

AN ORDINANCE OF THE CITY OF LEXINGTON, NEBRASKA, ADOPTING RULES, REGULATIONS, CUSTOMER CLASSIFICATIONS, AND RATES FOR FURNISHING ELECTRICAL SERVICE BY THE CITY ELECTRICAL DEPARTMENT WITHIN THE SERVICE AREA OF THE CITY OF LEXINGTON, REPEALING CHAPTER EIGHT OF THE LEXINGTON CITY CODE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND EFFECTIVE DATE OF THE ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Chapter 8 of the Lexington City Code is hereby repealed and the rules, regulations, customer classifications and rates established in this Ordinance will be effective February 28, 1978.

Section 1. Section 8-1, 8-2, 8-3 and 8-4 of the City Code as are now written are hereby readopted and incorporated by reference in this Ordinance.

Section 1A. Section 8-5 of the Code is hereby amended to read as follows:

Section 8-5. Schedules of Rates, Conditions, etc. for Residential Users

The schedules of rates, conditions, for residential use service shall be as follows:

(a) Application. To all domestic consumers. Each dwelling unit (apartment, duplex, trailer, etc.) is to be metered separately unless user (owner) (Apartment house, trailer court) elects to be billed as commercial user. Rooming houses with more than three units for rent shall be considered commercial. This rate is not available for resale service.

(b) Rate. The rate for this service shall be set by Resolution by the City Council.

(c) Contract Period and Conditions. All contracts under the residential rate schedule shall be for a minimum period of thirty days and thereafter until terminated. All consumers are required to make a deposit of ten dollars before the meter is installed; except, that such deposit shall not be required from those users who have established prompt payment records for at least two years.

All bills shall be due and payable ten days from the date of the billing and delinquent thirty days from the date of billing.

The City reserves the right to include any production cost adder charge received from the power supplier to the City and may be assessed to the users at the same rate per KWH times a factor of 1.1.

(d) Delinquent Charges. Delinquent charges for non-payment resulting in service being disconnected and reconnected shall be five dollars for each violation.

(e) Service. Service to residential users shall be such phase and voltage as the utility has immediately available to the site. Single phase service shall not be utilized where loads aggregate over twenty KW, except at Utility's option.

Section 2. Section 8-6 of the Code is amended to read as follows:

Section 8-6. Same -- Same -- Small Business Service

The schedules of rates, conditions, for Commercial or Business Service for small business service shall be as follows:

(a) Application. The small business rate is applicable to all commercial, small industrial, agricultural, institutions, or other business users (excluding business in the home operated solely by phone or by mail by the resident only) for lighting and power. Residential use may be included where business is operated in the home, on the same meter as the household, or to service multiple-unit living quarters, such as apartment houses and trailer courts. Each meter is to be considered a separate customer.

(b) Rate. The rate for this service shall be set by Resolution by the City Council.

(c) Contract period and conditions. All contracts under the small business rate shall be for a minimum period of twelve months and thereafter until terminated by ten days notice in writing.

Deposit charges for service under the small business rate will be made in accordance with the nature of the business and the cost of electricity that may be used, not to exceed an amount up to two months estimated bill; except, that such deposits may not be required from those users who have established prompt payment records for at least two years.

All bills are due and payable ten days from the date of billing and delinquent thirty days from date of billing.

A credit of two percent on the entire charge shall be granted for primary metering. A two percent credit shall also be granted for customer ownership and installation of transformers and service entrance.

The city reserves the right to include any production cost adder charge received from the power supplier to the City and may be assessed to the users at the same rate per KWH times a factor of 1.1.

(d) Delinquent charges. Delinquent charges for non-payment resulting in service being disconnected and reconnected shall be five dollars for each violation.

(e) Service. The service to small business users shall be such phase and voltage as the utility has immediately available to the site. Single phase service shall not be utilized where motors, aggregate over fifteen horsepower, except at the utility's option. All motors over one and one-half horsepower are to be nominal two hundred thirty volts or higher.

(f) Installations. All installations shall meet the minimum standards of the National Electrical Code to insure that the equipment will operate in a satisfactory manner and will not interfere with any operations of the City's system. Prospective users under this schedule shall consult with the City before proceeding to design or erect installations to make sure that equipment, insulation and building construction will meet the requirements and that City's available facilities are adequate.

Section 3. Section 8-7 of the Code is^s amended to read as follows:

Section 8-7 Same -- Large Business

The schedule of rates, conditions, for Commercial or Business for Large Business Service shall be as follows:

(a) Application. The large use rate is applicable to all business users who elect via a signed contract (or extension thereof), to qualify hereunder, or at the utility's option, to all users using an average of sixty thousand KWH or more per year.

(b) Rate. The rate for this service shall be set by Resolution by the City Council.

(c) Contract Period and Conditions. All contracts under the commercial large business rate shall be for a minimum period of twelve months and thereafter until terminated by ten days notice in writing.

Deposit charges for services under the large business rate will be made in accordance with the nature of the business and the cost of electricity that may be used not to exceed an amount up to two months estimated bill; except that such deposits may not be required from those users who have established prompt payment records for at least two years.

All bills are due and payable ten days from the date of billing and delinquent thirty days from date of billing.

A credit of two percent on the entire charge shall be granted for primary metering. A two percent shall also be granted for customer ownership and installation of transformers and service entrance.

The City reserves the right to include any production cost adder charge received from the power supplier to the City and may be assessed to the users at the same rate per KWH times a factor of 1.1.

The billing demand shall be determined by suitable meter measurements of the highest fifteen minute integrated demand (or thirty minute integrated demand), occurring during the monthly billing period.

If the power factor during the time the billing demand is established falls below ninety percent lagging the measured KW demand maybe adjusted to ninety percent power factor to establish the billing demand for that month.

(d) Delinquent charges. Delinquent charges for non-payment resulting in service being disconnected and reconnected shall be five dollars for each violation.

(e) Service. The service to large business users shall be such phase and voltage as the utility has immediately available to the site. Single phase service shall not be utilized where motors aggregate over fifteen horsepower, except at the utility's option. All motors over one and one-half horsepower are to be nominal two hundred thirty volts or higher.

(f) Installations. All installations shall meet the minimum standards of the National Electrical Code to insure that the equipment will operate in a satisfactory manner and will not interfere with any operations of the City's system. Prospective users under this schedule shall consult with the City before proceeding to design or erect installations to make sure that equipment, insulation and building construction will meet requirements and that City's available facilities are adequate.

Section 4. Section 8-8 of the Code is amended to read as follows:

Section 8-8. Same -- Commercial Space Heating

The schedule of rates, conditions, for commercial space heating service shall be as follows:

(a) Availabilty. This schedule is available for supplying space heating requirements for commercial users where the user also takes service under another rate. Service is available at three-phase or single phase at the

established voltage of either the City's primary or secondary distribution system.

(b) Rate. The rate for this service shall be set by Resolution by the City Council.

(c) Contract period and conditions. Service under this schedule is available for a minimum period of the heating season of October through the following April, and thereafter until terminated by ten days notice in writing.

Any energy used during the months of May through September shall be billed under the applicable small business or large business service schedule.

Deposit charges will be made in accordance with the nature of the business and the cost of electricity that may be used. This amount may be up to two months' estimated bill.

Service under the foregoing schedule will be rendered only where electricity is to be (not less than ninety percent) of the heating requirement.

Electric space heating shall be designed to operate at two hundred forty volts, single phase or three-phase and shall be served through one meter for total load requirements of space heating and other use requirements.

The City reserves the right to require that the voltage applied to resistance-type space heating units rated for two hundred forty volts be reduced to one hundred twenty volts for a period of not to exceed two hours per day during the time the City's peak load or during the time the City's operating conditions may dictate. The power factor of heating equipment installed shall not be less than ninety percent lagging.

The City reserves the right to include any production cost adder charge received from the power supplier to the City and may be assessed to the users at the same rate per kilowatt times a factor of 1.1.

The heating in each room, or zone, shall be controlled by one or more thermostats located within the room or zone, but not more than five kilowatts shall be controlled by one thermostat.

All installations shall meet the minimum standards of the National

Electrical Code to insure that the equipment will operate in a satisfactory manner and will not interfere with any operations of the City's system. Prospective users under this schedule shall consult with the City before proceeding to design or erect installations to make sure that equipment, insulation and building construction will meet requirements and that City's available facilities are adequate.

Where service is metered under this schedule at primary voltage, a discount shall be made each month of two percent of the bill for service. Where service is taken at the City's established primary voltage and the City does not own the transformers and substations converting to secondary voltage, an additional credit shall be allowed of two percent of the monthly bill.

All terms and conditions that apply to the small business service and large business service shall apply to the commercial space heating service.

Section 5. Section 8-9 of the Code is hereby amended to read as follows:

Sec. 8-9. Same -- Industrial Service

The schedule of rates, conditions, etc., for industrial service shall be as follows:

(a) Application. The industrial service rate is applicable to all industrial users who elect, via a signed annual contract (or extension thereof), to qualify hereunder, or at the utility's option, to all users using one hundred twenty thousand KWH or more per year, or with a monthly peak of over forty KW in the months of June through September. Lighting exceeding ten percent of connected load may be served hereunder, but only if it is balanced between phases. Each meter is to be considered a separate customer.

"Industrial" is defined as any business user whose primary function is manufacturing or processing, where value is added to the raw materials, or whose function is storage of bulk materials or the pumping of oil or other materials.

(b) Rates. The rate for this service shall be set by Resolution by the City Council.

(c) Contract period and conditions. All contracts under this schedule shall be for a minimum period of twelve months, and thereafter until termination, where service is no longer required, on ten days notice in writing.

Deposit charges will be made in accordance with the nature of the business and the cost of electricity that may be used, but not to exceed two months estimated bill, except, that such deposits may not be required from those users who have established prompt payment records for at least two years.

The billing demand shall be determined by suitable meter measurements of the highest fifteen minute integrated demand (or thirty minute integrated demand) occurring during the monthly billing period; provided, that it shall not be less than seventy percent of the highest billing demand occurring during the preceding months of May through and including October. The consumer shall be required to properly balance his loads, so that the load in any phase is not greater than fifteen percent more than the load in either of the two other phases.

If the power factor during the time the billing demand is established falls below ninety percent lagging, the measured KW demand may be adjusted to ninety percent power factor to establish the billing demand for that month.

All bills for this service are due and payable ten days from the date of billing and delinquent thirty days from the date of billing.

A credit of two percent on the entire charge shall be granted for primary metering. A two percent credit shall also be granted for customer ownership and installation of transformers and service entrance.

The City reserves the right to include any production cost adder charge received from the power supplier to the City and may be assessed to the users at the same rate per kilowatt times a factor of 1.1.

(d) Delinquent charges. Delinquent charges for non-payment resulting in service being disconnected and reconnected shall be five dollars for each violation.

(e) Service. The service to industrial users shall be such phase and voltage as the utility has immediately available to the site. Single phase service shall not be utilized where motors aggregate over fifteen horsepower, except at the utility's option. All motors over one and one-half horsepower are to be nominal two hundred thirty volts or higher.

(F) Installations. All installations shall meet the minimum standards of the National Electrical Code to insure that the equipment will operate in a satisfactory manner and will not interfere with any operation of the City's system. Prospective users under this schedule shall consult with the City before proceeding to design or erect installations to make sure that equipment, insulation and building construction will meet requirements and that City's available facilities are adequate.

Section 6. Section 8-10 of the Code is hereby amended to read as follows:

Sec. 8-10. Same -- Seasonal Irrigation Service

The schedule of rates, conditions, etc. for seasonal irrigation service shall be as follows:

(a) Application. This schedule is applicable to and available for service to irrigation pumps on a seasonable basis at the voltage and phases of the City's established secondary distribution system and not for resale.

(b) Rate. Use applicable business rate (twelve months per year).

(c) Service Charge. A service charge of five dollars shall be made to disconnect service for seasonal users, an additional charge of five dollars shall be made to reconnect service for these users.

(d) The City reserves the right to reject the availability of the seasonal irrigation service if they are faced with exceptionally high summer demands on the electric system.

Section 7. Section 8-11 of the Code is amended to read as follows:

Sec. 8-11. Same -- Municipal Light and Power Service

The schedule of rates, conditions, for municipal light and power service shall be as follows:

(a) Application. Municipal light and power service shall be available only to the City for municipal uses for general lighting and power requirements.

(b) Rates. The rate for this service shall be set by Resolution by the City Council.

(c) The City reserves the right to include any production cost adder charge received from the power supplier to the City and may be assessed to the users at the same rate per KWH times a factor of 1.1.

Section 8. Section 8-12 of the Code is hereby amended to read as follows:

Sec. 8-12. Same -- Municipal Street Lighting

The schedule for rates, conditions, for municipal street lighting services are as follows:

(a) Application. The municipal street lighting service shall be available only to the City for street and security lighting.

(b) Rates. The rate for this service shall be set by Resolution by the City Council.

(c) The City reserves the right to include any production cost adder charge received from the power supplier to the City and may be assessed to the users at the same rate per KWH times a factor of 1.1.

Section 9. Section 8-13 of the Code is amended to read as follows:

Sec. 8-13. Same -- Yardlight Service

The schedule of rates, conditions, for yardlight service shall be as follows:

(a) Application. Yardlight service is available to customers of the City for controlled yardlight service furnishing lighting from dusk to dawn.

(b) Rates. The rate for this service shall be set by Resolution by the City Council.

(c) Contract Period and Conditions. All contracts under this schedule shall be for a minimum period of twenty-four months and thereafter until terminated. Charges to be added to regular billing.

(d) Unmetered. The unmetered rate applies to all installations where the energy used is furnished by the City and not registered through the customers meter.

(e) Metered. The metered rate applies to all installations where the energy used is registered through the customer's meter.

Section 10. Sections 8-16 through and including 8-20 of the City Code as are now written are hereby readopted and incorporated by reference in this Ordinance and the sections are to be renumbered as follows:

Section 8-16 changes to 8-14

Section 8-17 changes to 8-15

Section 8-18 changes to 8-16

Section 8-19 changes to 8-17

Section 8-20 changes to 8-18

Section 11. Section 8-19

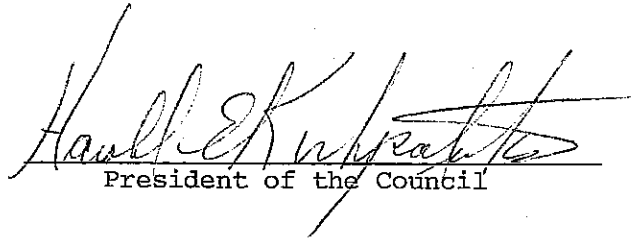
Adoption of Electric Rate Charges

The electric rate charges shall be set by Resolution by the City Council for all user classifications and shall be on file in the City Offices for public inspection at any reasonable time.

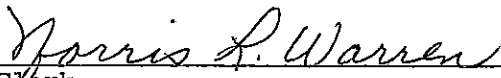
Section 12. That Chapter 8 of the City Code be and the same is hereby repealed.

Section 13. This Ordinance shall be published in pamphlet form and take effect as provided by law. The effective date of this ordinance shall be February 28, 1978.

PASSED AND APPROVED this 14th day of March, 1978.


President of the Council

APPROVED:


City Clerk

(S E A L)