

RESOLUTION NO. 3-08

A RESOLUTION REVISING THE PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING ELECTRIC RATE SCHEDULE AS ESTABLISHED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; RESCINDING ALL RESOLUTIONS OR PORTIONS THEREOF IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utilities Commission, City of New Smyrna Beach, Florida, has the full and exclusive authority over the management, operations and control of all the City's utilities and the authority to prescribe rules and regulations governing the use of such facilities, wherever such are provided by the Utilities Commission and to make such changes from time to time in the Rules and Regulations as it deems necessary; and

WHEREAS, two public hearings have been duly noticed and held on July 21, 2008, and August 18, 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1: That the following rate schedules have been revised as shown on the tariff sheets attached to and made a part of this resolution as follows: Tenth Revised Sheet No. 7.0 - PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING ELECTRIC SERVICE RATE SCHEDULE; Twelfth Revised Sheet No. 7.1 - CONTINUATION OF TENTH REVISED SHEET NO. 7.0; Ninth Revised Sheet No. 7.2 - CONTINUATION OF TWELFTH REVISED SHEET NO. 7.1; Original Sheet No. 7.3 - CONTINUATION OF NINTH REVISED SHEET NO. 7.2; and Fourth Revised Sheet No. 12.1 - CONTRACT FOR PRIVATE OUTDOOR LIGHTING (CANCELLATION).

SECTION 2: If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 3: All Resolutions in conflict herewith are hereby rescinded and superseded.

SECTION 4: After adoption by the Utilities Commission, this Resolution shall be effective October 1, 2008.

THE ABOVE AND FOREGOING RESOLUTION was introduced at a regular meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held on August 18, 2008, by Commissioner Hall, who moved its adoption, which motion was seconded by Commissioner Diesen, and upon roll call vote of the Commission was as follows:

CHAIRMAN	<u>Stetter Allen</u>	<u>yes</u>
VICE CHAIRMAN	<u>William E Hall</u>	<u>yes</u>
SECY-TREAS.	<u>Jeanne K. Wain</u>	<u>yes</u>
ASST. SECY-TREAS	<u>Harriet Reynolds</u>	<u>yes</u>
COMMISSIONER	<u>David Zell</u>	<u>yes</u> <u>8/18/08</u>

APPROVED:

Stetter Allen
CHAIRMAN

ATTEST:

Jeanne K. Wain
SECRETARY-TREASURER

S E A L

APPROVED AS TO FORM AND CORRECTNESS:

William P. L.
Utilities Commission Attorney

RATE SCHEDULE SL-3
PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING
ELECTRIC SERVICE RATE SCHEDULE

The Utilities Commission shall charge and collect for public street lighting and private outdoor lighting on the basis of availability, application, character of service, monthly rates, minimum charge, tax adjustment clause, and fuel and purchased power cost adjustment clause.

Availability

This schedule is available throughout the Utilities Commission service area in accordance with the service policies of the Commission. Availability may be limited due to inaccessibility by Utilities Commission equipment and personnel.

Application

For year-round automatically controlled, dusk-to-dawn street lighting of public streets, public areas, and private outdoor lighting of yards, driveways, parking lots, walkways and other areas.

Character of Service

Service includes installation, lamp replacement, maintenance and removal. The Utilities Commission will maintain its facilities during regular working hours, but does not guarantee continuous lighting and will not be liable for damages for any interruption, deficiency or failure of service, and reserves the right to interrupt service at any time for necessary repair to lines and equipment or system protection. The Utilities Commission shall be permitted to enter the customer's property at all reasonable times for the purpose of inspecting, maintaining, and installing and removing any or all of its equipment and facilities. The Utilities Commission will not be liable for damages occurring during installation, maintenance, or removal. The customer will be responsible for tree trimming and removing other vegetation that obstructs Utilities Commission vehicles and personnel. Willful damage to any Utilities Commission owned facilities by the customer will require full restitution by the customer.

Type of Installation

Street lights will normally be installed on Utilities Commission existing distribution system poles and fed from existing wires. The installation of any new distribution facilities and/or alterations to existing facilities to serve new street lights will require a Contribution-in-Aid-of-Construction (CIAC) paid in advance.

Street lights installed in existing or planned underground distribution areas will require customer trenching and conduit installation according to Utilities Commission drawings and specifications. The customer will also install Utilities Commission supplied equipment necessary to complete the conduit system. The Utilities Commission will install the electrical system, street light poles and fixtures. A Contribution-in-Aid-of-Construction (CIAC) paid in advance will be required.

Customer Contributions

Contribution-in-Aid-of-Construction (CIAC) - The installation cost of any new distribution system and/or alterations to existing facilities to serve street lights will require a CIAC equal to the total Utilities Commission cost paid in advance.

(Continued on Twelfth Revised Sheet No. 7.1)

ISSUED BY: _____

Robert J. Rodi
GENERAL MANAGER/CEO

EFFECTIVE: OCTOBER 1, 2008

(Continued from Tenth Revised Sheet No. 7.0)

**RATE SCHEDULE SL-3
PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING
ELECTRIC SERVICE RATE SCHEDULE (Cont.)**

Monthly Rates

LIGHT FIXTURES

<u>HPS</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Open Bottom	120	100	41	\$3.13	\$3.34	\$6.47
Contempo	120	100	41	\$3.13	\$3.87	\$7.00
Acorn	120	100	41	\$3.13	\$7.01	\$10.14
Cobra/Cutoff	120	100	41	\$3.13	\$3.52	\$6.65
Cobra/Cutoff	120	250	105	\$8.03	\$3.54	\$11.57
Contempo	120	250	105	\$8.03	\$5.24	\$13.27
Wall Lighter	120	100	41	\$3.13	\$3.67	\$6.80
Top Mounting	480	100	41	\$3.13	\$4.52	\$7.65
Acorn	480	150	66	\$5.05	\$11.87	\$16.92
Wall Lighter	480	150	66	\$5.05	\$5.31	\$10.36
Top Mounting L	480	150	66	\$5.05	\$4.26	\$9.31
Top Mounting H	480	150	66	\$5.05	\$6.01	\$11.06
Cobra	480	150	66	\$5.05	\$3.90	\$8.95
Cobra - DOT 6' Mast	480	250	105	\$8.03	\$4.67	\$12.70
Cobra - DOT 10' Mast	480	250	105	\$8.03	\$4.87	\$12.90
<u>MV*</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Cobra	120	175	41	\$3.13	\$3.52	\$6.65
Cobra	120	400	105	\$8.03	\$3.54	\$11.57

*Closed service schedule; available only to existing customers at existing locations as of October 1, 1982.

Monthly rates for each fixture based on energy charge plus maintenance.
Energy charge is the kWh x base energy charge; does not include fuel adjustment.
Maintenance is the replacement costs of the fixture, lamp and photocell.

MISCELLANEOUS MONTHLY RATES - Turtle Shield - \$0.56 (Monthly rate based on replacement cost.)

(Continued on Ninth Revised Sheet No. 7.2)

ISSUED BY: Robert J. Rudi
GENERAL MANAGER/CEO

EFFECTIVE: OCTOBER 1, 2008

(Continued from Twelfth Revised Sheet No. 7.1)

**RATE SCHEDULE SL-3
PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING
ELECTRIC SERVICE RATE SCHEDULE (Cont.)**

Monthly Rates (Cont.)

POLES

Type	Height	Pole Monthly Rates
Wood	30	\$1.73
Wood	35	\$1.83
Wood	40	\$2.28
Concrete	16	\$3.85
Concrete	20	\$3.95
Concrete	30	\$2.84
Concrete	35	\$3.01
Concrete	40	\$3.42
Aluminum	16	\$2.33
East Canal Street	12	\$15.06
CRA Canal St Parking Lot	15	\$18.51
Flagler Avenue Bridge	25	\$30.90
S.R.44, 3 rd Avenue	30	\$7.48
Monthly rates based on replacement costs.		

Installation Rates

INSTALLATION COSTS - FIXTURES			INSTALLATION COSTS - POLES		
Type	Watts	Installation Costs	Type	Height	Installation Costs
Open Bottom	100	\$240.93	Wood	30	\$298.85
Contempo	100	\$292.50	Wood	35	\$314.31
Acorn	100	\$660.42	Wood	40	\$393.26
Cobra/Cutoff	100	\$262.94	Concrete	16	\$663.11
Cobra	250	\$263.57	Concrete	20	\$680.34
Contempo	250	\$452.34	Concrete	30	\$489.09
Wall Lighter	100	\$272.38	Concrete	35	\$519.09
Top Mounting	100	\$372.38	Concrete	40	\$589.09
Acorn	150	\$1,233.41	Aluminum	16	\$400.94
Wall Lighter	150	\$464.51	East Canal Street	12	\$2,594.70
Top Mounting L	150	\$341.74	CRA Canal St. Pkg. Lot	15	\$3,189.30
Top Mounting H	150	\$546.78	Flagler Avenue Bridge	25	\$5,322.70
Cobra 480 V	150	\$303.95	S.R. 44, 3 rd Avenue	30	\$1,288.70
Cobra 480 V - DOT 6' Mast	250	\$442.00			
Cobra 480 V - DOT 10' Mast	250	\$476.00			

MISCELLANEOUS INSTALLATION COSTS - Turtle Shield - \$65.48

(Continued on Original Sheet No. 7.3)

ISSUED BY: *Robert J. Rudi*
GENERAL MANAGER/CEO

EFFECTIVE: OCTOBER 1, 2008

(Continued from Ninth Revised Sheet No. 7.2)

RATE SCHEDULE SL-3
PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING
ELECTRIC SERVICE RATE SCHEDULE (Cont.)

Fuel and Purchased Power Cost Adjustment Clause

The amount computed at the above monthly rate shall be adjusted plus or minus by an amount calculated in accordance with the formula specified in the Utilities Commission's Fuel and Purchased Power Cost Adjustment Clause which is a part of the "Monthly Rate" of this rate schedule. The Monthly Fuel and Purchased Power Cost Adjustment charges, if any, will be determined as follows:

Daily kWh usage x days in billing period x monthly energy cost
adjustment factor (expressed dollars per kWh)

Tax Adjustment Clause

Electric service under this schedule is subject to the provisions of the Tax Adjustment Clause.

Terms of Payment

The terms of payment shall be in accordance with the provisions set forth on Sheet No. 4.0

ISSUED BY: Robert J. Rodi
GENERAL MANAGER/CEO

EFFECTIVE: OCTOBER 1, 2008

CONTRACT FOR PRIVATE OUTDOOR LIGHTING

THIS SHEET HAS BEEN CANCELLED IN ITS ENTIRETY.

ISSUED BY:

Robert J. Rodi
GENERAL MANAGER/CEO

EFFECTIVE: OCTOBER 1, 2008