural)**

Applicability:

This rate applies to electric service for all commercial or industrial customers within the Rural Electric Utility System's area of service (subject to Rural Electric Utility System extension policies) with peak kW demand greater than or equal to 1,000 kW. If at any time a customer on this schedule continues for a 12-month period without an actual demand greater than or equal to 1,000 kW, Schedule SSD-R or Schedule SSDTOU-R shall apply beginning with the first month succeeding such 12-month period.

Character of Service:

Service must be taken at delivery voltages of: three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

Monthly charges shall be the same as the applicable monthly charges shown for Schedule SSLTOU-C with a surcharge equal to 2.5 percent applied to the Energy and Regulatory charges. A Power Supply Charge calculated for secondary delivery voltage rural customers will be assessed as set forth in Section 4 of this ordinance.

Definition of Time of Use Hours:

BTU's Peak Hours, for the purpose of this rate schedule, are designated as being from 3:00 p.m. to 7:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Peak Hours.

BTU's Shoulder Hours, for the purpose of this rate schedule, are designated as being from 12:00 p.m. to 3:00 p.m. and from 7:00 p.m. to 9:00 p.m. each Monday through Friday starting on June 1 and continuing through September 30 each year. Federal holidays are excluded from all Shoulder Hours.

BTU's Base Hours, for the purpose of this rate schedule, are all hours not designated as Peak Hours or Shoulder Hours.

BTU's time of use hours may be changed from time-to-time, and the customer will be notified 12 months prior to such changes becoming effective.

Minimum Bill:

The minimum bill shall be the Customer Charge.

Change of Service:

Customers may elect to have electric services received under a different rate schedule in October of each year. Changing services to another schedule will not be allowed at any other time except as approved solely at BTU's discretion.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**10. ELECTRIC RATE - SCHEDULE PSL-R
(Primary Service Large-Rural)**

Applicability:

This rate applies to electric service taken at BTU's primary voltage level for all commercial or industrial customers within the Rural Electric Utility System's area of service (subject to Rural Electric Utility System extension policies).

Character of Service:

Service must be taken at BTU's primary delivery voltage: three-phase 7,200/12,470. Service will be provided at one point of service and metered at a single meter. Metering may be primary or secondary (corrected for transformer losses) at BTU's option.

Monthly Charges:

Monthly charges shall be the same as the applicable monthly charges shown for Schedule SSL-R or SSLTOU-R with a credit equal to 2 percent applied to the Demand, Energy, Delivery, and Regulatory charges. The applicable Customer Charge shall be applied without a discount. A Power Supply Charge calculated for primary delivery voltage customers will be assessed as set forth in Section 4 of this ordinance.

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 50 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be the sum of the Customer Charge and Billed Demand.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

11. ELECTRIC RATE - CONTRACT SERVICE - RURAL

Applicability:

This rate applies to electric service for all commercial or industrial customers within the Rural Electric Utility System’s area of service (subject to Rural Electric Utility System extension policies) who elect to enter into a multiyear contract with BTU. To be eligible for this rate, customers must take electric services at BTU’s secondary or primary voltage levels and have an average monthly load factor, measured in the 12-month period ending with the current month, of greater than or equal to 75 percent. For new customers the load factor may be modeled at BTU’s sole discretion. Customer’s peak kW demand must be greater than or equal to 10,000 kW. To qualify for this rate, the customer must own and maintain all electric facilities beyond BTU’s metering point.

Character of Service:

Service will be provided at delivery voltages of three-phase 120/240, 120/208, 277/480, 7,200/12,470 volts or higher, at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Customer Charge | The otherwise applicable Schedule |
| Energy Charge | The otherwise applicable Schedule |
| Demand Charge | The otherwise applicable Schedule |
| Delivery Charge | The otherwise applicable Schedule |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | Per Contract Terms and Conditions |

Billed Demand:

The Billed Demand shall be the maximum 15 minutes measured kW in the month, but not less than 80 percent of the peak demand measured in the 12-month period ending with the current month.

Power Factor:

Should the power factor be lower than 0.95 lagging, BTU may adjust the measured kW by multiplying the ratio of 0.95 to the actual power factor for that month.

Minimum Bill:

The minimum bill shall be specified by the Contract Terms and Conditions.

Power Supply Adjustment:

In lieu of the Power Supply Adjustment, the customer's service contract may provide a fixed power supply charge for energy for a defined term, based on the cost of wholesale power market prices and associated ancillary costs. All billed energy not subject to fixed power supply pricing is subject to the Power Supply Adjustment associated with the otherwise applicable schedule.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

Contract Length:

Contract length will be based on Contract Terms and Conditions. In absence or expiration of Contract, customer shall be billed under the otherwise applicable rate schedule.

**12. ELECTRIC RATE - SCHEDULE SSI-R
(Secondary Service-Irrigation)**

Applicability:

This rate applies to electric service for irrigation wells within the Rural Electric Utility System's area of service (subject to Rural Electric Utility System extension policies).

Character of Service:

Service must be taken at delivery voltages of: single-phase 120/240; three-phase 120/240, 120/208, or 277/480, as available at point of service. Service will be provided at one point of service and metered at a single meter.

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Energy Charge | \$0.0656/kWh |
| Delivery Charge | \$0.0210/kWh |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

**13. ELECTRIC RATE - SCHEDULE SCLS-R
(Security Lighting Service-Rural)**

Applicability:

This rate applies to any customer in areas designated by BTU for un-metered lighting service supplied exclusively to one or more outdoor type 100-watt high pressure sodium lamp or LED equivalent operating automatically from dusk to dawn within the Rural Electric Utility System's area of service (subject to Rural Electric Utility System extension policies).

Monthly Charges:

| <i>Item</i> | <i>All Billing Months</i> |
|-------------------------|---|
| Lamp Charge | \$9.85 per lamp per month |
| Regulatory Charge | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance |

Power Supply and Regulatory Charge Calculation:

Each lamp will be assigned 0.4 kWh per watt of rated bulb wattage for monthly energy usage for the purposes of calculating the applicable Regulatory Charge and Power Supply Adjustment.

Contract Period:

The customer will file an application with BTU agreeing to accept the service for a period of 24 months. After 24 months, the agreement can be cancelled by either BTU or the customer on 30 days written notice. The rate is subject to change by ordinance.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

14. ELECTRIC RATE - SCHEDULE STLS-R
(Street Lighting Service-Rural)

Applicability:

This rate applies to cities, governmental agencies, real estate developers and other groups requesting the installation of street lights within the Rural Electric Utility System’s area of service (subject to Rural Electric Utility System extension policies).

Monthly Charges:

| <i>Item</i> | <i>Schedule A</i> | <i>Schedule B</i> |
|--|---|---|
| High Pressure Sodium 100 Watt Lamp (or LED Equivalent) | \$9.52 per lamp per month | \$6.61 per lamp per month |
| High Pressure Sodium 150 Watt Lamp (or LED Equivalent) | \$10.55 per lamp per month | \$6.75 per lamp per month |
| High Pressure Sodium 250 Watt Lamp (or LED Equivalent) | \$15.36 per lamp per month | \$8.09 per lamp per month |
| Mercury Vapor 175 Watt Lamp (or LED Equivalent) | \$12.44 per lamp per month | N/A |
| Regulatory Charge | As set forth in Section 3 of this ordinance | As set forth in Section 3 of this ordinance |
| Power Supply Adjustment | As set forth in Section 4 of this ordinance | As set forth in Section 4 of this ordinance |

Power Supply and Regulatory Charge Calculation:

Each lamp will be assigned 0.4 kWh per watt of rated bulb wattage for monthly energy usage for the purposes of calculating the applicable Regulatory Charge and Power Supply Adjustment.

Schedule A: Applicable to one or more lamps mounted on distribution poles and served by overhead conductors.

Schedule B: Applicable to customer-owned lighting.

College Station Franchise Fee:

Rural customers receiving electric services within the city limits of College Station are subject to the College Station Franchise Fee multiplied by the total billed monthly charges, reflected in Monthly Charges Schedule above.

Delayed Payment and Reconnection Charges:

This rate is subject to delayed payment and reconnection charges as established in the current Deposit Ordinance and any amendments thereto.

SECTION 2

The following riders may also apply to any rate schedule in Section 1.

1. RIDER FOR SHORT-TERM SERVICE

Applicability:

This rate rider applies to short-term electric service for all customers within the City or Rural Electric Systems' service areas. Short-term service is defined as service supplied for less than one year. Service hereunder will be furnished only when there is capacity in lines, transformers, and generating equipment already installed sufficient for supplying such service.

Monthly Charges:

Monthly charges shall equal the monthly charges from the applicable schedule, plus 10 percent.

Minimum Bill:

The minimum bill shall be the minimum bill as defined by applicable schedule, plus 10 percent.

Connection Charge:

The customer shall pay in advance, in addition to the charges under the applicable rate, the estimated cost of all materials, supplies, and labor for installing and removing the necessary wires and equipment required to provide service.

2. STATE COLLEGE AND UNIVERSITY DISCOUNT RIDER

Applicability:

Applicable in conjunction with an otherwise applicable rate schedule for electric service to any facility to which BTU is required to discount the base rates, as provided in Section 2.2141 of the Public Utility Regulatory Act. The provisions of the applicable rate schedule are modified only as shown herein. The STATE COLLEGE AND UNIVERSITY DISCOUNT RIDER does not apply to private colleges and/or universities, nor does it apply to two-year colleges.

Availability:

BTU will make a reasonable effort to identify customers and accounts to which the State College and University Discount Rider may be applicable; however, eligible customers will be solely responsible for identifying and notifying BTU of all accounts to which the Rider may apply, and BTU will not be liable for any loss or damage to the Customer due to the failure, for any reason whatsoever, to identify such account by either party. The State College and University Discount Rider is subject to all other provisions contained in this, or any other applicable BTU Rate Ordinance.

Rate:

In accordance with the terms of the applicable rate schedule, this Rider will apply to amounts billed under the applicable rate schedule for base rate, minus the cost of purchased electricity and fuel applicable to the customer and also excluding any adjustment factors, cost recovery factors, specific facilities charges, and service fees, qualifying amounts will be reduced by 20 percent.

3. RIDER FOR INTERRUPTIBLE SERVICE WITH NOTICE

Applicability:

This rider is applicable to all commercial customers within the City or Rural Electric Systems' service areas. All provisions of the applicable rates apply except as otherwise amended by this rider.

Availability:

Available upon a written application by the customer, and acceptance by BTU, to all customers served under the standard rate schedule for Secondary Service Demand and Secondary Service Large. The customer must have a demonstrated load interruption capability of greater than or equal to 250 kW. No resale, breakdown, auxiliary, or supplementary service is permitted under this rate schedule.

Service is available under this rider only if such service can be interrupted at any time by BTU without damage to property or persons and without adversely affecting the public health, safety, and welfare. Interruptible service to customer will only be provided if, in BTU's judgment, service will not impair BTU's ability to service the requirements of its other customers.

Load Interruption Credit:

During the months of June, July, August, and September, the charges for the interruptible load shall be computed at the applicable demand rate times 50 percent. Effectively, the customer will receive a 50 percent discount on the applicable Billed Demand rate for the load that has been signed on as interruptible load.

Special Conditions:

- a) Notice for Interruption: BTU shall never give the customer less than 30-minute notice before the interruption is required.
- b) Periods of Interruption: A period of load interruption shall be that time when BTU has called for interruptible load to be disconnected from BTU's lines. BTU is solely responsible for determining the need for load interruption requests. Interruption will be required only during the months of June, July, August, and September.
- c) Failure to Interrupt: If consumer fails to interrupt as requested by BTU, consumer is in default of the provisions of this rider. BTU may remove the consumer from the rider.
- d) Liability: BTU shall have no liability and customer shall assume full responsibility for any loss, damage or claim by reason of any interruption, or restoration of service.
- e) Interruptible Load Increase: Customer shall not have the right to increase its interruptible load except to the extent that BTU has consented in writing to customer's written request to increase such load within a specified time under terms of the agreement.

4. RIDER FOR INTERRUPTIBLE SERVICE WITHOUT NOTICE

Applicability:

This rider is applicable to all commercial customers within the City or Rural Electric Systems' service areas. All provisions of the applicable rates apply except as otherwise amended by this rider.

Availability:

Available upon a written application by the consumer and acceptance by BTU to all consumers served under the standard rate schedule for Secondary Service Demand and Secondary Service Large. The customer must have a demonstrated load interruption capability of greater than or equal to 250 kW. No resale, breakdown, auxiliary, or supplementary service is permitted under this rate schedule.

Service is available under this rider only if such service can be interrupted at any time by BTU without damage to property or persons and without adversely affecting the public health, safety, and welfare. Interruptible service to customer will only be provided if, in BTU's judgment, service will not impair BTU's ability to service the requirements of its other customers.

Load Interruption Credit:

During the months of June, July, August, and September, the charges for the interruptible load shall be computed at the applicable demand rate times 0 percent. Effectively, the customer will receive a 100 percent discount on the applicable Billed Demand rate for the load that has been signed on as interruptible load.

Special Conditions:

- a) Notice for Interruption: BTU shall not be required to give the customer notice before the interruption is required.
- b) Periods of Interruption: A period of load interruption shall be that time when BTU has called for interruptible load to be disconnected from BTU's lines. BTU is solely responsible for determining the need for load interruption requests. Interruption will be required only during the months of June, July, August, and September.
- c) Failure to Interrupt: If consumer fails to interrupt as requested by BTU, consumer is in default of the provisions of this rider. BTU may remove the consumer from the rider.
- d) Liability: BTU shall have no liability and customer shall assume full responsibility for any loss, damage, or claim by reason of any interruption or restoration of service.
- e) Interruptible Load Increase: Customer shall not have the right to increase its interruptible load except to the extent that BTU has consented in writing to customer's written request to increase such load within a specified time under terms of the agreement.

5. RIDER FOR RENEWABLE ENERGY

Applicability:

This rider is applicable to all customers within the City or Rural Electric Systems' service areas and replaces the Power Supply Adjustment per Section 4 with a renewable energy-based rate. All provisions of the applicable rates apply except as otherwise amended by this rider.

Availability:

The Renewable Rate Rider (RRR) is available to customers on a first come first serve subscription basis to customers choosing to supply 100 percent of their annual electric kWh purchases with renewable energy. Availability is limited to the size of BTU's renewable energy portfolio.

Rate:

- a) Customers choosing this option will enter a Supplemental Agreement to receive this service for one-year at a fixed rate with additional one-year renewal options at the then applicable fixed rate as long as this program is available.
- b) The RRR shall be a rate reflecting the direct and indirect costs and credits associated with BTU's renewable resource portfolio.
- c) The RRR rate will be reviewed and adjusted periodically and published on the signed Supplemental Agreement.
- d) The RRR shall be calculated separately for the City Electric System, Rural Electric System, and any wholesale customer, and shall be adjusted for the appropriate voltage level using factors published in Section 5.

6. RIDER FOR DISTRIBUTED GENERATION SYSTEMS - LESS THAN 1 MEGAWATT (MW)

Applicability:

This is a standard rider for the purchase of the output of distributed generation systems with a total capacity less than 1 MW.

Availability:

This rider is available in all areas served by BTU to Customers who:

- a) Own and/or operate an electric power generating facility using cogeneration or fuels derived from biomass, waste, or renewable energy sources, including wind, solar installation, or water, which is a "qualifying facility" as prescribed by rules of the Federal Energy Regulatory Commission pursuant to Sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978, and which has a total nameplate or effective capacity (whichever is greater) of less than 1 MW, in parallel with BTU's electric system for the purpose of generating power for the Customer's own consumption, or for sale to BTU, or both; and

- b) Employ equipment that is compatible with BTU's electric system at the Customer's delivery point, which will cause no damage to BTU's electric system or equipment, or present an undue hazard to BTU personnel; and
- c) Execute the Agreement for Interconnection of Customer Owned Power Production Facility Connected to BTU Distribution System (Distributed Generation Interconnection Agreement) for interconnection and parallel operation with BTU.

Purchase Rate:

For distributed generation systems of 50 kW or less. BTU will pay the Customer for energy based upon the metered kWh input of the Customer's distributed generation systems into BTU's system at BTU's applicable Power Supply Adjustment charge. BTU will credit the value of all energy input purchased from the Customer's distributed generation systems against the bill for service rendered following receipt of the Customer's meter reading(s) for the billing period.

If credit amounts remain on the Customer's utility account over and above the energy that was previously credited to offset BTU energy delivered the customer has the option to request payment from BTU in the form of a check, but no more often than twice annually.

Purchase of all customer generation greater than 50 kW but less than 1 MW shall be made as outlined in the Distributed Generation Interconnection Agreement.

Interconnection Costs:

The Customer shall reimburse BTU for any equipment or facilities required as a result of the installation by the Customer of generation in parallel with BTU's electric system.

The Customer shall pay all costs of BTU to extend its facilities or modify them at the time of interconnection or at some future time, in order to purchase the input of the Customer's distributed generation system.

Electric Service:

BTU will provide electric service to the Customer and charge the Customer for metered billing period consumption in accordance with the applicable Electric Service Agreement, Rate Schedules, and Rules and Regulations in effect for electric service Customers in like circumstances.

SECTION 3

The Regulatory Charge (RC) will recover BTU's full cost of the Transmission Service Rates as established by the Public Utility Commission (PUC) of Texas in accordance with PUC Substantive Rule 25.192, through its annual transmission matrix and any subsequent incremental amounts resulting from rate changes effective after the approval of the annual matrix. Transmission Service Rates applicable to the RC shall be determined prior to matrix netting and shall reflect only those costs allocable to BTU's City Electric Utility System or Rural Electric Division retail customers. The RC shall also recover NERC/TRE regulatory fees and penalties and other material regulatory fees and penalties assessed by entities other than the City of Bryan. The RC will be established such that the revenues generated from the RC will be sufficient to equal projected expenses. The RC rate will be periodically adjusted up or down by the amount of the under-collection or over-collection. All changes to the RC rate will be approved by the BTU Board prior to implementation.

SECTION 4

The Power Supply Adjustment shall be used to recover costs and provide credits related to ERCOT settlement fees, fuel costs, net purchased power costs adjusted for retail losses per Section 5, and any adjustments for the over or under recovery for such costs from preceding periods. The Power Supply Adjustment applicable to Retail rates shall be determined as part of BTU's budgeting process and may be adjusted at any time to eliminate any actual or projected over or under recovery of costs related to the Power Supply Adjustment. All changes to the Power Supply Adjustment applicable to Retail rates will be approved by the BTU Board prior to implementation. The Power Supply Adjustment applicable to Wholesale rates shall be the monthly actual cost and credits related to ERCOT settlement fees, fuel costs, and net purchased power costs adjusted for losses per Section 5. All changes to the Power Supply Adjustment rate will be approved by the BTU Board prior to implementation.

SECTION 5

The Power Supply Adjustment and RRR shall be calculated separately for the City Electric System, Rural Electric System and any wholesale customer and shall be adjusted for any particular voltage level using the following factors:

| | |
|-----------------------|--------|
| City System: | |
| Secondary Voltage: | 1.0534 |
| Primary Voltage: | 1.0319 |
| Transmission Voltage: | 1.0113 |
| Rural System: | |
| Secondary Voltage: | 1.0668 |
| Primary Voltage: | 1.0383 |

SECTION 6

All bills are due and payable on the date shown on the statement and unless remittance is received by said date a delayed payment charge in accordance with the current Deposit Ordinance and any amendments thereto will be added.

SECTION 7

Should the customer, on his own initiative, restore service, or cause it to be restored when not authorized by BTU, after it has been disconnected for nonpayment, the service line, or a section thereof, may be removed. Under such conditions and certain circumstances, full payment of arrears plus applicable service fees shall be paid as provided in the current Deposit Ordinance and any amendments thereto before service is restored.

SECTION 8

In addition to any rate and service charges herein above specified for electric service, the special service fees shall be charged as provided in the current Deposit Ordinance and any amendments thereto when applicable.

SECTION 9

All customers that desire to use electricity for short periods requiring disconnects and reconnects shall be charged a reconnect fee equal to the cost of each required reconnect.

SECTION 10

Except as noted in Section 1A (14) of this ordinance, all rates set forth herein are not applicable to resale, temporary standby or supplementary service except in conjunction with an applicable rider.

SECTION 11

- A. On a failure to pay an electric account when said electric account is due said, BTU General Manager or the duly authorized representative of BTU, for and on behalf of BTU, after giving the customer notice and an opportunity to be heard regarding any billing errors, shall have the authority to order such service discontinued until the appropriate service charge for reconnecting the same has been paid to BTU, together with all delinquent electric service charges due from said delinquent user. This remedy does not waive any other lawful remedies.
- B. All customers shall provide access to the electric meter metering their electric power consumption to BTU employees at reasonable hours and times and for emergencies at any time. Failure to comply with this ordinance shall result in the customer being disconnected or the customer shall be billed at his highest monthly billing amount for the previous 12 months until access to the meter is provided; either of the above at the option of BTU after notice and an opportunity to be heard has been provided to the customer.

SECTION 12

A charge of \$50.00 will be assessed for energy audits done at the request of a residential customer. Commercial and Industrial audits will be priced based on the size of the facilities.

SECTION 13

That the following definitions shall apply where applicable in this ordinance.

- A. CUSTOMER, for billing purposes, shall include each separately metered service connection, even though the user may be the same person or entity.

- B. RURAL SYSTEM shall mean the BTU Rural Electric Division.
- C. CITY SYSTEM shall mean the BTU City Electric Utility System.
- D. NORMALLY INSTALLED EQUIPMENT, shall mean permanently installed equipment which, in the judgment of BTU, would be run coincidentally as a part of normal facility operation and not as an attempt to effect rate classification and billing rates.
- E. CUSTOMER CHARGE, shall mean a charge assessed during each billing cycle without regard to the customer's demand or energy consumption and reflects the costs of providing electric services that may include, but are not limited to, providing electric infrastructure, metering, billing, and customer services.
- F. ENERGY CHARGE, shall mean a rate applied to the electric energy (kWh) as measured during the billing cycle period reflecting the non-fuel cost of power required to serve a customer's load requirement.

Time of use schedules reference:

- a. PEAK ENERGY CHARGE, shall mean the Energy Charge applied to the electric energy (kWh) as measured during the Peak Hours as specified on the appropriate time of use schedules.
 - b. SHOULDER ENERGY CHARGE, shall mean the Energy Charge applied to the electric energy (kWh) as measured during the Shoulder Hours as specified on the appropriate time of use schedules.
 - c. BASE ENERGY CHARGE, shall mean the Energy Charge applied to the electric energy (kWh) as measured during the Base Hours as specified on the appropriate time of use schedules.
- G. DEMAND CHARGE, shall mean a rate applied to the maximum electric energy (kW) delivered as averaged over a 15-minute period, during the billing cycle to recover all or a portion of non-fuel costs required to serve a customer's load requirement.

Time of use schedules reference:

- a. PEAK DEMAND CHARGE, shall mean the Demand Charge applied to the maximum electric energy (kW) delivered as averaged over a 15-minute period as measured during the Peak Hours as specified on the appropriate time of use schedules.
- b. BASE DEMAND CHARGE, shall mean the Demand Charge applied to the maximum electric energy (kW) delivered as averaged over a 15-minute period as measured during the Base Hours as specified on the appropriate time of use schedules.

- H. REGULATORY CHARGE, shall mean a rate associated with Transmission Service Rates as established by the Public Utility Commission of Texas in accordance with PUC Substantive Rule 25.192, as described in Section 3, and other charges imposed by regulators on the BTU system.
- I. POWER SUPPLY ADJUSTMENT shall mean a rate adjustment reflecting power supply costs as described in Section 4.
- J. DELIVERY CHARGE, shall mean a rate that recovers the utility's cost of transmitting power to the customer.
- K. MONTHLY CHARGES, shall mean rates applicable to all billed electricity consumption included in a normal billing cycle. Monthly Charges are established on the day the bill is rendered.
- L. Monthly Charges for the City System include payments to the General Fund of the City of Bryan for the use of the City rights-of-way. These payments shall be \$.00635/kWh for all rates without demand charges and \$2.15/kWh for all rates with demand charges. In addition, the General Fund Transfer shall include the most current Payment in Lieu of Taxes amount approved by the PUC from BTU's Transmission Costs of Service filing.

SECTION 14

That the rate schedule ordinance or ordinances for electric service previously adopted by City Council and presently in effect, and all ordinances in conflict with this ordinance, are hereby in all things repealed. Ordinance No. 2060 enacted on August 26, 2014, is hereby repealed.

SECTION 15

Should any part, section, subsection, paragraph, sentence, clause, or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

SECTION 16

It is hereby found and determined that the meetings at which this ordinance was passed were open to the public, as required by Section 551, Texas Government Code, and that advance public notice of time, place, and purpose of said meetings was given.

SECTION 17

The schedule of rates as provided for in this ordinance above shall be effective commencing with the first billing cycle for the month of October 1, 2018.

SECTION 18

This ordinance shall take effect immediately upon its first and only reading and passage.

PASSED, ADOPTED and APPROVED the 14th day of August, 2018, at a regular meeting of the City Council of the City of Bryan, Texas, by a vote ___ yeses and ___ noes.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Andrew Nelson, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney