



CITY COUNCIL SPECIAL MEETING

Friday, February 03, 2023 at 9:45 AM
Council Chambers, 60 West Main, Hyrum, Utah

AGENDA

Public notice is hereby given of a Hyrum City Council Special Meeting to be held in the Council Chambers, 60 West Main, Hyrum, Utah at 9:45 AM, February 03, 2023. The proposed agenda is as follows:

1. **ROLL CALL**
2. **CALL TO ORDER**
3. **WELCOME**
4. **AGENDA ADOPTION**
5. **AGENDA ITEMS**
 - A. **Resolution 23-04** - A resolution setting electrical power monthly service fees and power rates for all customers receiving electrical power from the Hyrum City Municipal Power System.
6. **ADJOURNMENT**
- 7.

Stephanie Fricke
City Recorder

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Hyrum City at 435-245-6033 at least three working days before the meeting.

8. **CERTIFICATE OF POSTING** - The undersigned, duly appointed and acting City Recorder of Hyrum City, Utah, does hereby certify that a copy of the foregoing Notice was emailed to The Herald Journal, Logan, Utah, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City

Offices, 60 West Main, Hyrum, Utah, this 1st day of February, 2023. Stephanie Fricke,
MMC, City Recorder.

RESOLUTION 23-04

A RESOLUTION SETTING ELECTRICAL POWER MONTHLY SERVICE FEES AND POWER RATES FOR ALL CUSTOMERS RECEIVING ELECTRICAL POWER FROM THE HYRUM CITY MUNICIPAL POWER SYSTEM.

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Title 13 of the Hyrum City Municipal Code provides for the operation and maintenance of public utility services, including culinary water, wastewater, irrigation water, and electrical power; and

WHEREAS, Chapter 13.16 of Title 13 specifically sets forth those regulations governing operation of the municipal electrical power system, including the establishment of service rate schedules and related fees; and

Whereas, in July 2022 Hyrum City hired Dave Berg Consulting, LLC. to examine its rates and charges for electric service to customer of Hyrum City and to prepare a report with its findings; and

WHEREAS, after reviewing Dave Berg's recommending on September 1, 2022 the Hyrum City Council approved Resolution 22-16 a resolution setting electrical power monthly service fees and power rates for all customers receiving electrical power from the Hyrum City Municipal Power Systems; and

WHEREAS, as recommended by Dave Berg Consulting, LLC. a Purchased Power Adjustment Clause (PPAC) was set at \$0.00 in Resolution 22-16 with the understanding that the PPAC would be adjusted in September 2023 or sooner if needed depending on electrical rates; and

WHEREAS, for the past two months Hyrum City's power supply bill from UAMPS has reached the highest power rates ever billed from UAMPS and Hyrum City's rates are not covering the costs; and

WHEREAS, after contacting Dave Berg Consulting, LLC. with the past two months power rates it has recommended that Hyrum City increase the (PPAC) from \$0.00 PPAC (all energy) (\$/kWh) to \$.0.0200 PPAC (all energy) (\$/kWh); and

WHEREAS, after careful review of the recommendation and present power rates of the city's electric utility, the City Council has determined that an adjustment to the PPAC rate is necessary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum, Cache County, Utah, as follows:

1. The following classes of service and service schedules are hereby adopted as the schedule of rates to be charged users of the municipal electrical system:

A. RESIDENTIAL SERVICE

I. General Application.

This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all service required on the premises for residential purposes, at any point on the City's interconnected system (except Blacksmith Fork Canyon) where there are facilities of adequate capacity.

When there is more than one dwelling unit or apartment in a single building, the electrical wiring shall be arranged to allow separate metering of each unit or apartment; or the charge for service will be computed by multiplying the minimum charges by the maximum number of dwelling or apartment units that may be served.

When a portion of a dwelling is used regularly for business, professional or other gainful purposes and fifty percent (50%) or more of the electrical energy is used for residential purposes, the premises shall be subject to this or other residential rate schedule. If fifty percent (50%) or more of the electrical energy supplied to the premises is used for other than residential purposes, the premises may be classified as nonresidential and the appropriate rate schedule applied. However, if wiring is arranged to allow for separate metering of residential and commercial or industrial consumption, this schedule will be applied to the residential portion of electrical power service.

II. Monthly Billing

Customer Charge per service connection:
\$8.00 per service connection

Energy Charge:
\$.0955 per kWh 0-500 kWh
.1250 per kWh 500-750 kWh
.1440 per kWh >750 kWh

PPAC (all energy) (\$/kWh)
\$0.0200

Minimum: The monthly customer charge plus appropriate power, energy, and PPAC charges.

- III. Requested Service Reconnection or Disconnection Fee:
\$25.00 per reconnect or disconnect
- IV. Restoration of electrical service after interruption of said service for nonpayment as provided by Section 13.16.255(D) Fees:
\$50.00 per disconnect and reconnect
\$50.00 additional fee for after hours service fee
- V. Security deposit under Section 13.16.260:
\$200.00

B. RESIDENTIAL - BLACKSMITH FORK CANYON

- I. General Application.
This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all service required on the premises for residential purposes, at any point on the City's interconnected system located in Blacksmith Fork Canyon (beginning at the City's easternmost corporate boundary) where there are facilities of adequate capacity.

When there is more than one dwelling unit or apartment in a single building, the electrical wiring shall be arranged to allow separate metering of each unit or apartment; or the charge for service will be computed by multiplying the minimum charges by the maximum number of dwelling or apartment units that may be served.

When a portion of a dwelling is used regularly for business, professional or other gainful purposes and fifty percent (50%) or more of the electrical energy is used for residential purposes, the premises shall be subject to this or other residential rate schedule. If fifty percent (50%) or more of the electrical energy

supplied to the premises is used for other than residential purposes, the premises may be classified as nonresidential and the appropriate rate schedule applied. However, if wiring is arranged to allow for separate metering of residential and commercial or industrial consumption, this schedule will be applied to the residential portion of electrical power service.

II. Monthly Billing

Customer Charge:
\$ 12.00 per service connection

Energy Charge:
\$.0955 per kWh 0-500 kWh
.1250 per kWh 500-750 kWh
.1440 per kWh >750 kWh

PPAC (all energy) (\$/kWh)
\$0.0200

Minimum: The monthly customer charge plus appropriate power, energy, and PPAC charges.

III. Requested Service Reconnection and Disconnection Fee:
\$50.00 per reconnect or disconnect

IV. Restoration of electrical service after interruption of said service for nonpayment as provided by Section 13.16.255(D) Fees:
\$100.00 per disconnect and reconnect
\$75.00 additional fee for after hours service fee

VI. Security deposit under Section 13.16.260:
\$200.00

C. RESIDENTIAL SERVICE - RENEWABLE WIND ENERGY

I. General Application.
This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all service required on the premises for single- or multi-family residential purposes only, at any point on the City's interconnected system (except Blacksmith Fork Canyon) where there are facilities of adequate capacity.

II. Monthly Billing

Customer Charge:
\$8.00 per service connection

Energy Charge:
\$.1183 per kWh 0-500 kWh
.1548 per kWh 500-750 kWh
.1812 per kWh >750 kWh

PPAC (all energy) (\$/kWh)
\$0.0200

Minimum Charge: The monthly customer charge plus appropriate power, energy, and PPAC charges.

Limits: This rate is restricted to residential users only who occupy single- or multi-family dwellings and energy provided under this rate is limited to a maximum of 1,000 kWh per billing month up to 80 percent of the city's total available renewable resource. All power consumed over the maximum allowable will be billed at the rate of .1440 per kWh. Subscription to renewable power is voluntary and the user may cancel at any time; however, having cancelled, the user may not re-subscribe more than once in any 12-month period.

III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect

IV. Restoration of electrical service after interruption of said service for nonpayment as provided by Section 13.16.255(D) Fees:
\$50.00 per disconnect and reconnect
\$50.00 additional fee for after hours service fee

VII. Security deposit under Section 13.16.260:
\$200.00

D. SMALL COMMERCIAL (UNDER 35 KW)

I. General Application
This schedule is for alternating current, single or three-phase nonresidential electric service supplied at the City's available voltage at a single point of delivery through a demand or other type of metering installation for all service required on the premises by customers with a power requirement not greater than thirty-five (35) kW.

II. Monthly Billing

Customer Charge:
\$ 12.00 per service connection

Energy Charge:
\$.1050 per kWh 0-1,500 kWh
\$.0610 per kWh >1,500 kWh

Demand Charge:
\$ 9.00 per kW >5 kW

PPAC (all energy) (\$/kWh)
\$0.0200

Minimum: The monthly customer charge plus appropriate power, energy, and PPAC charges.

Power Factor: This rate is based on the customer maintaining at all times a power factor of ninety five percent (95%) lagging, or higher, as determined by measurement. If the average power factor is found to be less than ninety five percent (95%) lagging, the power as recorded by the City's meter will be increased by three quarters (3/4) of one percent (1%) for each one percent (1%) that the power factor is less than ninety five percent (95%)

Power: The kW as shown by or computed from the readings of the City's meter for the fifteen (15) minute period of customer's greatest use during the month, adjusted for power factor as specified, determined to the nearest kW.

III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect

IV. Restoration of electrical service after interruption of said service for nonpayment as provided by Section 13.16.255(D) Fees:
\$50.00 per disconnect and reconnect
\$50.00 additional fee for after hours service fee

V. Security deposit under Section 13.16.260:
\$500.00

E. LARGE COMMERCIAL (OVER 35 KW)

I. General Application

This schedule is for alternating current, single or three-phase non-residential electric service supplied at the City's available voltage, but less than 46,000 volts, at a single point of delivery through a demand or other type of metering installation for all service required on the premises by customers with a power requirement that exceeds thirty-five (35) kW during seven (7) of any continuous twelve (12) month period.

II. Monthly Billing

Customer Charge:
\$30.00 per service connection

Energy Charge:
\$.0610 per kWh 0-1,500 kWh
\$.0610 per kWh >1,500 kWh

Demand Charge:
\$ 9.00 all demand kW

PPAC (all energy) (\$/kWh)
\$0.0200

Minimum: The monthly customer charge plus appropriate power, energy, and PPAC charges.

Power Factor: This rate is based on the customer maintaining at all times a power factor of ninety five percent (95%) lagging, or higher, as determined by measurement. If the average power factor is found to be less than ninety five percent (95%) lagging, the power as recorded by the City's meter will be increased by three quarters (3/4) of one percent (1%) for each one percent (1%) that the power factor is less than ninety five percent (95%)

Power: The kW as shown by or computed from the readings of the City's meter for the fifteen (15) minute period of customers greatest use during the month, adjusted for power factor as specified, determined to the nearest kW.

III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect

IV. Restoration of electrical service after interruption of said service for nonpayment as provided by Section 13.16.255(D) Fees:
\$50.00 per disconnect and reconnect

\$50.00 additional fee for after hours service fee

- V. Security deposit under Section 13.16.260:
\$500.00

F. INDUSTRIAL

I. General Application

This schedule is for alternating current, three-phase electric service supplied at approximately 46,000 volts, at a single point of delivery through a demand or other type of metering installation.

II. Monthly Billing

Customer Charge:
\$200.00 per service connection

Energy Charge:
\$.0232 per kWh

Demand Charge:
\$ 6.57 all demand Kw

Percent Adder:
15%

Energy Adder:
\$.010 per kWh

Percent Adder and Energy Adder: The Percent adder is set at a percent over city's blended cost for power, energy, transmission, administrative costs, etc. plus such surcharge as required and approved by the City Council. The Energy Adder is a surcharge of all kWh consumed.

Minimum: The monthly customer charge plus appropriate power and energy charges.

Power Factor: This rate is based on the customer maintaining at all times a power factor of ninety five percent (95%) lagging, or higher, as determined by measurement. If the average power factor is found to be less than ninety five percent (95%) lagging, the power as recorded by the City's meter will be increased by three quarters (3/4) of one percent (1%) for each one percent (1%) that the power factor is less than ninety five percent (95%)

Power: The kW as shown by or computed from the readings of the City's meter for the fifteen (15) minute Period of customer's greatest use during the month, adjusted for power factor as specified, determined to the nearest kW.

- III. Requested Service Reconnection and Disconnection Fee:
\$25.00 per reconnect or disconnect
- IV. Restoration of electrical service after interruption of said service for nonpayment as provided by Section 13.16.255(D) Fees:
\$50.00 per disconnect and reconnect
\$50.00 additional fee for after hours service fee
- v. Security deposit under Section 13.16.260:
\$500.00

G. TEMPORARY SERVICE

- I. General Application
This schedule is for alternating current, single-phase electric service supplied at approximately 120 or 240 volts through one kilowatt-hour meter at a single point of delivery for all separately metered service required on the premises for temporary purposes, such as construction, at any point on the City's interconnected system (except Blacksmith Fork Canyon) where there are facilities of adequate capacity. The City reserves the right to determine the length of time that use of a temporary service is permitted.

Temporary service is only allowed and granted for construction activity and not for any other purposes including housing, house trailer, tent, etc. Any use other than construction is required to have a permanent meter installed and will be subject to all residential service fees.

- II. Monthly Billing

Customer charge:
\$30.00 per temporary panel for single-phase service

H. FORCE MAJEURE

Neither City nor customer shall be subject to any liability or damages for inability of the City to serve the Customer's load due to lack of available power and energy or other conditions beyond

the City's control. In the event of natural disasters or acts of God such as earthquakes, floods, or severe storms, neither party shall be liable for damages due to lack of ability for operations which affect the other party economically. Should any of the foregoing occur, the minimum billing demands that would otherwise be applicable under this Schedule shall be waived and Customer will have no liability for service charges until such time as Customer is reasonably able to resume service.

I. LATE FEE

If any bill for any service of the City's utilities is not paid within 30 days from the date of its mailing, a late charge, in the amount of five dollars (\$5.00) shall be imposed on the current month unpaid arrearage. Additionally, a late charge of one percent (1.5%) per month shall accrue on any unpaid arrearage commencing on the next due date (or what would have been the next due date if service is terminated) for such customer's next utility bill and continuing to accrue on such unpaid arrearage on all future due dates thereafter until the unpaid arrearage and late charges are paid in full.

J. INSUFFICIENT FUNDS FEE

Returned Check Charge. In addition to adding late payment charges as appropriate, the City shall charge and collect a fee of thirty dollars (\$30.00) to cover the cost of handling a check which a customer tenders in payment of an account and which is returned by the bank because it cannot be paid as ordered.

2. This resolution shall become effective February 2, 2023 and the rate schedules contained herein shall apply to all subsequent electrical power billings.

ADOPTED AND PASSED by the Hyrum City Council this 2nd day of February, 2023.

HYRUM CITY CORP.

By: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder