

RESOLUTION NO. 2021-07

A RESOLUTION OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; MODIFYING RATES, CHARGES, AND FEES RELATED TO ELECTRIC SERVICE; PROVIDING FINDINGS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

SECTION 1. FINDINGS AND INTENT. The Utilities Commission, City of New Smyrna Beach, Florida (the "Utilities Commission") makes the following findings and declares the following legislative intent:

(1) The Utilities Commission is a public authority, political subdivision, and part of the government of the Utilities Commission possessed of powers granted by Special Acts of the Florida Legislature, to wit, Chapter 67-1754, Laws of Florida (1967), as amended by Chapter 85-503, Laws of Florida (1985), which shall be collectively referred to as the "Special Acts."

(2) The Utilities Commission has the exclusive authority over the management, operations and control of all the Utilities Commission'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 its rules and regulations as it deems necessary.

(3) The Special Acts have granted the Utilities Commission the full and exclusive power and authority to prescribe rules, rates, and regulations governing the sale and use of any Utilities Commission utilities, including the right to acquire or condemn various utility systems and facilities for such purposes.

(4) The Florida Supreme Court has previously found that Utilities Commission also derives authority and standards laid down in § 180.13(2), Florida Statutes, pertaining to municipal public works and § 184.09(1) (b), Florida Statutes, governing municipal utility financing, requires cities fix rates that are just and reasonable for utility services. See *Cooksey v. Utilities Commission*, 261 So.2d 129 (Fla. 1972).

(5) Pursuant to the Special Acts and other Florida law, the Utilities Commission owns, operates, and manages an electric distribution system on behalf of the City of New Smyrna Beach and the Utilities Commission's customers within an exclusive service territory pursuant to its governmental powers and other law.

(6) As a municipal electric utility, the Utilities Commission has the authority and duty to establish and modify electric user rates, charges, and fees for the Utilities Commission's electric system.

(7) The Utilities Commission currently purchases wholesale power pursuant to contract from the Florida Power & Light Company ("FPL") and other entities.

(8) To better modify its rates, the Utilities Commission employed Raftelis and other subconsultants (the "Rate Consultants") to analyze existing rates, charges, and fees to ensure adequate revenues to cover the costs of the Utilities Commission's electric utility system.

(9) The Rate Consultants made recommendations to the Utilities Commission regarding electric user rates, charges, and fees (the "Rate Study").

(10) The Rate Study recommends certain modifications, amendments, and changes to the Utilities Commission electric utility rates, charges and fees related to the provision of electric service within the Utilities Commission's service area.

(11) The Utilities Commission and the City of New Smyrna Beach have previously determined that development at urban level densities within the Utilities Commission's exclusive electric utility service area should be served by centralized electric utility services.

(12) The Utilities Commission has also incurred bonded indebtedness to expand and maintain its electric utility system.

(13) Demands for electric utility service require the purchase of wholesale electric power and the construction of new expanded electric utilities plant and facilities and extensions of the Utilities Commission's electric utility system to areas where new customers may connect and use such services.

(14) Stringent state and federal electric service reliability and operation standards have been promulgated, and these increasing costs of constructing electric facilities affects the Utilities Commission's ability to provide electric utility services within its exclusive utilities service area.

(15) The financing of electric utility facilities is complex, requires extensive planning and engineering, and calls for advanced participation by the development community so that adequate public facilities can be provided to meet the impacts of that development.

(16) For these and other reasons and based upon the data and analysis contained in the Rate Study, it is necessary for the Utilities Commission to adopt the changes and modifications proposed within this Resolution.

(17) The Utilities Commission has provided the requisite public notice and held the necessary public hearings under its rules of procedure and applicable state law in order to adopt this resolution and implement the updated rates, charges, and fees.

SECTION 2. ADOPTION OF MODIFIED TARIFF; AUTHORIZATION TO FILE WITH FLORIDA PUBLIC SERVICE COMMISSION. The Utilities Commission hereby adopts the modified Tariff set forth in Exhibit "A" attached to and incorporated in this Resolution. To ensure compliance with the Florida Public Service Commission (FPSC) rules, the Utilities Commission has previously authorized and hereby ratifies authorization to the Utilities Commission General Counsel to file this modified Tariff with the FPSC. The modified Tariff is intended to reflect the rates, charges and fees contained in this Resolution. The modified Tariff shall take effect on October 1, 2021, following receipt of the filing thereof with the FPSC.

SECTION 3. SEVERABILITY. If any provision or portion of this Resolution is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

SECTION 4. REPEAL OF INCONSISTENT RESOLUTIONS. All resolutions and portions of resolutions in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption; however, the rates, fees, and charges set forth in this Resolution shall take effect upon October 1, 2021.

THIS RESOLUTION was introduced at a regular meeting of the Utilities Commission, Utilities Commission of New Smyrna Beach, Florida, held this _____ day of August, 2021, by Commissioner _____ who moved for its adoption, which motion was seconded by Commissioner _____, and upon roll call vote of the Commission was **DULY ADOPTED** as follows:

CHAIRMAN _____
VICE CHAIRMAN _____
SECY.-TREAS. _____
ASST. SECY.-TREAS. _____
COMMISSIONER _____

APPROVED:

Jack Holcomb, Chairman

ATTEST:

Lillian Conrad, Secretary-Treasurer

APPROVED AS TO FORM & LEGALITY:

Thomas A. Cloud, General Counsel

UTILITIES COMMISSION
City of New Smyrna Beach, Florida

ELECTRIC UTILITY DOCUMENTATION
VOLUME1

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New Smyrna Beach, Florida 32170-0100
Phone: (386) 427-1361

Submitted to the Florida Public Service Commission

UTILITIES COMMISSION
City of New Smyrna Beach, Florida

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TERMS OF PAYMENT

APPLICATION OF LATE PAYMENT SERVICE CHARGE

The schedule of late payment service on all unpaid accounts (approximately twenty-two days after the first bill) as they become in arrears is as follows:

<u>Arrears</u>	<u>Service Charge</u>
\$25.00 and Above	\$ 5.00 or 1.5%, Whichever is Greater

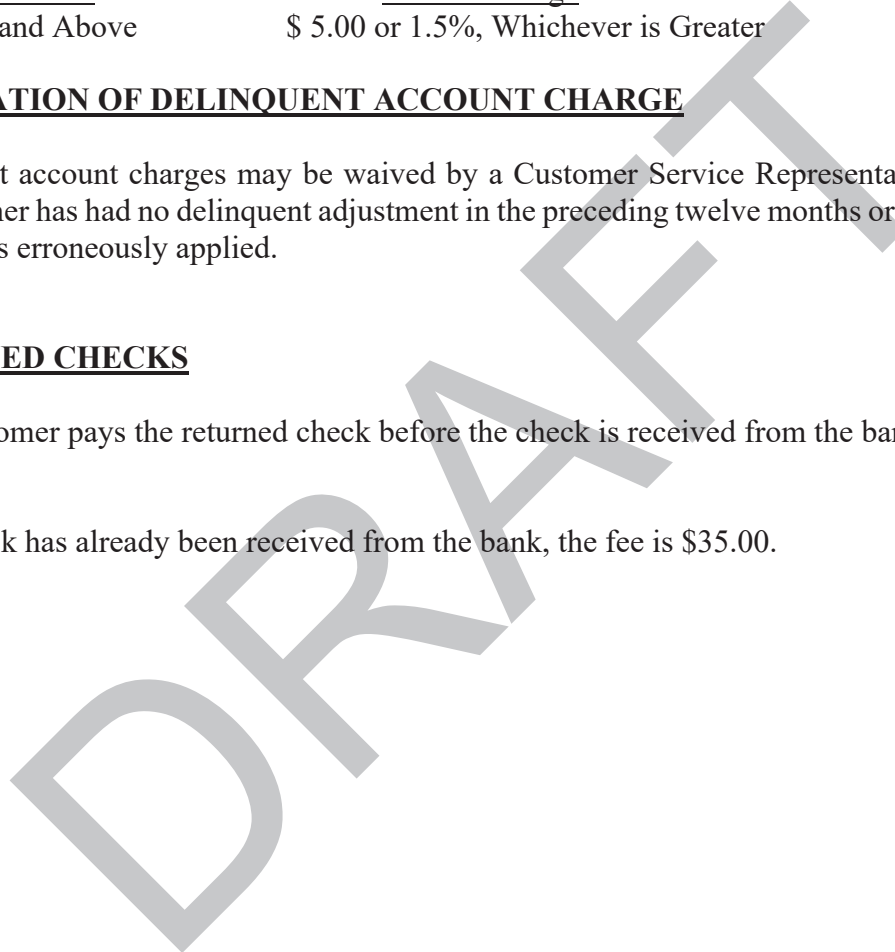
APPLICATION OF DELINQUENT ACCOUNT CHARGE

Delinquent account charges may be waived by a Customer Service Representative provided: (1) the customer has had no delinquent adjustment in the preceding twelve months or (2) the delinquent charge was erroneously applied.

RETURNED CHECKS

If the customer pays the returned check before the check is received from the bank, the fee is \$20.00.

If the check has already been received from the bank, the fee is \$35.00.



SECURITY DEPOSIT: A security deposit is required for providing services furnished is as follows:

RESIDENTIAL AND GENERAL SERVICES

1. Existing Accounts

No change in deposit of existing accounts unless service is discontinued for non-payment. If an account is cut-out for non-pay an additional deposit in the amount equal to the deficiency between the present deposit and the deposit amount prescribed by this policy for a new service of similar type will be required prior to reconnection.

2. Deposits for New Accounts

The deposit for new accounts shall be as follows:

A. Residential Accounts

For customers on Residential Electric Service, the minimum deposit shall be \$75.00 and the maximum deposit shall be \$240.00.

B. General Service Accounts

For customers on General Service rate the required deposit shall be two times the average monthly bill as estimated by the Utilities Commission. In the event the Utilities Commission determines that the deposit is not sufficient to cover twice the actual average monthly bill an adjustment to the required deposit may be made. In any event the minimum deposit for all General Service Accounts shall be \$75.00.

3. Deposit Payment

Residential Accounts

The customer will be billed for the deposit(s) and will have ten (10) days to pay said deposit(s). If the customer does not pay the deposit(s) within the ten (10) day period, utility services will automatically be disconnected.

Deposits must be made by cash, check, money order, or Utilities Commission approved aid voucher.

The following guidelines apply to all customers requesting residential electric services:

(Continued on Original Sheet No. 4.1.1)

(Continued from First Revised Sheet No. 4.1)

- A. For existing accounts with good credit standing with the Utilities Commission at the time of adoption of this policy, their existing deposits will remain unchanged. Discontinuance of service for non-payment on existing accounts may require an additional deposit.
- B. Any new customer establishing services with the Utilities Commission will have their social security number verified by the “On-Line Utility Exchange” or any other provider of similar services. Based on the results, the customer may or may not be required to pay a deposit.
- C. Any current or returning customer, with at least six months of history with the Utilities Commission, requesting new service will have their deposit based on current/previous account history. Customers with no more than two late fees, no disconnections for non-payment, and no returned checks, all within the most recent 24-month period, will not be required to pay a deposit. Any returning customers not meeting these criteria will be required to pay a maximum deposit.
- D. Any customer requesting service that has a paid write-off (final bill balance sent to collections) with the Utilities Commission will be required to pay the maximum deposit prior to connection of service. If the customer has an unpaid write-off with the Utilities Commission, they will be required to pay it in full, along with the maximum deposit prior to connection of service.
- E. The Utilities Commission will not transfer a deposit from one individual to another individual. Transfers of deposit(s) from one address to another address for the same individual will be made provided the account balance at the currently served location is in a current (outstanding balance is zero) status.
- F. If a customer transfers his deposit to an account within the system, the final bill on the old account, if delinquent, will be transferred to the current account for collection and becomes subject to collections and disconnect procedures.
- G. Customers that are continuously delinquent are subject to an increase/update to their deposit amount.
- H. Residential Blanket Deposit
Blanket deposits will be accepted from residential customers with an average of ten or more active, long term accounts – open simultaneously. Long term defined as active for a minimum of two complete billing periods. Deposits will be held on a master account, thereby eliminating the need to place a deposit for each individual service address.

The initial calculation of the blanket deposit will be based on credit history and number of accounts provided. Blanket deposits may be evaluated and recalculated as necessary based on the number of active accounts and/or credit history.

(Continued on Original Sheet No 4.1.2)

(Continued from Original Sheet No. 4.1.1)

Blanket deposit payments may be made by cash, check, money order, or a credit card payment of up to \$1,000 or by a surety bond for the full amount required, or by an irrevocable letter of credit satisfactory to the Utilities Commission for the full amount required. The customer will need to pay the blanket deposit immediately at the time a blanket deposit is being requested. (Note – Only individual account residential deposits will be billed with a 10-day allowance for payment).

In the event the deposit is paid by surety bond or an irrevocable letter of credit, and the instrument matures, the Utilities Commission reserves the right to request cash (legal tender) for the required deposit. Failure to comply with this requirement will result in discontinuance of service.

General Service (Commercial) Accounts

- A. The customer must pay the full deposit at the time the account is being established.
- B. Deposit payments must be made by cash, check, or money order. Credit card payments will be accepted for payments of \$1,000 or less.
- C. When the required combined total deposit exceeds \$1,000, the applicant, at their option, may furnish in lieu of cash the following instruments:
 1. A surety bond for the full amount required.
 - OR
 2. An irrevocable letter of credit satisfactory to the Utilities Commission for the full amount required.

In the event the above instruments mature, the Utilities Commission reserves the right to request cash (legal tender) for the required deposit. Failure to comply with this requirement will result in discontinuance of service.

- D. For new accounts, the Utilities Commission will initiate a review of customer's monthly billings as compared to the deposit paid, not less than six months but not more than one year from the service date.

4. Additional Deposits Requirements

In the event the utility service is discontinued for non-payment or has received two (2) or more returned checks within a twelve (12) month period, the Utilities Commission may require a deposit(s) sufficient to cover at least two (2) months of the previous average monthly billing to be paid within ten (10) days from notice. If such additional deposit is not made within ten (10) days, the Utilities Commission may disconnect service in accordance with the collection and disconnect policy. On a case by case basis, an extended due date for additional deposits may be considered.

(Continued on Original Sheet No. 4.1.3)

(Continued from Original Sheet No. 4.1.2)

5. Interest Rates

Interest at a rate to be determined by the Utilities Commission each year and will be credited to the customer's account each month beginning with the first full month of service.

6. Refunds of Deposit

For residential accounts only, the Utilities Commission will promptly and automatically credit the deposit to the customer's account after adoption date of the policy when:

- A. The customer had paid bills for the previous twenty-four (24) consecutive residential billings without having service disconnected for non-payment;
AND
- B. Without having more than two (2) occasions on which a bill was delinquent for the previous twenty-four (24) months;
AND
- C. When a customer has not had any returned checks within a twenty-four (24) month period (excludes verified bank errors).

The deposits are refundable only to the customer whose name appears on the account at time of refund.

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RATE SCHEDULE SF-1
SERVICE FEES RATE SCHEDULE

The Utilities Commission shall charge and collect for customer service fees based on the type of service rendered.

Availability

This schedule is available at any location within the Utilities Commission service area in accordance with the service policies of the Commission.

Terms of Payment

Payment for services rendered shall be made at the time the service is requested.

Fees

The fees to be charged for services rendered are as follows:

<u>SERVICE</u>	<u>FEES</u>
<hr/>	
<u>Cut-In Fees</u>	
Service Requests will only be performed during regular working hours Requests received for cut ins by 2:00 p.m. M-F will be completed on the same day, requests received after 2:00 p.m. will be completed no later than 2:00 p.m. the following business day.	\$ 35.00
Service Request Fee After Hours – Emergency Only – Determined by the UC	\$150.00
Meter Lock Charge* (*Required for meter sets for construction or as may be determined needed by the UC)	\$ 35.00
Temporary Cut-In/Cut-Out Service for Building Maintenance, Etc. (Weekdays) (Requires 24 hrs. Notice; Services will be active from 11:00 a.m. the day of cut-in to 11:00 a.m. the next day.)	\$ 75.00
Temporary Cut-In/Cut-Out Service for Building Maintenance, Etc. (Weekends) (Requires 24 hrs. Notice; Services will be active from 11:00 a.m. on Friday to 11:00 a.m. on Monday.)	\$100.00
<hr/>	
<u>SERVICE</u>	<u>FEES</u>
Reconnection Fee After Disconnection for Non-Payment, Regular Working Hours	\$ 50.00
Reconnection Fee After Unauthorized (Illegal) Connection* (*Minimum or Actual Cost of Investigation)	\$150.00
Reconnection at Pole	\$150.00
Meter Reset Charge After Unauthorized (Illegal) Connection (Same as Supplemental Meter)	\$150.00

<u>SERVICE</u>	<u>FEES</u>
<u>TAMPERING FEES*</u>	
Cut Seal or Cut Lock Fee	\$ 35.00
Damaged Equipment	\$ 75.00
Meter Tampering / Unauthorized Use (Illegal) Fee* - 1 st Offense (*Minimum Plus Any Applicable Service Charges)	\$300.00
Meter Tampering / Unauthorized Use (Illegal) Fee* - Repeat Occurrence (*Minimum Plus Any Applicable Service Charges)	\$500.00

*Utility Tampering and/or Unauthorized Use (Illegal) Fees will be assessed whenever there is evidence of meter tampering, meter bypassing, or self-restored services. In addition to the cost of investigation, repairs, the estimated usage, and other applicable service charges, up to and including three times the estimated dollar value of the services obtained unlawfully.

Trip Fees: Any time a utility employee is deployed (other than routine meter readings or maintenance) to a customer's premise, whether for the process of disconnection (hang tag or disconnect) or other services, the customer will bear the expense. Utilities Commission field personnel are not authorized to take payment in the field. Residential energy audits are exempt from trip fees.

Trip Fees During Regular Working Hours	\$ 35.00
Trip Fees After Hours – Emergency Only* (*Determined by the UC)	\$150.00
<u>Research Fee:</u> Per Each Request for Determination of Existing U.C. Liens, Assessments and/or Promissory Notes	\$ 20.00
<u>Collections Processing Fee:</u> Customer's Utility Account Sent to Collections for Non-Payment – Fee is Per Account	\$ 35.00

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ELECTRIC POLE LINE EXTENSIONS OR ADDITIONS

APPLICATIONS

Upon acceptance of the application for service in the Utilities Commission service territory, the Utilities Commission will proceed to do such work including providing and installing required equipment necessary in order to render service.

In general, where the major portion of an anticipated extension will be built on public rights-of-way, and the new customer can reasonably be characterized as permanent, then the Utilities Commission will do all necessary construction at no cost to the customer.

Where these guidelines clearly do not apply, the Utilities Commission may charge the customer all costs in excess of 2-1/2 times the estimated annual non-fuel revenue (exclusive of the costs for transformers, secondary connections, and meters), and/or such other charges as the particular circumstance may dictate. When kW demand factors, intermittent usage patterns, or premature investment result in necessarily inefficient utilization of the Utilities Commission's facilities, the Utilities Commission may require cash advances, minimum guarantees, or other means of providing a fair return on investment.

The terms and charges will be determined by the Utilities Commission staff based on the above conditions.

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REQUIREMENTS AND POLICY
FOR
RESIDENTIAL UNDERGROUND SERVICE LATERALS

UTILITIES COMMISSION

The Utilities Commission will own and maintain service laterals up to the designated point of delivery except as otherwise noted. The Utilities Commission will install one underground service lateral to all newly constructed residential buildings containing less than five separate dwelling units. All units in one building must be gang metered at a single designated location.

CUSTOMER REQUIREMENTS

The customer shall furnish and install conduit as specified by the Utilities Commission. This includes excavating trench and backfill. The customer shall pay the Utilities Commission the differential cost between an overhead service and an underground service lateral as follows:

Three Phase Service:	\$375.00*
Single Phase Service:	\$350.00*

*These costs are for the average base electric service including 50' service lateral installed. Additional costs will be added and specific costs estimates provided for larger electric services, additional lengths of lateral, and if the work is performed at the request of the customer on a Saturday or Sunday/Holiday.

The relocation and/or upgrading of existing overhead and underground residential service laterals shall be the same as specified above plus all costs for labor, equipment, and material.

Existing direct buried service laterals that fail will be repaired up to two (2) times. After the second repair, the Utilities Commission will evaluate and install conduit and new service cable to match the existing direct-buried service size or install per current Utilities Commission standards at no cost to customer. In order to do so, the customer shall provide an easement for the new facilities (as necessary) and will allow the Utilities Commission access to their property to install the new facilities to the existing meter base location. Any request for upgraded services will be evaluated by the Utilities Commission and charged appropriately.

UNDERGROUND ELECTRIC PRIMARY DISTRIBUTION

DEFINITIONS

- A. Residential Subdivisions: a tract of land divided into five or more building lots, and zoned residential.
- B. Single Family Detached Unit: a house designed and built to accommodate one family. The unit shall be free standing, not attached to any other dwelling unit.
- C. Multi-Family Residential Building: a structure in which two (2) or more dwelling units are attached by a common wall and/or roof.

APPLICATION

- A. Single Family Detached Unit: underground primary distribution facilities will not be provided unless the units are a part of a residential subdivision.
- B. Multi-Family Residential Building: will have underground primary distribution facilities provided so long as:
 - 1. The Utilities Commission is free to construct such extensions in the most economical manner.
 - 2. Reasonably full use is made of the tract plan upon which the building will be constructed.
 - 3. The applicant provides the necessary conduit furnished and installed, at his expense, as specified by the Utilities Commission.
 - 4. If any feeder circuit mains are deemed necessary by the Utilities Commission to provide and/or maintain adequate service within the development or buildings, and if the feeder mains are required to be underground, the underground feeder mains shall be installed by the Utilities Commission at no additional cost to the applicant.

(Continued on First Revised Sheet No. 4.5.3)

(Continued from First Revised Sheet No. 4.5.2)

- C. Residential Subdivisions and Commercial Customers: Underground primary distribution facilities will be provided to residential subdivisions and commercial customers when requested by the applicant subject to the following conditions:
1. The Applicant, at their expense, will furnish and install conduit as specified by the Utilities Commission. This includes excavating, trench and backfill.
 2. If any feeder circuit mains are deemed necessary by the Utilities Commission to provide and/or maintain adequate service within the development or buildings, the feeder mains shall be installed by the Utilities Commission at no additional charge to the applicant.
- D. Other: All other units or buildings not explicitly covered by any of the above, apply for installation of underground primary distribution facilities; however, any differential cost between above ground (overhead) primary distribution construction and underground primary distribution construction will be borne completely by the applicant.

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RATE SCHEDULE GS-4

GENERAL SERVICE - NON-DEMAND ELECTRIC RATE SCHEDULE

The Utilities Commission shall charge and collect for general service electric energy on the basis of availability, application, type of service, monthly rate, minimum charge, tax adjustment clause and fuel and purchased power cost adjustment clause.

AVAILABILITY

This schedule is available at any location within the Utilities Commission service area in accordance with the service policies of the Commission for non-residential customers with an annual measured peak demand of less than 50 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.

TYPE OF SERVICE

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

MONTHLY RATE

Customer Charge:

Single Phase Service	\$9.75
Three Phase Service	\$14.26

Energy Charge:

All kWh per month at 9.377¢ per kWh

The minimum charge is the Customer Charge.

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.

RATE SCHEDULE RS-4

RESIDENTIAL SERVICE ELECTRIC RATE SCHEDULE

The Utilities Commission shall charge and collect for residential electric service energy based on the availability, application, type of service, monthly rate, fuel and purchased power cost adjustment clause and tax adjustment clause.

AVAILABILITY

This schedule is available at any location within the Utilities Commission service area in accordance with the service policies of the Commission.

APPLICATION

To residential customers in single family dwelling units when all electric service supplied to the dwelling unit is used for household purposes and is measured through one meter. Any portion of the electric service supplied to a dwelling unit used for non-residential purposes, must be wired by the customer, and metered separately as a non-residential meter. In the case of multiple meters, this rate schedule is applicable to the portion used for residential purposes.

TYPE OF SERVICE

Single phase, 60 Hertz, 120/240 volts. Three phase service may be furnished if available at the discretion of the Commission.

MONTHLY RATE

Customer Charge	
Single Phase Service	\$8.25
Three Phase Service	\$11.46
Energy Charge	
First 1,000 kWh per month at 9.016¢ per kWh	
All kWh over 1,000 kWh per month at 10.570¢ per kWh	

The minimum charge is the Customer Charge.

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.

(Continued on Twelfth Revised Sheet No. 6.1)

(Continued from Twelfth Revised Sheet No. 6.0)

TERMS OF PAYMENT

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

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RATE SCHEUDLE SL-3

PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING ELECTRIC SERVICE RATE SCHEDULE

The Utilities Commission shall charge and collect for residential electric service energy based on the availability, application, type of service, monthly rate, fuel and purchased power cost adjustment clause and tax adjustment clause.

AVAILABILITY

This schedule is available throughout the entire territory served by the Utilities Commission, City of New Smyrna Beach, Florida. Availability may be limited due to inaccessibility by Utilities Commission equipment and personnel.

TYPE 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 reasonable times for the purpose of inspecting, maintaining, installing and removing any 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

Streetlights 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 streetlights will require a Contribution-in-Aid-of-Construction (CIAC) paid in advance.

Streetlights 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, streetlight 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 streetlights will require a CIAC payment from the requesting customer equal to the total Utilities Commission cost paid in advance.

(Continued on Fourteenth Revised Sheet No. 7.1)

(Continued from Twelfth 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>High Pressure Sodium Vapor (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	49	\$4.35	\$2.68	\$7.03
Contempo	120	100	47	\$4.17	\$4.79	\$8.96
Acorn	120	100	47	\$4.17	\$7.54	\$11.71
Cobra/Cutoff	120	100	47	\$4.17	\$2.99	\$7.16
Cobra/Cutoff	120	250	108	\$9.57	\$3.43	\$13.00
Contempo	120	250	108	\$9.57	\$5.39	\$14.96
Wall Lighter	120	100	47	\$4.17	\$3.67	\$7.84
Top Mounting	480	100	47	\$4.17	\$4.52	\$8.69
Acorn	480	150	69	\$6.12	\$11.87	\$17.99
Wall Lighter	480	150	69	\$6.12	\$5.31	\$11.43
FDOT/Harris M. Saxon Bridge	480	150	69	\$6.12	\$4.26	\$10.38
FDOT/Martin Luther King Bridge	480	150	69	\$6.12	\$6.01	\$12.13
Cobra	480	150	69	\$6.12	\$3.90	\$10.02
Cobra - DOT 6' Mast	480	250	108	\$9.57	\$4.67	\$14.24
Cobra - DOT 10' Mast	480	250	108	\$9.57	\$4.87	\$14.44

<u>Metal Halide (MH)</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Providence	120	150	69	\$6.12	\$14.42	\$20.54
Providence	120	250	106	\$9.40	\$15.56	\$24.96

<u>Mercury Vapor (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	77	\$6.83	\$3.52	\$10.35
Cobra	120	400	160	\$14.19	\$3.54	\$17.73

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

<u>Light Emitting Diode (LED)</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Open Bottom	120	45	16	\$1.42	\$2.43	\$3.85
Contempo	120	55	20	\$1.77	\$5.52	\$7.29
Acorn	120	55	20	\$1.77	\$6.84	\$8.61
Cobra/Cutoff	120	55	20	\$1.77	\$2.63	\$4.40
Cobra/Cutoff	120	138	50	\$4.44	\$3.08	\$7.52
Fixture Equivalent-150 HPS	480	78	28	\$2.49	\$2.68	\$5.17
Fixture Equivalent-250 HPS	480	138	50	\$4.44	\$3.21	\$7.65

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 (Rates Based on Replacement Cost)

Turtle Shield - \$0.56
Black Double Bracket - \$2.95

(Continued on Eleventh Revised Sheet No. 7.2)

(Continued from Fourteenth 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/DOUBLE BRACKETS

Type	Height	Pole Monthly Rate
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	\$2.39
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
Concrete Black	17	\$7.27
Concrete Black	20	\$5.59
Monthly rates based on replacement costs.		

INSTALLATION RATES

<u>FIXTURES</u>			<u>POLES/DOUBLE BRACKET</u>		
Type	Watts	Installation Costs	Type	Height	Installation Costs
High Pressure Sodium (HPS):			Wood	30	\$300.26
Open Bottom	100	\$263.66	Wood	35	\$343.57
Contempo	100	\$589.64	Wood	40	NLA
Acorn	100	\$1,016.03	Concrete	16	\$998.30
Cobra/Cutoff	100	\$311.96	Concrete	20	NLA
Cobra/Cutoff	250	\$345.84	Concrete	30	NLA
Contempo	250	\$649.98	Concrete	35	NLA
Wall Lighter	100	NLA	Concrete	40	NLA
Top Mounting	100	NLA	Aluminum	16	\$464.62
Acorn	150	NLA	East Canal Street	12	NLA
Wall Lighter	150	NLA	CRA Canal St. Pkg. Lot	15	NLA
FDOT/Harris M. Saxon Bridge	150	NLA	Flagler Avenue Bridge	25	NLA
FDOT/Martin Luther King Bridge	150	NLA	S.R. 44, 3 rd Avenue	30	NLA
Cobra 480 V	150	NLA	Concrete Black	17	\$1,985.85
Cobra 480 V - DOT 6' Mast	250	NLA	Concrete Black	20	NLA
Cobra 480 V - DOT 10' Mast	250	NLA	Double Bracket (Providence)		\$456.16
Metal Halide (MH):			NLA = No Longer Available		
Providence	150	\$1,994.95			
Providence	250	\$2,134.13			

(Continued on Second Revised Sheet No. 7.3)

(Continued from Eleventh Revised Sheet No. 7.2)

RATE SCHEDULE SL-3

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

FIXTURES (Cont.)		
Type	Watts	Installation Cost
Light Emitting Diodes (LED):		
Open Bottom	45	\$325.98
Contempo	55	\$832.50
Acorn	55	\$1,049.50
Cobra/Cutoff	55	\$357.98
Cobra/Cutoff	138	\$433.92
Fixture Equivalent-150 HPS	78	\$366.64
Fixture Equivalent-250 HPS	138	\$453.92

MISCELLANEOUS INSTALLATION COSTS - Turtle Shield - \$65.48

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:

$$\text{Daily kWh usage} \times \text{days in billing period} \times \text{monthly energy cost} \\ \text{adjustment factor (expressed dollars per kWh)}$$

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.

FUEL AND PURCHASED POWER COST ADJUSTMENT CLAUSE

APPLICATION

This fuel and purchased power cost adjustment clause is applicable to and becomes a part of all the Utilities Commission's retail rate schedules and is applicable to all sales thereunder.

BILLING

The monthly bill computed under the appropriate retail rate schedule will be increased or decreased by an amount equal to the result of multiplying the kWh used by the fuel and purchased power cost adjustment factor (FPPCAC) determined as follows:

$$FPPCAC = \left(\frac{F_m}{S_m} - 0.05056\right) \times \frac{1}{1-L} \times \frac{1}{1-T}$$

Where:

1. FPPCAC = Adjustment factor in dollars per kWh rounded to the nearest one thousandth of a cent applicable to bills rendered during the current fiscal billing cycle defined as October through September.
2. F_m = Total applicable fuel and net interchange energy costs.

Total Applicable Fuel Cost is:

- (a) Fossil and nuclear fuel consumed in the Utilities Commission's generating units and the Utilities Commission's share of fossil and nuclear fuel consumed in jointly owned generating units, plus the annual amortization requirement associated with the disposal of spent nuclear fuel as estimated for the current billing cycle; plus,
- (b) The net cost of purchases for scheduled maintenance, and the net energy and transmission costs of energy purchases when such energy is purchased on an economic dispatch basis to substitute for the Utilities Commission's own higher cost of energy estimated for the current billing cycle; plus,
- (c) The fossil and nuclear power costs associated with purchases for reasons other than identified in (b) above, including the purchase of capacity and energy owned through participation in joint agency projects and firm interchange service, and any associated transmission costs estimated for the current billing cycle; plus
- (d) Any one-time, non-recurring expenditures incurred by the Utilities Commission for the purpose of obtaining cost reductions on energy or capacity; minus

(Continued on Twelfth Revised Sheet No. 8.1)

(Continued from Twelfth Revised Sheet No. 8.0)

- (e) The energy costs of fossil and nuclear fueled generation recovered through the inter-system sales including the fuel costs related to the economy energy sales and other energy sold on an economic dispatch basis estimated for the current billing cycle; plus
 - (f) An amount to correct for the over-recovery or under-recovery of the actual applicable fuel costs as defined in (a), (b), (c), (d) and (e) above, during the latest fiscal year, determined as the difference between actual applicable fuel costs and the costs actually billed during the same period; plus any previous over-recovery or under-recovery of actual applicable fuel costs as defined above associated with prior period adjustments that allows for a reserve balance of FPPCAC funds as established by the Utilities Commission, if any; minus
 - (g) At the sole discretion of the Utilities Commission, the amount of any refunds associated with fuel and purchased power expenses as defined in (a) through (c) above, net of litigation expenses and other related costs, if any.
3. S_m = kWh estimated corresponding to the current 12-month billing cycle and is equal to the estimated sum of net generation, purchases, and interchange in, less inter-system sales.
 4. L = System losses to be adjusted at the beginning of each fiscal year, based on the actual prior 12-month losses ending August 31.
 5. T = Mandatory payment to the City of New Smyrna Beach, Florida, equal to 6%

TAX ADJUSTMENT CLAUSE

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

SPECIAL PROVISIONS

The FPPCAC may be modified during a 12-month billing cycle if significant circumstances arise which warrant such change, and if approved by the Utilities Commission.

RATE SCHEUDLE GSD-3

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, type 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.

APPLICATON

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

TYPE 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	\$ 8.00 per kW of billing demand
Energy Charge	7.666¢ per kWh

The minimum charge is the Customer Charge plus the Demand Charge.

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 Tenth Revised Sheet No. 11.1)

(Continued from Tenth 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 one 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 PURCHASE POWER COST ADJUSTMENT

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.

TERM OF PAYMENT

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

RESERVED FOR FUTURE USE

DRAFT

CONTRACT FOR PRIVATE OUTDOOR LIGHTING

THIS SHEET HAS BEEN CANCELED IN ITS ENTIRETY.

DRAFT

CONTRACTS AND AGREEMENTS

NONE

DRAFT

RATE SCHEUDLE CS-2

CURTAILABLE GENERAL SERVICE-DEMAND ELECTRIC RATE SCHEDULE

EFFECTIVE JUNE 1, 2006, THIS RATE IS HEREBY NO LONGER AVAILABLE TO UTILITIES COMMISSION CUSTOMERS, THUS CANCELING FIFTH REVISED SHEET NO. 14.0 IN ITS ENTIRETY.

(Continued on Sixth Revised Sheet No. 14.1)

DRAFT

(Continued from Sixth Revised Sheet No. 14.0)

EFFECTIVE JUNE 1, 2006, THIS RATE IS HEREBY NO LONGER AVAILABLE TO UTILITIES COMMISSION CUSTOMERS, THUS CANCELING FIFTH REVISED SHEET NO. 14.0 IN ITS ENTIRETY.

DRAFT

RESERVED FOR FUTURE USE

DRAFT

RESERVED FOR FUTURE USE

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RESERVED FOR FUTURE USE

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RESERVED FOR FUTURE USE

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RATE SCHEDULE RSL-2
RESIDENTIAL LOAD MANAGEMENT SERVICE ELECTRIC RATE SCHEDULE

The Utilities Commission shall credit, charge, and collect for load management residential electric service energy based on the availability, application, maximum monthly load management credits, conditions of interruption, peak period, special provisions, tax adjustment clause and terms of payment.

AVAILABILITY

At any location within the Utilities Commission service area in accordance with the special provisions set forth on Sheet I6.1.

APPLICATION

To customers meeting the application requirements for Residential Service. Load Management credits under this schedule are applicable to residential customers using any combination of the following equipment.

1. Electric water heater
2. Electric central heating system
3. Electric central cooling system

MAXIMUM MONTHLY LOAD MANAGEMENT CREDITS

	Maximum Monthly Credit (500 kWh)	Monthly Credit (Below 500 kWh)
<u>Interruptible Equipment</u>		
Water Heater	\$3.00	\$.006 x kWh
Central Heating System	\$2.25	\$.0045 x kWh
Central Cooling System	\$2.25	\$.0045 x kWh

The Maximum Monthly Load Management Credit is based on electric consumption of 500 kWh. For any month in which the consumption falls below this level, the Load Management Credit will be adjusted according to the above formulas.

CONDITIONS OF INTERRUPTION

The Commission may interrupt electric service to the above equipment, during the Peak Period, with a frequency and duration designed to minimize both the system peak demand and any inconvenience to load management customers. The current interruption policy, subject to change, may be obtained from the Commission.

PEAK PERIOD

For the months of November through April, the Peak Period is the prevailing clock time between 6:00 A.M. and 11:00 A.M. and 6:00 P.M. and 11:00 P.M.

For the months of May through October, the Peak Period is the prevailing clock time between 12:00 noon and 11:00 P.M.

(Continued on Forth Revised sheet No. 16.1)

(Continued from Forth Revised Sheet No. 16.0)

SPECIAL PROVISIONS

1. The Utilities Commission shall be allowed reasonable access to the customer's premises to install, maintain, inspect, test, and remove load management devices on the electrical equipment specified above.
2. Prior to the installation of load management devices, the Utilities Commission may inspect the customer's electrical equipment to ensure good repair and working condition but the Utilities Commission shall not be responsible for the repair or maintenance of the electrical equipment.
3. The Utilities Commission shall not be required to install load management devices on electrical equipment which would not be economically justified for reasons such as excessive installation costs, oversized heating or cooling equipment, abnormal utilization of equipment, including vacation or other limited occupancy residences, or in residences utilizing less than 500 kWh per month.
4. Multiple units of any electrical equipment specified above must all be installed with load management devices to quality for the credit attributable to that equipment.
5. Billing under this rate schedule will commence with the first complete billing period following installation of the load management device. A customer may change the selection of electrical equipment installed with load management devices or transfer to another rate schedule by notifying the Utilities Commission 45 days in advance.
6. The limitations on equipment interruptions shall not apply during capacity emergencies on the Utilities Commission's system.
7. If the Utilities Commission determines that the load management devices have been tampered with, the Utilities Commission may discontinue service under this rate schedule and bill for all prior load management credits received by the customer, unless an earlier tampering date can be established, plus applicable investigative charges.
8. If the Utilities Commission determines that the impact of equipment interruptions have been offset by the customer's use of supplementary or alternative electrical equipment, service under this rate schedule may be discontinued and the customer billed for all prior load management credits received over a period not to exceed six months.

(Continued on Forth Revised Sheet No. 16.2)

(Continued from Forth Revised Sheet No. 16.1)

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.

DRAFT

RATE SCHEDULE TS-1

TEMPORARY SERVICE ELECTRIC RATE SCHEDULE

The Utilities Commission shall charge and collect for temporary service electric energy on the following basis of availability, application, type of service, monthly rate, and special provisions.

AVAILABILITY

This schedule is available throughout the entire territory served by the Utilities Commission, City of New Smyrna Beach, Florida.

APPLICATION

This schedule is applicable to all electric service required for a short-term period to installations such as construction projects, fairs, displays, exhibits and similar temporary purposes.

TYPE OF SERVICE

Service under this schedule shall be single phase or three phase, 60 Hertz, alternating current at the Utilities Commission's available standard voltage. At the option of the Utilities Commission, three phase service will be provided when individual motors rated at 5.0 horsepower or larger are connected. Where more than one meter is utilized for this service, a separate "Monthly Rate" calculation will be made for each meter for billing purposes.

MONTHLY RATE

Temporary service shall be billed under the "Monthly Rate" provisions of the appropriate general service non-demand or general service demand rate schedule.

The customer shall pay, in advance, the estimated cost of installing and removing such facilities as may be required to provide such temporary service.

CHARGES FOR TEMPORARY ELECTRIC SERVICE INSTALLATION

Temporary electric service connection charges shall be as follows:

- (a) Installing and removing overhead service and meter \$300.00

- (b) Connecting and disconnecting customer to direct buried underground facilities including installation and removal of meter \$ 180.00

The charges shall pertain only to single phase, 60 Hertz, service at the available standard secondary distribution voltage. This service is available only when the Utilities Commission has existing capacity, lines, transformers, and other equipment at the requested point of delivery. The Customer's service entrance electrical cable shall not exceed 200 amperes capacity.

(Continued on Original Sheet No. 17.1)

(Continued from First Revised Sheet No. 17.0)

Temporary electric service connection charges shall be non-refundable and must be paid in advance of installation of such facilities. The cut-in charge, as established on Sheet No. 4.3, is a separate charge payable by the customer and is not a part of the temporary electric service connection charges.

The Utilities Commission will charge and collect for temporary electric energy based on the temporary service electric rates schedule in effect at the time.

If a specific temporary electric service other than that stated above is required, the Utilities Commission, at the Customer's request, will provide a cost for the facilities and install such additional electrical equipment. This cost will be a Contribution-in-Aid-of-Construction payable in advance to the Utilities Commission.

DRAFT

RATES SCHEDULE GSL-1

GENERAL SERVICE NON-DEMAND LOAD MANAGEMENT SERVICE ELECTRIC RATE SCHEDULE

The Utilities Commission shall credit, charge, and collect for load management General Service Non-Demand electric service energy based on the availability, application, character of service, limitation of service, monthly rate, tax adjustment clause and special provisions.

AVAILABILITY

At any location within the Utilities Commission service area in accordance with the service policies of the Commission.

APPLICATION

This schedule is available to customers meeting the application requirements for General Service Non-Demand service. The Load Management Credit under this schedule is applicable to General Service Non-Demand customers using an electric heat pump as the only source of electric heating and cooling.

MONTHLY LOAD MANAGEMENT CREDIT

<u>Interruptible Equipment</u>	<u>Monthly Credit</u>
Electric Heat Pump	\$5.00

CONDITIONS OF INTERRUPTION

The Commission may interrupt electric service to the above equipment, during the Peak Period, with a frequency and duration designed to minimize both the system demand and any inconvenience to load management customers. The current interruption policy, subject to change, may be obtained from the Commission.

PEAK PERIOD

For the months of November through April, the Peak Period is the prevailing clock time between 6:00 A.M. and 11:00 A.M. and 6:00 P.M. and 11:00 P.M.

For the months of May through October, the Peak Period is the prevailing clock time between 12:00 noon and 11:00 P.M.

SPECIAL PROVISIONS

Service under this rider is subject to the following special provisions:

1. The Utilities Commission shall be allowed reasonable access to the customer's premises to install, maintain, inspect, test, and remove load management devices on the electrical equipment specified above.

(Continued on Second Revised Sheet No. 18.1)

(Continued from Second Revised Sheet No. 18.0)

2. Prior to the installation of load management devices, the Utilities Commission may inspect the customer's electrical equipment to ensure good repair and working condition, but the Utilities Commission shall not be responsible for the repair or maintenance of the electrical equipment.
3. The Utilities Commission shall not be required to install load management devices on electrical equipment which would not be economically justified for reasons such as excessive installation costs, oversized heating or cooling equipment, or abnormal utilization of equipment, including infrequent utilization of equipment subject to load control.
4. Multiple units of any electrical equipment specified above must all be installed with load management devices to qualify for the credit attributable to that equipment.
5. Billing under this rate schedule will commence with the first complete billing period following installation of the load management device.
6. In the event any customer elects to discontinue service under load management and has not received service under this rate schedule for a minimum of three complete billing periods during the applicable corresponding heating or cooling seasons, then the Utilities Commission shall bill such customer for all prior load management credits received by the customer for such corresponding service over a period not in excess of seven months.
7. The limitations on equipment interruptions shall not apply during capacity emergencies on the Utilities Commission's system.

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 of Resolution No. 12-83.

Rate Schedule GST-1 is no longer available and closed to all customers.

DRAFT

(Continued on Seventh Revised Sheet No. 19.1)

(Continued from Seventh Revised Sheet No. 19.0)

Rate Schedule GST-1 is no longer available and closed to all customers.

DRAFT

Rate Schedule LLL-1 is no longer available and closed to all customers.

DRAFT

(Continued on First Revised Sheet No. 20.1)

(Continued from First Revised Sheet No. 20.0)

Rate Schedule LLL-1 is no longer available and closed to all customers.

DRAFT

RATE SCHEDULE TAC-90
TAX ADJUSTMENT CLAUSE

APPLICATION

The Tax Adjustment Clause is applicable to and becomes a part of all the Utilities Commission retail electric rate schedules.

BILLING

The monthly statement for electric service will include, at the discretion of the Utilities Commission, any applicable taxes as a separate item on the customer's bill in addition to charges for electric service under the applicable rate schedule. Taxes are defined as any taxes, assessments, levies, charges, or surcharges which are levied or assessed by any government or governmental agency.

DRAFT

Green Pricing Rate Schedule is no longer available and closed to all customers.

DRAFT

**CONVERSION OF ELECTRIC DISTRIBUTION SYSTEMS
FROM OVERHEAD TO UNDERGROUND RATE SCHEDULE**

Conversion of Existing Residential Overhead Services - Conversion of existing services shall be at the customer's expense. Conduit installation to the Utilities Commission and local code authority requirements and the actual conversion of the owner's meter base and associated wiring is the responsibility of the customer at his expense. At the customer's request, Utilities Commission will furnish and install the underground service lateral to the line side terminals of the meter base at the customer's expense

Conversion of Existing Primary and Secondary Overhead Facilities – Conversion of existing overhead primary and secondary facilities shall be at the customer's expense.

APPLICATION

This option is available to residential subdivision and commercial customers within the electric service area of the Utilities Commission, City of New Smyrna Beach. Each conversion shall be reviewed for feasibility based on prudent engineering standards. Determination and feasibility will be made by the Utilities Commission's Engineering Department.

DEFINITIONS

Residential Subdivisions: a tract of land which is divided into five or more building lots, and which is zoned residential.

Commercial Customer (non-residential): Service to customers engaged in selling, warehousing, or distributing a commodity, in a service activity or profession, or in some form of economically gainful or social activity (offices, stores, clubs, hotels, schools, etc.).

CONTRIBUTION IN AID OF CONSTRUCTION

Contribution-in-aid-of-construction for 100% of the cost of conversation shall be paid upfront by the applicant(s).

APPLICATION

Application for Overhead to Underground Conversation shall be made in writing to the Utilities Commission Engineering Department.

For single customer applications, the Utilities Commission Engineering Department will create a binding, detailed engineering estimate for the applicant. Said estimate will be binding for three months.

(Continued on Second Revised Sheet No. 23.1)

(Continued from Second Revised Sheet No. 23.0)

For applications impacting more than one customer/property owner, the applicant shall provide the Utilities Commission an application with 100% of the requesting customer's signatures. Upon receipt of the application, the Utilities Commission Engineering Department will then perform a binding, detailed engineering estimate for the applicant. Said estimate will be binding for three months.

ELECTRIC FACILITIES

Electric facilities to be placed underground shall consist of primary cable, transformers, pedestals, service cables and other related equipment from the established location for undergrounding to the customer's meter box. Customer is responsible for the installation of the meter box by a licensed professional.

JOINT USE POLES

The Utilities Commission will facilitate the removal of services from other providers (i.e., telecom, cable, etc.) but is not responsible for the cost of said removal. Costs to remove or relocate other providers facilities shall be paid by the Customer.

REMOVAL OF OVERHEAD FACILITIES:

The Utilities Commission will remove overhead facilities, including the pole, after joint pole users have removed their facilities.

STREETLIGHTS

The Utilities Commission will remove existing streetlights.

Installation of new streetlights and private outdoor lighting will be in accordance with the Public Street Lighting and Private Outdoor Lighting Electric Service Rate Schedule.

TERMS OF PAYMENT

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

Financing Air Conditioners Upgrades Rate Schedule is no longer available and closed to all customers.

DRAFT

RATE SCHEDULE GSLD-1

GENERAL SERVICE - LARGE DEMAND ELECTRIC RATE SCHEDULE

The Utilities Commission shall charge and collect for general service demand electric energy on the basis of availability, application, type 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 service area in accordance with Commission service policies to non-residential customers with an annual measured peak demand of 250 kW or more.

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.

TYPE OF SERVICE

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

MONTHLY RATE

Customer Charge	\$45.00
Demand Charge	\$ 8.00 per kW of billing demand
Energy Charge	7.177¢ per kWh

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

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) 250 kW; and (3) eighty (80) percent of the maximum Measured Demand, power factor adjusted, recorded during the preceding eleven (11) months.

(Continued on First Revised Sheet No. 25.1)

(Continued from First Revised Sheet No. 25.0)

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

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.

(Standby Electric and On-Site Generation) SE/OSG
INTERIM NET METERING RIDER TO
UC RESIDENTIAL AND GENERAL SERVICE SCHEDULES
EXCLUDING ALL LOAD MANAGEMENT SCHEDULES

I. AVAILABILITY:

Throughout the Utilities Commission, City of New Smyrna Beach, Florida (UC), service area from existing lines of adequate capacity. Service under this Rider is provided on a customer by customer basis and subject to the completion of arrangements necessary for implementation.

This Rider may be modified or withdrawn and is classified by the Utilities Commission as a Non-Firm Electric On-Site Customer-Owned Generation Service Net Metering Rider to existing UC Residential and General Service Schedules excluding all Load Management schedules which Schedules may be amended from time to time. For purposes of affording electric supply options to native load customers, the participating customers agree that the Terms and Conditions Provisions or any other Commission determination regarding this Rider shall not be construed: as an obligation to serve; incur direct or imputed liability for persons, business processes, or tangible or intangible assets; or incur direct or indirect costs upon the UC system for having offered said Rider to participating customers.

The UC shall have the and reserves the right to reject any project from this Rider Classification upon any appropriate grounds, including, without limitation, a demonstration that the customer has installed OSG with a total nameplate rating greater than ninety percent (90%) of its demand; or has operated or may operate the SE/OSG in a material manner detrimental to the operation of the UC's electrical system; or has or may establish events whereby the UC is non-compliant with UC Res. 28-78 and NSB Charter.

A. Renewable Customer-owned Energy Power Producing Facilities

For retail customers with renewable energy generating systems* delivering kilowatt hours onto the UC system consisting of:

1. Tier One. Ten (10) kilowatts or less provided they comply with the then in effect UC Standardized Interconnection Requirements and do not exceed ninety (90) percent of the customer's maximum potential alternating current demand served by all sources. UC fees for such installations will be consistent with fees for other customers without such generation, including application fees. However, compensation for energy delivered onto the UC system shall exclude the Charter required six (6) percent payment to the City of New Smyrna Beach and the required eight (8) percent UC Resolution 28-78 R&R assessment from the applicable rate.
2. Tier Two. Over ten (10) kilowatts and less than or equal to one-hundred (100) kilowatts provided they comply with the then in effect UC Standardized Interconnection Requirements for units of such size and do not exceed ninety (90) percent of the customer's maximum potential alternating current demand served by all sources. UC fees for such installations will be cost-based for the specific installation, including application fees. However, compensation for energy delivered onto the UC system shall exclude the Charter required six (6) percent payment to the City of New Smyrna Beach, the required eight (8) percent UC Resolution 28-78 R&R assessment from the applicable rate, and the applicable Transmission system cost and generation capacity cost in effect during the billing cycle for payments earned under this tariff.

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3. Tier Three. Greater than one hundred (100) kilowatts and less than or equal to two thousand (2,000) kilowatts provided they comply with the then in effect UC Standardized Interconnection Requirements for units of such size and do not exceed ninety (90) percent of the customer's maximum potential alternating current demand served by all sources. UC fees for such installations will be cost-based for the specific installation, including application fees. However, compensation for energy delivered onto the UC system shall exclude the Charter required six (6) percent payment to the City of New Smyrna Beach, the required eight (8) percent UC Resolution 28-78 R&R assessment from the applicable rate, the applicable embedded fuel costs in effect during the billing cycle, and the applicable transmission and ancillary transmission costs and generation capacity cost in effect during the billing cycle for payments earned under this tariff.
4. If the kWh delivered to the UC System exceeds the kWh delivered to the Customer's home in a billing cycle, a credit for the net kWh delivered to the UC's system shall be carried forward to the next billing cycle. Credits may accumulate and be carried forward for a 12 month period. The 12month period is defined as the first billing cycle in which the installation has been approved by the UC for interconnection and will continue for each successive month concluding with the 12th billing cycle ("reconciliation month"). At the conclusion of the 12th billing cycle the net balance will be paid the Customer for net excess energy delivered to the UC's System at the end of the 12 month period based upon UC costs in effect during said month of the 12th billing. Such payment will be forthcoming within 60 days of such reconciliation date. The 12 month reconciliation cycle will be repeated until such agreement is terminated by either party at which time the UC costs for that month will be used to determine any payments, if any, which will be forthcoming within 60 days of such reconciliation date.
 - * The designated technologies of fuel cell, wind, solar-thermal, solar-voltaic, sustainably-managed biomass, vegetable-base oil, tidal, geothermal, methane waste, waste-to-energy, or fuel-cell combined heat and power (CHP) systems are currently regarded as renewable sources.

B. Green Attributes

The UC shall install, at UC's sole expense, metering equipment capable of measuring the total system output of interconnected customer-owned renewable generation. The customer shall install the appropriate meter socket and associated electrical circuits as may be required for the customer's renewable generation. The UC shall have the right to receive, and is solely responsible to apply and qualify for, the benefits of any and all Green Attributes created or granted as a result the total system output of interconnected customer-owned renewable generation. The term "Green Attributes" shall include any and all credits, certificates, benefits, environmental attributes, emissions reductions, offsets, and allowances, however entitled, attributable to the generation of electricity from the customer owned-renewable generation and its displacement of conventional energy generation.

(Continued on First Revised Sheet No. 26.2)

(Continued from First Revised Sheet No. 26.1)

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II. APPLICATION FOR SERVICE:

The Customer must apply for service by providing the Company with an executed Application for Interconnection and an executed Interconnection Agreement, all of which are available from UC engineering. UC staff is hereby authorized to amend technical requirements, including the designated renewable technologies, of said Application and Interconnection Agreement as may be appropriate from time-to-time based upon the individual circumstances or applications onto the UC's electric system.

No application fee shall apply for Tier One Customers.

Tier Two Customers shall pay a \$275 application fee to cover the cost for processing the application and review of the proposed interconnection impact on the UC's electric system. Such Interconnection shall be consistent with prudent utility practice, industry criteria, and shall not whatsoever require any costs, including overheads and indirects, to the UC for upgrade or construction on the UC's electric system.

Tier Three Customers shall pay a \$750 application fee to cover the cost for processing the application and review of the proposed interconnection impact on the UC's electric system, plus the actual UC cost of a formal Interconnection Study. Such Interconnection shall be consistent with prudent utility practice, industry criteria, and shall not whatsoever require any costs, including overheads and indirects, to the UC for upgrade or construction on the UC's electric system.

III. CHARACTER OF SERVICE:

Continuous, 60 cycle single or three phase alternating current delivered at one standard offering secondary or primary distribution voltage or transmission voltage, phase and voltage depending on availability and the customer's requirements. Under these demand provisions, the customer agrees to maintain power factors at .98 or greater but not to exceed 1.02 of unity.

IV. INTERCONNECTION:

A. TERM

A minimum of one year from commencement of service under this Rider and for such additional time as the customer continues to qualify for said service on a month-to-month basis unless terminated by the customer of the UC. The UC may remove a customer not meeting the criteria for mandatory or elective service at any time. A customer cannot resume said service except on a case-by-case basis as determined solely by the UC.

B. GENERAL TERMS AND CONDITIONS

1. The charges calculated under this tariff are subject to change in such an amount as may be approved and/or amended by the Utilities Commission or under the provisions of applicable tariffs and riders.

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(Continued from First Revised Sheet No. 26.2)

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- a. Customer-owned renewable generation shall be considered certified for interconnected operation if it has been submitted by a manufacturer to a nationally recognized testing and certification laboratory, and has been tested and listed by the laboratory for continuous interaction operation with an electric distribution system in compliance with the applicable **Codes and Standards**. The Customer shall conform to all applicable codes and standards for safe and reliable operation. Among these are the National Electric Code (NEC), National Electric Safety Code (NESC), the Institute of Electrical and Electronics Engineers (IEEE), American National Standards Institute (ANSI), and Underwriters Laboratories (UL) standards, and local, state and federal building codes. The Customer shall be responsible to obtain all applicable permit(s) for the equipment installations on their property.
 - b. Codes and standards for inverter installations will be in compliance with all applicable standards including of IEEE 1547, IEEE 1547a, IEEE 1547.1, and UL 1741 IEEE Standard 519-1992 Harmonic Limits.
 - c. **Non-Inverter-Based Interconnection Requirements**
In addition to applicable inverter codes and standard, the Application for such Interconnection may require more detailed UC review, testing, and approval, at Customer cost, of the equipment proposed to be installed to ensure compliance with other additional and applicable standards including:
 - IEEE Standard 1547-2003 Standard for Interconnecting Distributed Resources with Electric Power Systems
 - ANSI Standard C37.90-2005, IEEE Standard for Relays and Relay Systems Associated with Electric Power Apparatus
 - d. Customers proposing such interconnection may also be required to submit a power factor mitigation plan for UC review and approval.
 - e. The Customer shall provide a written report that Customer-owned renewable generation complies with the foregoing standards.
2. Customer-owned renewable generation shall include a utility-interactive inverter, or other device certified pursuant to No. 1 immediately above, that performs the function of automatically isolating the Customer-owned generation equipment from the electric grid or circuit should the grid or circuit lose power or become de-energized. For Tiers Two and Three installations of additional requirements such as protective and isolation relaying and synchronous generation relays may be required by UC Engineering and will be reviewed on a case-by-case basis.

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3. The Customer shall be responsible for protecting its Customer-owned renewable generation equipment, inverters, protective devices, and other system components from damage from the normal and abnormal conditions and operations that occur on the UC electrical system in delivering and restoring power; and shall be responsible for ensuring that Customer-owned renewable generation equipment is inspected, maintained, and tested with the manufacturer's instructions to ensure that it is operating correctly and safely. The Customer agrees to provide and maintain general liability insurance for personal and property damage, or sufficient guarantee and proof of self-insurance of not less than one hundred thousand dollars (\$100,000) for Tier One inverter-based solar photovoltaic (PV) systems, one million dollars (\$1,000,000) for all other Tier One, one and one-half million dollars (\$1,500,000) for Tier Two, and two million dollars (\$2,000,000) for Tier Three during the entire period of the Interconnection Agreement.
4. The Customer agrees to provide City of New Smyrna Beach Building Code Official inspection and certification of the installation. The certification shall reflect that the Official has inspected and certified that the installation was permitted, has been approved, and has met all National Electric Code electric and ASME mechanical qualifications as applicable.
5. The UC reserves the right to inspect Interconnection , but not be limited to, such generating facilities, pertinent equipment, and instructions, to insure compliance with its Interconnection Agreement, upon reasonable notice or without notice in the event of an emergency or hazardous condition. Such inspection or observation by the UC shall not be deemed to be or construed in any way whatsoever as a direct or implied warranty by the UC of the safety, durability, suitability, or reliability of such equipment. The UC further reserves the right to disconnect the Customer-owned renewable generation at any time. The UC shall require the Customer to install, at the Customer's expense, a lockable, manual disconnect switch of the visible load-break type separate from, but adjacent to the meter socket(s) for UC meters, to provide a separation point between the AC power output of the Customer-owned renewable generation and any Customer wiring connected to the UC's system.
6. The Customer shall be solely responsible to disconnect the Customer-owned renewable generation and the Customer's other equipment if conditions on the UC system could adversely affect the Customer-owned renewable generation.
7. No interconnection of such renewable Customer-owned generation is permissible until approved by the UC by written acceptance. Such Interconnection Agreement is not assignable without written 30 day notice and agreement by either Party which consent shall not be unreasonably withheld or delayed. Furthermore, the Customer shall not enter into any lease agreement that results directly or indirectly in the retail purchase of electricity nor the retail sale, directly or indirectly, of electricity from the Customer-owned renewable generation.
8. The Customer shall notify the UC of any anticipated modifications to said system 30 days in advance of such proposed changes through a new application specifying such equipment changes or new equipment and will require written approval by the UC and the City of New Smyrna Beach or Volusia County Building Inspection Department.

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(Continued from First Revised Sheet No. 26.4)

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9. The Customer shall indemnify, hold harmless and defend the UC from and against any and all liability, proceeding, suits, cost or expense for loss, damage or injury to persons or property, including the Customer-owned renewable generation, in any manner directly or indirectly connected with, or growing out of operation of the Customer-owned renewable generation, except in those cases where loss occurs due to the negligent actions of the UC as may be determined by Florida law. Under the limits permissible by Florida municipal law, the UC shall hold harmless and indemnify the Customer for all loss to third parties resulting from the operation of the UC's system, except when the loss occurs due to the negligent actions of the Customer.

C. INCREASE IN RATES AND CHARGES

All rates and charges billed under a Service Classification and Its Rider, including the Minimum Charge, shall be increased pursuant to the applicable required tax rates and other applicable governmental required fee payments by the United States, the State of Florida, Volusia County, the Utilities Commission, the City of New Smyrna Beach, the City of Edgewater or another applicable tax jurisdiction, as appropriate, for wherein the customer takes service.

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