

ORDINANCE NO. 1051

AN ORDINANCE OF THE CITY OF ROBSTOWN, TEXAS, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF ROBSTOWN, TEXAS, BE AMENDED BY REPEALING ORDINANCE NO. 675 AND PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF ROBSTOWN, TEXAS, BE AMENDED BY REVISING SECTION 28-57 OF THE CODE PROVIDING FOR FIXING AND PRESCRIBING THE RATES TO BE CHARGED FOR ELECTRICITY SOLD BY THE CITY OF ROBSTOWN, TEXAS; PRESCRIBING PENALTIES AND REPEALING ALL ORDINANCES IN CONFLICT HERewith.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROBSTOWN, TEXAS:

SECTION I. That from and after the passage of this Ordinance Section 28-57 of the Code of Ordinances of the City of Robstown, Texas, be amended to read as follows:

"Section 28-57. Service Charges – Rates Prescribed."

The rates to be charged and collected by the City for electric service shall be computed in accordance with the applicable rate schedule hereinafter defined.

A. RESIDENTIAL SERVICE

(1) AVAILABILITY

This rate is available in the electric service area of the City of Robstown, Texas, under standards, terms and policies prescribed by the City of Robstown.

(2) APPLICABILITY

This rate is applicable to all alternating service, to individually metered residential dwellings receiving electric service through a permanent meter installation.

This rate is not applicable to service for resale, for service for hotels, rooming houses, boarding houses, motels, dormitories, apartments, duplexes metered through one meter, or to premises used for other than residential purposes.

When a portion of a residence served through one meter is used for non-residential services, this rate is not applicable. However, if the wiring is so arranged that the service for residential purpose and that for

nonresidential purpose are separately metered, this rate is applicable to the service supplied for residential purposes.

(3) TYPE OF SERVICE

The service available under this schedule is single phase, alternating current service at available secondary voltages. Three phase service may be available at the discretion of the City of Robstown Utility Systems.

(4) MONTHLY CHARGES

Customer Charge \$10.00 per month

Energy Charge \$.049 per KWH

(5) MINIMUM BILL

The minimum monthly bill shall be the highest of the following:

1. The customer charge.
2. The minimum monthly charge as established in accordance with the line and service extensions policy.

(6) BILLING ADJUSTMENT

1. In addition to the monthly charges, each customer's monthly bill shall include an appropriate power cost charge as described on Schedule PCA.
2. In addition to the monthly charges and fuel cost charges the customer shall be billed for all other taxes, road use fees, franchise fees, or taxes applicable to the sale of electricity.

(7) CONDITIONS OF SERVICE

1. The service to the customer shall be subject to the rules, regulations and policies of the City of Robstown Utility Systems.
2. The customer's electric wiring facilities shall conform to the National Electric Safety Code or to the city, state and local codes and ordinances if more stringent than the National Electric Safety Code.
3. The customer shall not resell nor share electric service with others.

4. If the City of Robstown Utility Systems should at any time become subject to the jurisdiction of any governmental body, the rates and provisions herein shall be subject to such changes or modifications as may be ordered or required by said bodies.

5. Special conditions of service shall be covered in an agreement for electric service.

(8) TERMS OF PAYMENT

The bills rendered under this schedule are gross and shall be decreased by 5% if payment is made within 15 days after the billing statement is rendered.

B. SMALL GENERAL SERVICE

(1) AVAILABILITY

This rate is available in the electric service area of the City of Robstown, Texas, under standards, terms and policies prescribed by the City of Robstown.

(2) APPLICABILITY

This schedule is applicable to all customers, except individually metered residential dwellings, whose electric requirements for all uses are less than 100 KW.

This rate shall not apply to standby, temporary or resale service.

This rate is not applicable where another source of energy is used for the same purpose or an equivalent purpose as the energy furnished directly by the City of Robstown Utility Systems, except that such other source of energy may be used during temporary failure of the City of Robstown Utility Systems.

(3) TYPE OF SERVICE

The service available under this schedule is single phase, alternating current service at available secondary voltages. Three phase service may be available at the discretion of the City of Robstown Utility Systems.

(4) MONTHLY CHARGES

Customer Charge, includes 5 KW of demand - \$25.00 per month.

Demand Charge, per KW of billing demand in excess of 5KW - \$2.89 per KW.

Energy Charge, for all KWH - .0405 per KWH.

(5) **MINIMUM BILL**

1. The customer charge plus the demand charge, if applicable.
2. The minimum monthly charge as established in accordance with the line and service extension policy.

(6) **MONTHLY KW DEMAND**

The monthly demand shall be the KW demand as determined from the reading of the City of Robstown Utility Systems demand meter for the 15 minute period of customer's greatest demand reading during the month.

(7) **BILLING DEMAND**

The billing demand shall be equal to the greatest of the following:

1. The monthly demand as defined in **MONTHLY KW DEMAND**.
2. 50% of the highest measured peak KW demand established in any one of the prior 11 months.

(8) **DETERMINATION OF DEMAND**

The customer's demand shall be measured when the customer's energy consumption exceeds 1,500 KWH per month and/or where the customer's total connected load exceeds 5 KW in motor or other inductive type equipment.

(9) **BILLING ADJUSTMENT**

1. In addition to the monthly charges, each customer's monthly bill shall include an appropriate power cost charge as described on Schedule PCA.
2. In addition to the monthly charges and fuel cost charges the customer shall be billed for all other taxes, road use fees, franchise fees, or taxes applicable to the sale of electricity.

(10) **CONDITIONS OF SERVICE**

1. The service to the customer shall be subject to the rules, regulations and policies of the City of Robstown Utility Systems.

2. The customer's electric wiring facilities shall conform to the National Electric Safety Code or to the city, state and local codes and ordinances if more stringent than the National Electric Safety Code.

3. The customer shall not resell nor share electric service with others.

4. If the City of Robstown Utility Systems should at any time become subject to the jurisdiction of any governmental body, the rates and provisions herein shall be subject to changes or modifications as may be ordered or required by said bodies.

5. Special conditions of service shall be covered in an agreement for electric service.

(11) POWER FACTOR

The demand charge shall be adjusted to correct for power factor less than 90% as determined by either a test of the customer's power factor the appropriate metering of the customer's power factor. If the power factor is less than 90% lagging, then the billing demand, including 5 KW in the customer charge, shall be increased by 1% for each 1% that the power factor is below 90% lagging.

(12) TERMS OF PAYMENT

The bills rendered under this schedule are gross and shall be decreased by 5% if payment is made within 15 days after the billing statement is rendered.

C. LARGE GENERAL SERVICE

(1) AVAILABILITY

This rate is available to the electric service area of the City of Robstown, Texas, under standards, terms and policies prescribed by the City of Robstown.

(2) APPLICABILITY

This rate is applicable to all customers, except individually metered residential dwellings, whose electric requirements, greater than 100 KW.

(3) TYPE OF SERVICE

The service available under this schedule is single phase, alternating current service at available secondary voltage. Three phase service may be available at the discretion of the City of Robstown Utility Systems.

(4) **MONTHLY CHARGES**

Customers Charge includes 100 KW of demand - \$400.00 per month.

Demand Charge, per KW of billing demand in excess of 100 KW - \$2.63 per KW.

Energy Charge, for all KWH - \$.0413 per KWH.

(5) **MINIMUM BILL**

1. The customer charge plus the demand charge, if applicable.
2. The minimum monthly charge as established in accordance with the line and service extension policy.

(6) **MONTHLY KW DEMAND**

The monthly demand shall be the KW demand as determined from the reading of the City of Robstown Utility Systems demand meter for the 15 minute period of the customer's greatest demand reading during the month.

(7) **BILLING DEMAND**

The billing demand shall be equal to the greatest of the following:

1. The monthly demand as defined in **Monthly KW Demand**.
2. 50% of the highest measured peak KW demand established in any one of the prior 11 months.

(8) **BILLING ADJUSTMENT**

1. In addition to the monthly charges, each customer's monthly bill shall include an appropriate power cost charge as described on Schedule **PCA**.
2. In addition to the monthly charges and fuel cost charges the customer shall be billed for all other taxes, road use fees, franchise fees, or taxes applicable to the sale of electricity.

(9) **CONDITIONS OF SERVICE**

1. The service to the customer shall be subject to the rules, regulations and policies of the City of Robstown Utility Systems.

2. The customer's electric wiring facilities shall conform to the National Electric Safety Code or to the city, state and local codes and ordinances if more stringent than the National Electric Safety Code.
3. The customer shall not resell nor share electric service with others.
4. If the City of Robstown Utility Systems should at any time become subject to the jurisdiction of any governmental body, the rates and provisions herein shall be subject to such changes or modifications as may be ordered or required by said bodies.
5. Special conditions of service shall be covered in an agreement for electric service.

(10) POWER FACTOR

The demand charge shall be adjusted to correct for power factor less than 90% as determined by either a test of the customer's power factor or the appropriate metering of the customer's power factor. If the power factor is less than 90% lagging, then the billing demand, including 100 KW in the customer charge, shall be increased by 1% for each 1% that the power factor is below 90% lagging.

(11) TERMS OF PAYMENT

The bills rendered under this schedule are gross and shall be decreased by 5% if payment is made within 15 days after the billing statement is rendered.

D. ROBSTOWN INDEPENDENT SCHOOL DISTRICT

(1) AVAILABILITY

This rate is available in the electric service area of the City of Robstown, Texas, under standards, terms and policies prescribed by the City of Robstown.

(2) APPLICABILITY

This service available to the Robstown Independent School District for all electric requirements.

(3) TYPE OF SERVICE

The service available under this schedule is single phase, alternating current service at available secondary voltages. Three phase service may be available at the discretion of the City of Robstown Utility Systems.

(4) **MONTHLY CHARGES**

Customer Charge, includes 5 KW of demand - \$33.68 per month

Demand Charge, per KW of billing demand in excess of 5 KW - \$2.63 per KW.

Energy Charge, for all KWH - \$.0442 per KWH.

(5) **MINIMUM BILL**

1. The customer charge plus the demand charge, if applicable.
2. The minimum monthly charge as established in accordance with the line and service extension policy.

(6) **MONTHLY KW DEMAND**

The monthly demand shall be the KW demand as determined from the reading of the City of Robstown Utility Systems demand meter for the 15 minute period of the customer's greatest demand reading during the month.

(7) **BILLING DEMAND**

The billing demand shall be equal to the greatest of the following:

1. The monthly demand as defined in **Monthly KW Demand**.
2. 50% of the highest measured peak KW demand established in any one of the prior 11 months.

(8) **DETERMINATION OF DEMAND**

The customer's demand shall be measured when the customer's energy consumption exceeds 1,500 KWH per month and/or where the customer's total connected load exceeds 5 KW in motor or other inductive type equipment.

(9) **BILLING ADJUSTMENT**

1. In addition to the monthly charges, each customer's monthly bill shall include an appropriate power cost charge as described on Schedule **PCA**.
2. In addition to the monthly charges and fuel cost charges the customer shall be billed for all other taxes road use fees, franchise fees, or taxes applicable to the sale of electricity.

(10) CONDITIONS OF SERVICE

1. The service to the customer shall be subject to the rules, regulations and policies of the City of Robstown Utility Systems.
2. The customer's electric wiring facilities shall conform to the National Electric Safety Code or to the city, state and local codes and ordinances if more stringent than the National Electric Safety Code.
3. The customer shall not resell nor share electric service with others.
4. If the City of Robstown Utility Systems should at any time become subject to the jurisdiction of any governmental body, the rates and provisions herein shall be subject to such changes or modifications as may be ordered or required by said bodies.
5. Special conditions of service shall be covered in an agreement for electric service.

(11) POWER FACTOR

The demand charge shall be adjusted to correct for power factor less than 90% as determined by either a test of the customer's power factor or the appropriate metering of the customer's power factor. If the power factor is less than 90% lagging, then the billing demand, including 5 KW in the customer charge, shall be increased by 1% for each 1% that the power factor is below 90% lagging.

(12) TERMS OF PAYMENT

The bills rendered under this schedule are gross and shall be decreased by 5% if payment is made within 15 days after the billing statement is rendered.

E. POWER COST ADJUSTMENT

The purpose of this schedule is to accurately recover from City customers the cost of total delivered wholesale power purchases in excess of the base amount included in the City's electric retail rate schedules.

Wholesale power purchases shall include but are not limited to transmission charges, ERCOT Fees, delivery charges, and any other delivery fees necessary. All wholesale power cost realized above the base amount shall be billed by the City on its monthly bills as a power cost adjustment, determined in accordance with the provisions set forth below. On a periodic basis the City will compare the total amount of power cost adjustment which should be recovered to the actual power cost adjustment revenues received in the previous City billing period(s). Any difference realized will be added or subtracted from the amount of power cost adjustment to be recovered in the next City billing period(s).

The formula for calculation of the power cost adjustment factor is as follows:

$$PCA = \frac{WC - (P)(K) - CF}{S} \quad [1.053]$$

Definitions:

PCA= Power cost adjustment (\$ per KWh) rounded to the nearest 0.0001 cent.

WC= Total delivered cost of power, including but not limited to transmission charges, ERCOT Fees, and delivery charges purchased by the City from its supplier for the preceding wholesale billing period(s) (\$).

(P)= Total energy (kWh) purchased by the City from its supplier for the preceding wholesale billing period(s) (kWh).

(S)= Total estimated sales (kWh) to City customers for the current City billing period(s) (kWh).

(K)= Base wholesale power cost included in the City's retail electric rate schedules (\$0.00 per kWh).

CF= Correction factor adjustment to be applied in the current City billing period(s) to provide for correction of the variance between power cost adjustment expenses which should have been recovered and actual power cost adjustment revenues received for the preceding City billing period(s) prior to the current City billing period(s) (\$).

The formula for calculation of the correction factor (CF) is as follows:

$$CF = (A) - (B)$$

Where:

(A) = The actual power cost adjustment revenues in dollars received from Schedule PCA for the preceding City billing period(s).

(B) = The actual delivered wholesale power cost including transmission, ERCOT, congestion charges and other fees associated with delivery in dollars paid by the City in excess of the base amount of wholesale power cost included in the City's electric retail rate schedules for the preceding wholesale billing record (s).

SECTION II. Any person or corporation who violates any provision of this Ordinance shall be fined not less than One dollar (\$1.00), nor more than Two Hundred Dollars (\$200.00) for each offense; and each day of such violation shall be deemed to be a separate offense.

SECTION III. If for any reason any section, paragraph, subsection, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a Court of competent jurisdiction it shall not affect any other section, paragraph, subsection, clause, phrase, word, or provision of this Ordinance, for it is the definite intent of this City Council that every section, paragraph, subsection, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

SECTION IV. All Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED this ____ day of May, 2014.

/s/ Mayor Rodrigo Ramon, Jr.
Rodrigo Ramon, Jr., Mayor

ATTEST:

/s/ Paula Wakefield

Paula Wakefield, City Secretary