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4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 100 - 2014
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8
9 AN ORDINANCE AMENDING CHAPTER 933 "ELECTRICITY" OF
10 TITLE 5 "PUBLIC UTILITIES" OF PART 9 "STREETS AND PUBLIC
11 SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF
12 CUYAHOGA FALLS, OHIO RELATING TO ELECTRIC RATES,
13 AND DECLARING AN EMERGENCY.
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16 WHEREAS, a recently completed electric rate study indicates the need to revise
17 the City's retail electric rates in order to accurately reflect the existing costs of
18 furnishing electric service; and
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20 WHEREAS, the recommended revision will result in a better representation to
21 our retail customers of the cost of providing such electric services; and
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23 WHEREAS, the cause for the revision is founded in the fact that the cost of
24 providing electric service has risen since the rates were last established;
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26 WHEREAS, electric rates must be revised to meet the Cuyahoga Falls electric
27 system debt covenants.
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29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
30 County of Summit and State of Ohio, that:
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32 Section 1. Chapter 933 "Electricity" of Title 5 "Public Utilities" of Part 9 "Streets and
33 Public Services" of the Codified Ordinances of the City of Cuyahoga Falls be amended to read as
34 follows (new text double underlined; deleted text in ~~strike through~~):
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36 933.01 RATE SCHEDULES ESTABLISHED.

37 The following rate schedules in this chapter for the sale of electric service, to
38 the consumers thereof within the corporate limits, by the electric utility of the
39 City are hereby established.
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41 933.02 SCHEDULE RS-RESIDENTIAL SERVICE.

42 (a) Availability. Available where secondary distribution lines are adjacent to
43 the premises to be served. Applies to electric service, other than three phase
44 service, all domestic purposes in private residences and single occupancy
45 apartments. Where a portion of a residential unit is used for a purpose of
46 commercial or public nature, the appropriate general service rate applies to all
47 service. However, if the wiring is so arranged that the service for residential
48 purposes can be metered separately this rate shall be applied to the residential
49 service. The residential service rate does not apply to a commercial, institutional
50 or industrial establishment.
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52 (b) Service. Alternating current, sixty hertz, single phase, nominal 120/240
53 volts.
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55 (c) Monthly Charge. The monthly charge per customer shall be computed
56 in accordance with the following rates:
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	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Customer charge	\$ 3.75 1.65 per month	\$ 5.75 1.67 per month
All KWH	<u>10.41</u> 17.50¢ per KWH	<u>10.35</u> 57.58¢ per KWH

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	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
Customer charge	<u>\$7.75</u> 1.69 per month	<u>\$1.71</u> per month
All KWH	<u>10.3025</u> 7.66¢ per KWH	<u>7.74¢</u> per KWH

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

(g) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this schedule, the same as if copied herein verbatim.

933.021 SCHEDULE RS/AE-RESIDENTIAL SERVICE/ALL ELECTRIC.

(a) Availability. Available where secondary distribution lines are adjacent to the premises to be served. Applies to electric service to all-electric homes, other than three phase service, for all domestic purposes in private residences and single occupancy apartments where electricity is the primary source of space heating utilizing electric heat pumps, electric baseboard heat, or other permanent type of electric heating system. Where a portion of a residential unit is used for a purpose of commercial or public nature, the appropriate general service rate applies to all service. However, if the wiring is so arranged that the service for residential purposes can be metered separately, this rate shall be applied to the residential service. The residential service rate does not apply to a commercial, institutional or industrial establishment.

(b) Service. Alternating current, sixty hertz, single phase, nominal 120/140 volts.

(c) Monthly Charge. In each month as delineated below the charge per customer shall be computed in accordance with the following rates:

(1) Winter Months (October through May)

	<u>1-1-15</u>	<u>1-1-16</u>	<u>1-1-17</u>
Customer charge	<u>\$3.75</u> 1.71 per month	<u>\$5.75</u> per month	<u>\$7.75</u> per month
First 900 KWH	<u>10.41</u> 17.74¢ per KWH	<u>10.355¢</u> per KWH	<u>10.302¢</u> per KWH
Balance of KWH	<u>7.890</u> 5.2¢ per KWH	<u>8.327¢</u> per KWH	<u>8.675¢</u> per KWH

(2) Summer Months (June, July, August, and September)

	<u>1-1-15</u>	<u>1-1-16</u>	<u>1-1-17</u>
Customer charge	<u>\$3.75</u> 1.71 per month	<u>\$5.75</u> per month	<u>\$7.75</u> per month
All KWH	<u>10.41</u> 17.74¢ per KWH	<u>10.355¢</u> per KWH	<u>10.302¢</u> per KWH

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

(g) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this schedule, the same as if copied herein verbatim.

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933.03 SCHEDULE GSS- GENERAL SERVICE, SMALL, SINGLE PHASE.

(a) Availability. Available where secondary distribution lines are adjacent to the premises to be served. Applies to electric service supplied at one point on one premises. This rate does not apply to standby service.

(b) Service. Alternating current, sixty hertz, and where available, single phase, nominal 120/240 volts.

(c) Monthly Charge. The monthly charge per customer shall be computed in accordance with the following rates:

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Customer charge	\$12.00 7.60 per month	\$16.00 7.68 per month
All KWH	10.863 7.95¢ per KWH	10.815 8.03¢ per KWH

	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
Customer charge	\$20.00 7.76 per month	\$7.84 per month
All KWH	10.775 8.11¢ per KWH	8.19 ¢ per KWH

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

(g) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility, which rules and regulations are a part of this rate schedule, the same as if copied herein verbatim.

933.04 SCHEDULE GSM- GENERAL SERVICE, MEDIUM, THREE PHASE.

(a) Availability. Available where secondary distribution lines are adjacent to the premises to be served. Applies to electric service supplied at one point on one premises. This rate does not apply to standby service.

(b) Service. Alternating current, sixty hertz, and where available, three phase, nominal 480 volts, 240 volts or 120/208 volts. This rate also applies to temporary service poles.

(c) Monthly Charge. The monthly charge per customer shall be computed in accordance with the following rates:

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Customer charge	\$14.00 7.60 per month	\$19.50 7.68 per month
All KWH	10.848 7.95¢ per KWH	10.785 8.03¢ per KWH

	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
Customer charge	\$25.00 7.76 per month	\$7.84 per month
All KWH	10.725 8.11¢ per KWH	8.19 ¢ per KWH

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

(g) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility, which rules and regulations are a part of this rate schedule, the same as if copied herein verbatim.

933.05 SCHEDULE GSL - GENERAL SERVICE, LARGE.

(a) Availability. Available where secondary distribution lines are adjacent to the premises, where the billing demand is greater than fifty KW. This rate does not apply to standby service.

(b) Service. Alternating current, sixty hertz, and where available, three phase, four wire, 240 volts, 480 volts or 120/208 volts.

(c) Monthly Charge. The monthly charge per customer shall be the sum of the demand and energy charges in accordance with the following rate:

<u>Demand Charge</u>	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
First 100 KW demand per month	<u>\$13.58</u> 12.45	<u>\$14.30</u> 12.57
All over 100 KW	<u>\$12.55</u> 11.45	<u>\$13.30</u> 11.56
	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
First 100 KW demand per month	<u>\$14.80</u> 12.70	<u>\$12.83</u>
All over 100 KW demand per month	<u>\$13.80</u> 11.68	<u>\$11.80</u>
<u>Energy Charge</u>	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
First 250 KWH per KW billing demand	<u>6.39</u> 5.60¢	<u>6.33</u> 3.64¢
Next 150 per KWH per KW billing demand	<u>6.09</u> 5.35¢	<u>6.02</u> 3.38¢
All additional KWH	<u>5.55</u> 2.83¢	<u>5.47</u> 2.86¢
	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
First 250 KWH per KW billing demand	<u>6.34</u> 3.68¢	<u>3.72</u> ¢
Next 150 per KWH per KW billing demand	<u>6.02</u> 3.41¢	<u>3.44</u> ¢
All additional KWH First 100 KW	<u>5.45</u> 2.89¢	<u>2.92</u> ¢

(d) Kilowatt (KW) Billing Demand. The minimum charge shall be the demand charge. The billing demand for the month shall be the greatest of:

(1) The highest measured fifteen minute KW demand during the month.

(2) Sixty percent (60%) of the highest billing demand during the preceding eleven months.

(3) Fifty KW.

When metering capable of measuring on-peak and off-peak demands is in use, the customer's measured demand shall be the greater of the on-peak demand or twenty-five percent (25%) of the off-peak demand. On-peak periods

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are from 8:00 a. m. to 9:00 p.m. on normal business days. All other periods shall be off-peak.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Power Factor. The customer shall so arrange and equip his installation that the power factor of his load at the time of maximum demand will be not less than 0.8 lagging. However, if the power factor as determined by measurement is less than 0.8 the measured demand shall be modified by the ratio of 0.8 to the measured power factor.

(g) Metering. In the event the electric utility elects to meter the service on the high voltage side of the transformation equipment, the kilowatt-hours as registered on the meter and read by the meter reader will be reduced in quantity by three percent (3%) prior to calculating the monthly charge.

(h) Contract. A written application is required.

(i) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this rate schedule, the same as if copied herein verbatim.

933.06 SCHEDULE GSD- GENERAL SERVICE, DISTRIBUTION.

(a) Availability. Available where distribution lines are adjacent to the premises to be served. Applies to electric service supplied at one point on one premises where the demand is greater than fifty KW and where the consumer owns and maintains all transforming, controlling, regulating and protective equipment. This rate does not apply to standby-service.

(b) Service. Alternating current, sixty hertz, and where available, 3 phase nominal 2400/4160 volts, three phase, 4 wire, grounded, or 7200/12,470 volts, 4 wire grounded, or 13,800 / 23,900 volts, 4 wire grounded.

(c) Monthly Charge. The monthly charge per customer shall be the sum of the demand and energy charges in accordance with the following rates:

<u>Demand Charge</u>	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
First 100 KW demand per month	\$12.70 10	\$13.00 12.22
All over 100 KW	\$11.90 10	\$12.10 11.21
	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
First 100 KW demand per month	\$13.10 12.34	\$12.46
All over 100 KW demand per month	\$12.25 11.32	\$11.43
<u>Energy Charge</u>	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
First 250 KWH per KW billing demand	6.25 33.50¢	6.25 23.54¢

309	Next 150 per KWH	<u>6.0713-25¢</u>	<u>6.1443-28¢</u>
310	per KW billing		
311	demand		
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313	All additional KWH	<u>5.5272-75¢</u>	<u>5.6402-78¢</u>
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315			
316		<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
317	First 250 KWH	<u>6.2313-58¢</u>	<u>3.62¢</u>
318	per KW billing		
319	demand		
320			
321	Next 150 per KWH	<u>6.2013-31¢</u>	<u>3.34¢</u>
322	per KW billing		
323	demand		
324			
325	All additional KWH	<u>5.7362-81¢</u>	<u>2.84¢</u>
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(d) Kilowatt (KW) Billing Demand. The minimum charge shall be the demand charge. The billing demand for the month shall be the greatest of:

(1) The highest measured fifteen minute KW demand during the month.

(2) Sixty percent (60%) of the highest billing demand during the preceding eleven months.

(3) Fifty KW.

When metering capable of measuring on-peak and off-peak demands is in use, the customer's measured demand shall be the greater of the on-peak demand or twenty-five percent (25%) of the off-peak demand. On-peak periods are from 8:00 a.m. to 9:00 p.m. on normal business days. All other periods shall be off-peak.

(e) Minimum Charge. The minimum charge shall be the demand charge. The minimum demand shall be sixty percent (60%) of the highest demand during the preceding eleven months or fifty KW whichever is greater.

(f) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(g) Power Factor. The customer shall so arrange and equip his installation that the power factor of his load at the time of maximum demand will be not less than 0.8 lagging. However, if the power factor as determined by measurement is less than 0.8 lagging, the measured demand shall be modified by the ratio of 0.8 to the measured power factor.

(h) Contract. A written application is required.

(i) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this rate schedule, the same as if copied herein verbatim.

~~933.07 SCHEDULE SBS - STANDBY SERVICE.~~

~~(a) Availability. Available within the corporate limits where adequate facilities are adjacent to the premises to be served. Applies to auxiliary or standby service supplied at one point and as contracted for upon a definite demand in increments of 5 KW, but not less than 25 KW.~~

~~(b) Service. Alternating current, sixty hertz, and where available single phase, nominal 120/240 volts, three phase, nominal 480 volts, 240 volts, or 120/208 volts.~~

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~~—(c) Monthly Charge. The monthly charge per customer shall be the sum of the demand and energy charges in accordance with the following rates:~~

~~Demand Charge
Per contract demand \$12.50 per KW~~

~~Energy Charge
All KWH usage Effective 6-1-87 Effective 1-1-88
5.00¢ 5.05¢~~

~~Effective 1-1-89 Effective 1-1-90
All KWH usage 5.10¢ 5.15¢~~

~~—(d) Minimum Charge. The minimum charge shall be the demand charge.~~

~~—(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).~~

~~—(f) Determination of Contract Demand. The initial contract demand in KW shall be sufficient to meet the estimated requirements of the customer, but not less than twenty five KW. The electric utility may determine the customer's demand by test or by means of a thermal demand indicator or a block interval KW demand meter, in which case the demand interval shall be fifteen minutes. Should the demand as determined by test or by a demand indicator or meter exceed the initial contract demand then the demand so determined shall be the contract demand. For billing use, the contract demand for any month shall be not less than the highest demand in KW as determined above during the preceding eleven months and in no event less than twenty five KW.~~

~~—(g) Term of Contract. Service will be supplied for a minimum term of one year upon written application.~~

~~—(h) Rules and Regulations. The general rules and regulations of the electric utility shall apply to the installation and use of electric service.~~

933.08 SCHEDULE SCS - SCHOOLS AND CITY SERVICE.

All public schools and property within the City corporation limits and under the jurisdiction of the City Board of Education and all parochial or sectarian schools within the City corporation limits shall be considered subject to the rules and regulations same as provided for the rate schedules applicable to the type of service rendered, except that the charge shall be:

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Per KWH:	<u>9.6746.48¢</u>	<u>9.9556.54¢</u>
Meter and billed monthly		

	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
Per KWH:	<u>10.2356.61¢</u>	<u>6.68¢</u>
Metered and billed monthly		

Education institutions for children of pre-school age are specifically excluded from this rate classification.

The Taylor Memorial Library, a public library, shall be charged the electric rate of school or City service.

Chargeable City services may use this schedule or the appropriate rate schedule.

432 Power Cost Adjustment. The monthly charge shall be adjusted according to
433 the Power Cost Factor (PCF).

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435 933.09 SERVICE CHARGES. (REPEALED)
436 (EDITOR'S NOTE: Former Section 933.09 was repealed by Ordinance 79-
437 2007, passed June 18, 2007.)
438

439 933.10 RATES OUTSIDE THE CITY.

440 The rates, charges and fees for the sale of electric service to the consumers
441 thereof, on the lines of the Electric Utility outside the corporate limits, shall be
442 the same as the rate schedules applying to electric service to consumers thereof
443 within the corporate limits, except that Rate Schedule RS - Residential Service
444 and the Rate Schedule GSS - General Service Small, and GSM - General Service
445 Medium, shall be five percent greater than the rate schedules applying to
446 electric service to consumers within the corporate limits. In addition the bills of
447 all customers outside the corporate limits, regardless of rate class, will include
448 the amount of kilowatt-hour tax levied on the distribution company by Ohio
449 R.C. 5727.81 beginning with the billing period that encompasses May 1, 2001.
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451 933.11 SUPPLYING ELECTRICITY.

452 The electric utility shall supply electric service for street lighting purposes,
453 for the use of the City Municipal Building, for the use of the Fire and Police
454 Departments including their respective signal systems and for public parks and
455 playgrounds free of charge. The use of electric service for the above purposes in
456 the City constitutes a use for public purposes, free use of which is authorized by
457 Ohio R.C. 743.27.
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459 933.12 SERVICE TO GOVERNMENT INSTITUTIONS.

460 (a) The electric utility will supply electric service to any state, county or
461 other governmental institution located within the corporate limits but such
462 governmental units shall be billed for electric current consumed in the same
463 manner as other customers and in accordance with the rates established herein.
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465 (b) Power Cost Factor. The Power Cost Factor (PCF) will be determined
466 monthly by dividing the monthly kilowatt-hour sales to ultimate consumers into
467 the difference between the monthly charge for wholesale purchases and the
468 product derived by multiplying the monthly kilowatt-hours purchased by 4.98
469 cents/KWH.
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471 933.121 POWER COST FACTOR.

472 (a) The Power Cost Factor (PCF) will be determined monthly by multiplying
473 the monthly number of kilowatt hours purchased by the Set Cost (SC),
474 subtracting this product from the cost of the monthly power purchased, which
475 may include energy efficiency programs and dividing this difference by the
476 monthly number of kilowatt hours purchased.
477 (Ord. 70-2014. Passed 7-28-14.)
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479 Effective starting January 2015, the Power Cost Factor (PCF) will be
480 determined monthly by summing the previous 6 months of power purchase
481 costs, which may include energy efficiency programs, dividing that sum by the
482 sum of the number of KWH sold to customers in those same 6 months, and then
483 subtracting the Set Cost (SC) from that quotient.
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485 (b) The Set Cost (SC) shall initially be 4.5 cents. Effective in 2015, the Set
486 Cost (SC) shall be \$0.0789. Effective starting in 2016, the Set Cost (SC) shall be
487 \$0.08. The Set Cost may be adjusted upon approval of City Council.
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490 Section 2. That any other ordinances or resolutions or portions of ordinances and
491 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not
492 inconsistent herewith and which have not previously been repealed are hereby ratified and
493 confirmed.

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Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health or safety for the stabilization of electric rates and provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

Passed: 12/22/2014

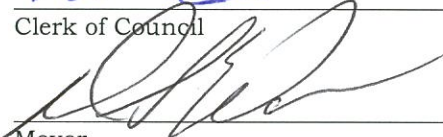


President of Council



Clerk of Council

Approved 12-23-2014



Mayor