

**A RESOLUTION REVISING THE GENERAL SERVICE DEMAND ELECTRIC RATE SCHEDULE AS ESTABLISHED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; RESCINDING ALL RESOLUTIONS 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 April 17, 2006 and May 15, 2006.

**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: Ninth Revised Sheet No. 11.0 - GENERAL SERVICE - DEMAND ELECTRIC SCHEDULE; and Ninth Revised Sheet No. 11.1 - CONTINUATION OF NINTH REVISED SHEET NO. 11.0 - GENERAL SERVICE - DEMAND ELECTRIC RATE SCHEDULE.

**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**SECTION 3:** All Resolutions in conflict herewith are hereby rescinded and superseded.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 for all bills rendered by the Utilities Commission commencing with the first billing cycle in June, 2006.

THE ABOVE AND FOREGOING RESOLUTION was introduced at a \_\_\_\_\_ regular \_\_\_\_\_ meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held on \_\_\_\_\_ May 15 \_\_\_\_\_, 2006, by Commissioner \_\_\_\_\_ Reynolds \_\_\_\_\_, who moved its adoption, which motion was seconded by Commissioner \_\_\_\_\_ Spangler \_\_\_\_\_, and upon roll call vote of the Commission was as follows:

CHAIRMAN

VICE CHAIRMAN

SECY-TREAS.

ASST. SECY-TREAS.

COMMISSIONER

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yes  
Yes  
Yes  
Yes  
Yes

APPROVED:

\_\_\_\_\_

CHAIRMAN

ATTEST:

\_\_\_\_\_  
SECRETARY-TREASURER

SEAL

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
Utilities Commission Attorney

**GENERAL SERVICE - DEMAND ELECTRIC RATE SCHEDULE**

The Utilities Commission shall charge and collect for general service demand electric energy on the basis of availability, application, character of service, monthly rate, minimum charge, determination of billing demand, power factor adjustment, primary service discount, tax adjustment clause and fuel and purchased power cost adjustment clause.

Availability

At any location within the Utilities Commission, City of New Smyrna Beach, Florida, service area in accordance with Commission policies to non-residential customers with an annual measured peak of 50 kW up to 250 kW.

Application

To non-residential customers for all electric power and energy requirements. Each premises will be supplied at one point of delivery and all electric service will be supplied through one meter.

Character of Service

Single or three phase, 60 hertz, at one of the Commission's standard service voltages.

Monthly Rate

Customer Charge	\$33.50
Demand Charge	\$ 6.75 per kW of billing demand
Energy Charge	6.50¢ per kWh

The minimum charge is the customer charge plus the demand charge.

Primary Service

When the customer owns and maintains all equipment, except metering, necessary to take service at primary voltage, the demand charge shall be reduced by \$0.35 per kW of Billing Demand.

Determination of Billing Demand

The Billing Demand shall be the greater of: (1) the Measured Demand, for the current month, adjusted for power factor, if applicable; (2) fifty (50) kW; and (3) eighty (80) percent of the maximum Measured Demand, power factor adjusted, recorded during the preceding eleven (11) months).

(Continued on Ninth Revised Sheet No. 11.1)

ISSUED BY: \_\_\_\_\_

*R J Rucki*  
GENERAL MANAGER/CEO

EFFECTIVE: JUNE 1, 2006

(Continued from Ninth Revised Sheet No. 11.0)

Power Factor Adjustment

The Utilities Commission may, at its option, install metering equipment to allow the determination of the reactive components of power utilized by the customer. The customer's utilization of equipment shall not result in a power factor at the point of delivery of less than 85 percent lagging at the time of Measured Demand. Should the power factor be less than 85 percent lagging during any month, the Utilities Commission may adjust the Measured Demand by 85 percent and by dividing the result by the power factor actually established at the time of the Measured Demand during the current month. Such adjusted Measured Demand shall be used in determining the Billing Demand.

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.

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: \_\_\_\_\_

  
GENERAL MANAGER/CEO

EFFECTIVE: JUNE 1, 2006