

ORDINANCE NO. 1542

AN ORDINANCE AMENDING THE CODE OF THE CITY OF COLBY, KANSAS, CHAPTER XV, ARTICLE 2, ELECTRIC RATES, AND ARTICLE 2, SECTION 15-305, SPECIFICATIONS FOR CONSTRUCTION, AND REPEALING ORDINANCES NO. 1185, 1464, 1473 AND 1539.

WHEREAS, Since the adoption of the Code of the City of Colby, Kansas, on June 19, 2007, the governing body has amended Chapter XV, Article 2 of said Code by Ordinance No. 1464, Ordinance No. 1473, and Ordinance No. 1539; and,

WHEREAS, the Governing Body desires to include in the codification of the Code of the City of Colby, Kansas, as an amendment to Chapter XV, Article 3, Section 15-305, specifications for construction, electrical wiring, and electrical service disconnects; and,

WHEREAS, the Governing Body of the City of Colby, Kansas, has determined it is convenient and necessary that these provisions be codified as part of the Code of the City of Colby, Kansas, as authorized by K.S.A. 12-3014 and 12-3015.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS:

SECTION 1, ARTICLE 2, ELECTRIC RATES, should be and is hereby ratified and restated in its entirety, as set forth herein:

ARTICLE 2. ELECTRIC RATES

15-201 **MONTHLY RATES. METERED SERVICE.** The rates to be charged each billing month of approximately thirty (30) days each for electric current sold by the City of Colby to customers and users of the same are hereby fixed and determined upon the basis of metered amounts of such services and shall be billed and paid at the rates established in the following sections.

15-202 **RESIDENTIAL ELECTRIC SERVICE RATES.** The following schedule of rates shall be available to a single family dwelling unit supplied through one meter for domestic use. This rate is not available for commercial uses; however, if the domestic use can be separately metered, this rate is applicable to the metered domestic and shall not be resold or shared with others. Character of this service shall be

alternating current, 60 Hertz, single-phase at nominal voltages of 115 or 115/220 volts. The standard schedule of monthly rates is as follows:

- (a) Customer Charge \$3.45 per meter
- (b) Energy Charge \$0.067 per KWH

The monthly minimum charge shall be the customer charge.

15-203

COMMERCIAL ELECTRIC SERVICE RATES. GENERAL SERVICE NON-DEMAND. The following schedule of rates shall be available to all electric service required with a maximum demand of less than 40 KW. Service under this schedule shall be alternating current, 60 Hertz, single-phase, at the City's option of standard available voltages. The City may, at its option, provide three-phase service when individual motors rated at 5.0 horsepower or larger, are connected. Where more than one meter is utilized for this service, each shall be computed separately for billing purposes. The standard schedule of monthly rates is as follows:

- (a) Customer Charge \$10.25 per meter
- (b) Energy Charge \$0.062 per KWH

The monthly minimum charge shall be the customer charge.

15-204

INDUSTRIAL RATES. GENERAL SERVICE DEMAND. The rates established are available to any customer for all power and energy used at any one location where service is taken through one (1) meter with a measured or estimated demand of 40 KW or more within the previous twelve month period. Thereafter, if the demand is under 40 KW consecutively for a twelve (12) month period, the customer rate shall be changed to the commercial electric service rate schedule.

Service under this schedule shall be single phase or three phase, 60 Hertz, alternating current at standard available voltage. Where more than one meter is utilized for this service, each shall be computed separately for billing purposes, unless installed by the City for reliability and/or capacity requirements. The demand to be used for billing purposes shall be the maximum fifteen (15) minutes integrated measure demand adjusted for power factor, if applicable. At the option of the City, in arriving at the billing demand, an adjustment will be added to the monthly measured demand equal to one percent of the measured demand for each one percent that the average power factor is below eighty-five (85) percent as determined by a test made by the City or as indicated by a meter installed at the option of the City to measure power factor. Where the City has no power factor meter

installed, no more than two (2) power factor tests requested by a customer will be made in any twelve (12) month period. The standard schedule of monthly rates is as follows:

- (a) Customer Charge \$23.65 per meter
- (b) Demand Charge:
All KW of billing demand per month \$7.25 per KW
- (c) Energy Charge:
All KWH per month \$0.0453 per KWH

The monthly minimum charge shall be the customer charge plus the demand charge.

15-205 TOTAL ELECTRIC RESIDENTIAL RATE. With the passage of this Ordinance, no additional services shall be allowed under this rate structure.

- (a) Total Electric Residential Rate is hereby established on a monthly basis as follows:

- Customer Charge..... \$3.45 per meter
- Energy Charge.....\$0.0640 for the first 150 KWH
..... \$0.0393 for the next 850 KWH
.....\$0.0370 for all additional KWH

- (b) The minimum charge shall be Fifteen Dollars (\$15.00) per month. In the event a customer orders a disconnection and reconnection of electric service at the same premises within a period of twelve (12) months, the City of Colby may collect as a reconnection charge the sum of such minimum bills as would have accrued during the period of disconnections, provided that no such disconnection during the summer season shall incur such charge.

15-206 FUEL AND ENERGY COST ADJUSTMENT. Whenever the average cost of fuel and energy per KWH generated and purchased shall differ from the base cost of 25 mills per KWH, the adjustment rate will be increased by the amount of the actual cost of fuel, oil and energy per KWH above the base cost and added to the customer's bill. This adjustment shall be made each month and shall be computed on the actual cost of fuel, oil, and the KWH generated plus the total cost of power purchased during the monthly period preceding the period for which the energy is furnished. The fuel and energy cost adjustment factor shall then be adjusted upward to reflect estimated electric

system losses and applied to a customer's monthly sales volume. Application of the fuel, oil and energy cost adjustment shall be at the option of the City.

The fuel, oil, and energy cost adjustment shall be applied to all rate schedules and electric users.

15-207 EXCESS POWER GENERATION CREDIT. Whenever any customer generates excess power (sold back to the City), a credit (reduction) shall be applied to the customer's bill. This adjustment shall be made each month, as dictated by the generation of excess power, and shall be computed based upon the City's average cost of purchased power for the preceding period. This will be calculated by dividing the City's total cost of power purchased, including transmission and all ancillary charges, by the number of kWh purchased in the period. The resultant rate per kWh will be applied to the number of excess kWh generated by the customer and, as mentioned previously, will result in a credit to their monthly bill.

15-208 SERVICE CONNECTIONS. TAP FEES. The applicant for a new electrical service installation shall pay to the City of Colby, Kansas, for a standard light and heat service drop, the following listed tap fees:

- (a) Temporary electrical tap fee\$50.00*
- (b) Single phase - 0-100 ampere requirement..... \$175.00
- (c) Single phase - 101-200 ampere requirement..... \$500.00
- (d) Single phase - 201-400 and greater ampere requirement \$1,000.00
- (e) 3 phase 100-200 ampere requirement \$2,500.00
- (f) 3 phase 201-400 ampere requirement \$3,500.00
- (g) 3 phase - 401-600 ampere requirement \$6,000.00
- (h) 3 phase - 601 and over ampere requirementThe tap fee shall be negotiated with City, based upon actual cost of operation.

*A Temporary Tap is a \$50.00 minimum. Additional expenses will be extra (e.g., setting poles, mounting meter cans, etc.), based on actual cost of service and material.

NOTE: These rates are for taps off of existing service. Any extension of existing service will include the cost of materials such as primary line and additional poles and will be negotiated with the City for actual cost.

The above fees shall include cost of labor and materials for installing service at the service connection point. The City shall supply the meter and meter socket, and the property owner shall be responsible for installation of meter and underground wiring from the service connection point to the owner's place of business or home through the property owner's contractor, at property owner's expense. (The service materials installed up to the service connection point shall be owned by the City from the source to the service connection point and shall be maintained by the City at all times.) The meter and meter box shall be provided upon presentation of the electrical contractor's permit to install electric service at the specific job site. The City shall not install underground electric wiring for service on private property, but will install new overhead where existing wire is replaced.

15-209. AREA POLE LIGHT RENTAL FEES. After April 3, 2007, no new area pole lights shall be installed by the City of Colby, Kansas.

(a) Customers with area pole lights as of that date shall be supplied service at the following monthly rates:

100 Watt HPS

\$ 6.50 per month without pole

\$10.50 per month with pole

(b) When service ceases for customers having service as of April 3, 2007, the 100 Watt HPS fixture and pole (if applicable) shall be disabled and/or removed.

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

SECTION 2, CHAPTER XV, ARTICLE 3, SECTION 15-305 SPECIFICATIONS FOR CONSTRUCTION, shall be amended as follows:

15-305 SPECIFICATIONS FOR CONSTRUCTION. The type of construction, the materials, methods, and standards used to construct the extension of the electrical distribution system shall be at the discretion of the City based upon sound engineering practices required to provide continuity of service on the city's electrical distribution system.

(a) UNDERGROUND WIRING REQUIRED. All new electrical service within the City of Colby in an area served by underground electrical service shall have underground wiring from the point of city service to the service entrance on the home. The charge to

each customer is hereby established as the then existing electrical tap fee as provided by Ordinance.

- (b) **WIRING IN PUBLIC, COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY STRUCTURES.** All rewiring of existing buildings or wiring of new buildings in public, commercial, industrial, hotels or motels with six or more guest rooms, and multi-family buildings with four or more apartments shall be wired in conduit or an approved metal raceway.
- (c) **ELECTRICAL SERVICE DISCONNECTS.** All electrical services will be served through a main disconnect located on the exterior of the building being served with the exception of a property in which a loss of power may result in a considerable loss to the business; any exception granted for an inside disconnect shall meet the requirements of 230-91, 1993, NEC. Any rewiring of existing buildings or wiring of new buildings shall result in compliance with this code.
- (d) **TRANSFORMERS.** All transformers shall be located on City of Colby property or easements, as close as possible to the customer's property. Exceptions to these location requirements may be made only with the written approval of the City of Colby.
- (e) **METER LOCATIONS.** All residential meters shall be located on the customer's residence, near the electrical service disconnect. Commercial and industrial meters shall be located as directed and approved by the City of Colby.
- (f) **NEW SERVICE INSTALLATIONS.** The City of Colby Code Enforcement Officer shall approve all new underground and overhead electric service installations from the transformer through and including the meter to the customer's structure, including the point of attachment. All new underground electric service installations from the transformer to the customer's point of attachment shall be at the expense of the customer. All new overhead electric service installations from the transformer to the customer's point of attachment shall be installed by and at the expense of the City of Colby. The tap fees (Section 15-208) include installation and acquisition of the transformer and meter, which shall be and remain the property of the City of Colby.
- (g) **REPAIR AND MAINTENANCE.** Customer is solely responsible for all costs to repair, maintain, and replace underground wiring

including conduit, meter socket, and disconnect from the transformer to the meter on the customer's structure. The City of Colby, at its expense, will repair or replace overhead wiring from the transformer to the point of attachment furnished by the customer at his expense. Point of attachment being a form of wire holder to anchor service drop to the facility being served (eyebolt, house knob, mast kit, etc.).

SECTION 3. REPEALER. Ordinances No. 1185, 1464, 1473 and 1539 are hereby repealed.

SECTION 4. This Ordinance shall take effect after publication in the official city newspaper. The electric rates are currently in effect and were established by previous ordinances enacted by the Governing Body.

PASSED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR this 5th day of August, 2014.

Gary L. Adrian, Mayor

ATTEST:

Joni L. Ketchum, City Clerk

SEAL