

ORDINANCE NO. 3653

AN ORDINANCE of the City of Port Angeles, Washington, amending Title 13, Chapter 13.12 of the Port Angeles Municipal Code relating to the Industrial Transmission electric rate classification.

THE CITY COUNCIL OF THE CITY OF PORT ANGELES DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 2173 as amended, and Port Angeles Municipal Code section 13.12.071, are amended to read as follows:

13.12.071 - Schedule IT-11—Industrial transmission.

....

E. *Rate and charges.* The rates and charges for service hereunder is the sum of the amounts determined in accordance with sections 2 through 11 for each month.

1. *Definitions:* Initially capitalized words used herein have the meaning set forth in the BPA agreement, the Tiered Rate Methodology, or as defined below:

"BPA" means the Bonneville Power Administration.

"BPA Agreement" means the agreement between the City and BPA, dated December 1, 2008, Contract No. 09PB-13093, as amended from time to time.

"CHWM" means the City's Contract High Water Mark.

"Customer" means the person or entity that purchases power from the City, using the service governed by this section. "Customer" may hereafter be abbreviated as "Cu."

"Customer facility" means facilities or premises owned by the customer and served by power purchased pursuant to this section.

"Demand" means the amount of energy delivered to the customer at the point of delivery (as measured in whole kilowatts) integrated over the 60-minute period during the City's CSP. For purposes of such calculation, the 60-minute periods shall begin at the beginning of each whole hour and run for 60 consecutive minutes until the end of such whole hour.

"Network agreement" means the agreement between the City and the BPA, dated September 20, 2006, Contract No. 0TX-124433, as amended from time to time.

"RHWM" means the City's Rate Period High Water Mark.

"Tiered Rate Methodology" means BPA's policy for calculating wholesale power rates, adopted in the Administrator's Final Record of Decision issued in September, 2009, and as amended from time to time.

2. *Elements for calculating rates and charges:*

- A. *Cu CHWM.* Customer will have a CHWM amount ("Cu CHWM") of 53.351 aMW. From October 1, 2017⁹ through September 30, 2019²⁰ the customer will have a rate period high water mark (RHWM) of 1.7 aMW.
- B. *Cu CDQ.* Customer will have the following monthly CDQs ("Cu CDQ"): as follows:

January	14,760 kW	July	14,238 kW
February	11,974 kW	August	15,113 kW
March	14,913 kW	September	13,541 kW
April	14,913 kW	October	19,262 kW
May	22,190 kW	November	14,423 kW
June	13,546 kW	December	7,366 kW

3. *Customer charge.*

The customer charge (Cu CO) is the portion of the City's customer charges for a month to be paid by customer.

The Cu CC each month shall be calculated by the following formula:

$$\text{Cu CC} = [\text{CuCHWM} \div \text{CHWM}] \times \text{CMCC}$$

Where:

Cu CHWM is the amount set out in section 2.A., above.

CHWM is 86.755 aMW.

CMCC is the City's customer charge for the month.

No credit on the Cu CC will be given or paid for using electricity in amounts less than the Cu CHWM.

4. *Demand charges for service.*

The customer demand charge (Cu DC) is the demand charges for a month to be paid by customer.

The Cu DC each month shall be calculated by the following formula:

$$\text{Cu DC} = [(\text{Cu CSP} - \text{Cu AHLH}) - \text{Cu CDQ}] \times \text{DR}$$

Where:

Cu CSP is the demand of the customer facility (in kilowatts) during the City's CSP in each month.

Cu CDQ is the amount set out in section 2. above.

Cu AHLH is the average of the customer facility's actual hourly Tier 1 loads during the HLH in each month in kilowatts.

DR is the demand rate charged to the City.

No credit will be given or paid for using demand in amounts less than the Cu CDQ.

5. *Load shaping charges and credits.*

The customer load shaping charge (Cu LSC) is the load shaping charges for a month to be paid by customer.

The Cu LSC each month shall be calculated by the following formula:

$$\text{Cu LSC} = (\text{Cu AL} - \text{Cu SSL}) \times \text{LSR}$$

Where:

Cu LSC is the net of the load shaping charges and credits for a month apportioned to customer, with customer paying net load shaping charges to the City, and the City paying net load shaping credits to customer, less an amount calculated by the City using the load shaping adjustment true-up rate.

Cu AL is customer's monthly HLH and LLH loads.

Cu SSL is customer's shaped system load as set out below.

LSR is the load shaping rate applicable to HLH and LLH periods.

HLH SSL 13.12.071 Schedule IT-11
Industrial Transmission FY 2019~~20~~ SSL Allocations

FY 2019 IT HLH SSL	kWh	FY 2019 IT LLH SSL	kWh
October 2018	746,520	October 2018	401,242
November 2018	893,842	November 2018	524,704
December 2018	873,072	December 2018	528,439
January 2019	739,809	January 2019	457,648
February 2019	620,109	February 2019	361,574
March 2019	734,989	March 2019	427,288
April 2019	718,424	April 2019	398,693
May 2019	1,044,808	May 2019	594,482
June 2019	846,106	June 2019	447,251
July 2019	742,482	July 2019	393,194
August 2019	841,480	August 2019	416,326
September 2019	728,427	September 2019	411,096

~~* Based on Bonneville Power Administration's BP-18 Record of Decision~~

<u>FY 2020 IT HLH SSL</u>	<u>kWh</u>	<u>FY 2020 IT LLH SSL</u>	<u>kWh</u>
<u>October 2019</u>	<u>642,550</u>	<u>October 2019</u>	<u>343,423</u>
<u>November 2019</u>	<u>785,258</u>	<u>November 2019</u>	<u>467,235</u>
<u>December 2019</u>	<u>768,408</u>	<u>December 2019</u>	<u>468,960</u>
<u>January, 2020</u>	<u>648,212</u>	<u>January, 2020</u>	<u>383,209</u>
<u>February, 2020</u>	<u>589,493</u>	<u>February, 2020</u>	<u>344,868</u>
<u>March, 2020</u>	<u>660,814</u>	<u>March, 2020</u>	<u>378,492</u>
<u>April, 2020</u>	<u>532,475</u>	<u>April, 2020</u>	<u>313,729</u>
<u>May, 2020</u>	<u>740,569</u>	<u>May, 2020</u>	<u>400,664</u>
<u>June, 2020</u>	<u>945,036</u>	<u>June, 2020</u>	<u>511,099</u>
<u>July, 2020</u>	<u>785,887</u>	<u>July, 2020</u>	<u>355,769</u>
<u>August, 2020</u>	<u>761,853</u>	<u>August, 2020</u>	<u>349,892</u>
<u>September, 2020</u>	<u>639,202</u>	<u>September, 2020</u>	<u>358,909</u>
<u>* Based on Bonneville Power Administration's BP 20 Record of Decision</u>			

6. *Additional charges:* In addition to the charges calculated above, customer shall pay to the City each month all costs, charges, surcharges, adjustment charges and penalties, and conditions incurred by the City and attributable to customer, including but not limited to those applicable under the BPA agreement, the TRM, BPA rate schedules and general rate schedule provisions, network agreement, tariffs, and general rate schedule provisions.
7. *Basic Other charges:* Beginning on ~~October~~ January 1, 2016~~20~~, the customer will pay to the City a basic charge of ~~\$4,440.00~~ \$4,700.00 per month and an IT monthly Network Services Charge (including telecommunications tax of \$300.00).

8. *Transmission charges:* The monthly wholesale transmission cost to the City based on the metered energy and demand associated with providing service hereunder.
9. *Taxes:* An amount calculated to recover the actual tax obligation of the electric utility and City for State public utilities tax and City public utility tax and any other applicable taxes. In addition, customer shall pay each month any and all Federal, State, local and City taxes as may be levied, imposed or due, which arise from, or in connection with the provision of electric service to customer pursuant to this ordinance.
10. *Calculation of utility taxes:* The customer shall pay to the City each month the amount necessary to fully satisfy the City's obligation for State and local utility taxes. For utility tax purposes, the gross income from the customer shall be the sum of subsections 3 through 9 above, plus the amount necessary to satisfy the City's obligation for State and local utility taxes.
11. *Rates and charges for service:* The City has no obligation to provide service to the customer facility in excess of Cu CHWM and its Cu CDQ. If the customer facility takes service in excess of its Cu CHWM and/or its Cu CDQ, customer will pay the City all costs, charges, surcharges and penalties attributable to such service.
12. If the City pays or receives a load shaping charge true-up adjustment charge or credit in any fiscal year, then a pro-rata portion of such charge or credit will be apportioned to customer as determined by the City, plus an amount calculated by the City using the load shaping adjustment true-up rate.

Section 2 - Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of the scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3 - Severability. If any provisions of this Ordinance, or its application to any person or circumstances, are held invalid, the remainder of the Ordinance, or application of the provisions of the Ordinance to other persons or circumstances, is not affected.

Section 4 -Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum. This ordinance shall take effect on January 1, 2020 after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council of the City of Port Angeles at a regular meeting of said Council held on the 17th day of December, 2019.

Sissi P. Bruch
Sissi Bruch, Mayor

ATTEST:

Kari Martinez-Bailey
Kari Martinez-Bailey, City Clerk

APPROVED AS TO FORM:

William E. Bloor
William E. Bloor, City Attorney

PUBLISHED: Sunday December 22 2019
By Summary

Summary of Ordinances Adopted by the Port Angeles City Council on December 17, 2019

ORDINANCE NO. 3653

AN ORDINANCE of the City of Port Angeles, Washington, AN ORDINANCE of the City of Port Angeles, Washington, amending Title 13, Chapter 13.12 of the Port Angeles Municipal Code relating to the Industrial Transmission electric rate classification.

This ordinance is not subject to referendum and shall take effect on January 1, 2020 after passage and publication of summary.

ORDINANCE NO. 3654

AN ORDINANCE of the City of Port Angeles, Washington, AN ORDINANCE of the City of Port Angeles, Washington amending a section of Chapter 17.10 and a section of Chapter 17.11 of the Port Angeles Municipal Code relating to zoning.

This ordinance is not subject to referendum and shall take effect 5 days after passage and publication of summary.

The full texts of Ordinances are available at City Hall in the Clerk's office, on the City's website at www.cityofpa.us or will be mailed upon request. Office hours are Monday through Friday 8:00 a.m. to 5:00 p.m.

Kari Martinez-Bailey
City Clerk

Published by summary: Sunday, December 22, 2019