

RESOLUTION NO. 40-2009

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA AMENDING CHAPTER 107, SECTION 107-7, OF SECTION A-231-1 OF CHAPTER A231 OF THE CODE OF THE BOROUGH OF KUTZTOWN SO AS TO ADOPT THE RATES FOR ELECTRIC SERVICE FURNISHED TO CONSUMERS EFFECTIVE WITH THE ELECTRIC BILLS DUE AND PAYABLE ON AND AFTER FEBRUARY 25, 2010, SAID RATES TO REMAIN IN EFFECT UNTIL CHANGED BY RESOLUTION, AND SUPERSEDING ANY AND ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INCONSISTENT WITH THIS RESOLUTION.

WHEREAS, the Council of the Borough of Kutztown from time to time adopts resolutions establishing the rates to be charged for electrical service furnished to consumers, by authority of the duly enacted ordinances of the Borough of Kutztown, Berks County, Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, and it is hereby adopted by the authority of the same, that Section 107-7 of Chapter 107 of Section A-231-1 of Chapter A231 of the Code of the Borough of Kutztown be, and it is hereby, amended and restated in full and shall henceforth read as follows:

RATE SCHEDULE RG
GENERAL RESIDENTIAL SERVICE

APPLICATION:

This rate schedule is for single phase residential service in accordance with the APPLICATION PROVISIONS hereof.

NET MONTHLY RATE:

\$9.15 per month plus
16.69 cts. per KWH for the first 200 KWH.
13.57 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.

The Net Monthly Rate Minimum is \$9.15.

WATER HEATING SERVICE:

When a customer has an electric water heater which meets all the requirements of this provision, a block of 400 KWH is billed at 13.57 cts. per KWH after the first 200 KWH is billed. All additional KWH are billed at 13.17 cts. per KWH.

LEVELIZED BUDGET BILLING:

Levelized Budget Billing is available at the option of the customer. When a customer elects budget billing, the Borough will bill the customer each month an amount approximately equal to one eleventh of the estimated annual billing with appropriate periodic adjustments made, and a twelfth month payment sufficient to cover the balance owing for a full year so the total for each twelve-month billing cycle will equal the actual charges under the rate for the same twelve-month billing period. In order to qualify for Levelized Budget Billing the customer must have a twelve month billing history at the same service location with the Borough. At the discretion of the Borough Manager, if customers are late or delinquent in paying bills or are determined to be a credit risk, customers may be removed or denied the option of Levelized Budget Billing.

APPLICATION PROVISIONS:

- (1) This rate schedule is for single phase electric service for:
 - (a) A single family dwelling and appurtenant detached buildings.
 - (b) A separate dwelling unit in an apartment house.
 - (c) A single farm dwelling and general farm uses.

- (2) This rate schedule does not apply to:
 - (a) Residential service that includes more than 2,000 watts of connected load attributable to commercial or professional use exclusive of space heating and air conditioning in common with the residence.
 - (b) Residential service combined with any commercial or professional use outside the residence or in a section of a multi-use building that is separate from the dwelling unit.
 - (c) Service which includes common use for halls, basement, or other portions of an apartment building.
 - (d) Establishments recognized by name, notice or advertisement, such as hotels, clubs, fraternities, boarding houses, institutions, orphanages, rest homes, tourist homes and rooming houses with more than 3 rooms available for such use and rectories and convents with accommodations for more than 5 adults.

- (3) Where any use of service at a residence is not eligible for the application of this rate

schedule, customer has the option to provide separate circuits so that the portion that is applicable can be metered and billed separately hereunder and the remaining portion can be billed under the applicable general service rate schedule. When separate circuits are not provided, the entire service is billed under the applicable general service rate schedule.

- (4) Water heaters shall be automatic with a tank capacity of 30 gallons or more, equipped with noninductive heating elements, each thermostatically controlled and so connected that not over 5,000 Watts can operate at one time. The water heater shall be the exclusive source of hot water at all times. The Borough may check the installation if and when it deems necessary.

RATE SCHEDULE RH RESIDENTIAL SERVICE WITH ALL ELECTRIC HOUSE HEATING

APPLICATION OF SCHEDULE:

This rate schedule is for single phase residential service in accordance with the APPLICATION PROVISIONS, hereof, when electricity is the sole source of energy for space heating, cooking and water heating.

NET MONTHLY RATE:

\$9.15 per month plus
16.69 cts. per KWH for the first 200 KWH.
13.57 cts. per KWH for the next 400 KWH.
12.48 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.

The Net Monthly Rate minimum is \$9.15.

SPACE HEATING REQUIREMENTS:

Electric space heating units and/or electrically operated central year round air conditioning equipment shall be permanently installed and shall be the sole means of heating the dwelling unit. Fireplaces are the only supplementary heating source permitted in conjunction with electric heating.

WATER HEATING REQUIREMENTS:

Water heaters shall be automatic with a tank capacity of 30 gallons or more, equipped with noninductive heating elements, each thermostatically controlled and so connected that not over 5,000 Watts can operate at one time. The water heater shall be the exclusive source of hot water at all times. The Borough may check the installation if and when it deems necessary.

LEVELIZED BUDGET BILLING:

Levelized Budget Billing is available at the option of the customer. When a customer elects budget billing, the Borough will bill the customer each month an amount approximately equal to one eleventh of the estimated annual billing with appropriate periodic adjustments made, and a twelfth month payment sufficient to cover the balance owing for a full year so the total for each twelve-month billing cycle will equal the actual charges under the rate for the same twelve-month billing period. In order to qualify for Levelized Budget Billing the customer must have a twelve month billing history at the same service location with the Borough. At the discretion of the Borough Manager, if customers are late or delinquent in paying bills or are determined to be a credit risk, customers may be removed or denied the option of Levelized Budget Billing.

APPLICATION PROVISIONS:

- (1) This rate schedule is for single phase electric service for:
 - (a) A single family dwelling and appurtenant detached building.
 - (b) A separate dwelling unit in an apartment house.
 - (c) A single farm dwelling and general farm use.

- (2) This rate schedule does not apply to:
 - (a) Residential service that includes more than 2,000 watts of connected load attributable to commercial or professional use exclusive of space heating and air conditioning in common with the residence.

 - (b) Residential service combined with any commercial or professional use outside the residence or in a section of a multi-use building that is separate from the dwelling unit.

 - (c) Service which includes common use for halls, basement, or other portions of an apartment building.

 - (d) Establishments recognized by name, notice or advertisement, such as hotels, clubs, fraternities, boarding houses, institutions, orphanages, rest homes, tourist homes and rooming houses with more than 3 rooms available for such use and rectories and convents with accommodations for more than 5 adults.

- (3) Where any use of service at a residence is not eligible for the application of this rate schedule, customer has the option to provide separate circuits so that the portion that is applicable can be metered and billed separately hereunder and the remaining portion can be billed under the applicable general service rate schedule. When separate circuits are not provided, the entire service is billed under the applicable general service rate schedule.

RATE SCHEDULE CD
SMALL GENERAL SERVICE
AT SECONDARY VOLTAGE OR HIGHER

APPLICATION OF RATE SCHEDULE CD:

This rate schedule is for small general service at secondary voltage or at a higher available voltage at the option of the Borough. The billing demand is limited to 3 KW for non-profit entities where no portion of the building is rented or leased for activities not sponsored by the non-profit.

NET MONTHLY RATE:

Demand \$1.92 per kilowatt for all Billing KW.

KWH Charge 20.42 cts. per KWH for the first 100 KWH per kilowatt of the Billing KW
14.45 cts. per KWH for the next 100 KWH per kilowatt of the Billing KW
12.71 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.

The Net Monthly Rate Minimum is \$3.31 per kilowatt of the minimum billing demand of 3 KW.

Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

BILLING KW:

Where no demand meter is installed, Billing KW is 3 KW.

The Borough installs a demand meter when it estimates that the demand exceeds 3 KW. The Billing KW is the average number of kilowatts supplied during the 15-minute period of maximum use during the current billing period taken to the nearest ½ kilowatt, but not less than 3 KW.

RATE SCHEDULE IG
GENERAL INDUSTRIAL SERVICE
AT SECONDARY VOLTAGE OR HIGHER

APPLICATION RATE SCHEDULE IG:

This rate schedule is for general industrial service, served at a secondary voltage, or at a higher available voltage at the option of the Borough. Where necessary, the Borough furnishes and maintains one transformation from line voltage to a lower Borough standard service voltage.

NET MONTHLY RATE:

Demand \$13.87 per kilowatt for the first 125 kilowatts of the Billing KW.

\$11.45 per kilowatt for all additional kilowatts of the Billing KW.

KWH Charge 10.94 cts. per KWH for the first 150 KWH per kilowatt of the Billing KW.

9.29 cts. per KWH for the next 100 KWH per kilowatt of the Billing KW.

7.97 cts. per KWH for the next 50 KWH per kilowatt of the Billing KW.

7.25 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.

The minimum monthly billing demand is 25 KW.

The Net Monthly Rate Minimum is \$13.87 per KW per the Minimum Billing Demand of 25 KW.

The Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

BILLING KW:

The Billing KW is the average number of kilowatts supplied during the 15-minute period of maximum use during the current billing period.

RATE SCHEDULE IS INSTITUTIONAL SERVICE RATE

APPLICATION OF SCHEDULE

This rate schedule is for three-phase service for a load in excess of 50 KW serving an institution of public, charitable or educational character, excluding industrial and commercial facilities.

TWO RATES

The "all electric" rate applies to those facilities where electricity is the sole source of energy for space heating, ventilating, air conditioning, cooking, water heating, lighting and power requirements. The "not all electric" rate applies to those facilities where only a portion of the energy needs are supplied by electrical energy.

MONTHLY RATE

<u>Monthly Consumption KWH</u>	<u>All Electric Rate (¢/KWH)</u>	<u>Not All Electric Rate (¢/KWH)</u>
15,000 & Less	13.61	15.35
30,000	13.45	15.19
45,000	13.29	15.03
60,000	13.13	14.87
75,000	12.97	14.56
90,000	12.82	14.40
105,000	12.50	14.24
120,000	12.34	14.08
135,000	12.18	13.92
150,000	12.03	13.77
165,000	11.87	13.61
180,000 & More	11.71	13.45

MINIMUM CHARGE

\$298.70

RATE SCHEDULE IP-H
LARGE GENERAL SERVICE AT 13,800 VOLTS OR HIGHER

APPLICATION RATE SCHEDULE:

This rate schedule is for large general service supplied from available lines of 13,800 volts or higher when customer furnishes and maintains all equipment necessary to transform the energy from line voltage and when electricity is the principal source of all the customer's energy requirements, including space heating in accordance with the applications provisions hereof.

Electric space heating facilities shall be permanently installed and operated for personal comfort.

NET MONTHLY RATE:

Demand \$13.05 per kilowatt for the first 125 kilowatts of the Billing KW.
 \$11.70 per kilowatt for all additional kilowatts of the Billing KW.
 KWH Charge 10.41 cts. per KWH for the first 150 KWH per kilowatt of the Billing KW.
 9.19 cts. per KWH for the next 100 KWH per kilowatt of the Billing KW.
 7.86 cts. per KWH for the next 50 KWH per kilowatt of the Billing KW.
 7.25 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate

The Minimum Billing Demand is 25 KW.

The Net Monthly Rate Minimum is \$13.05 per KW per the Minimum Billing Demand of 25 KW.

The Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

BILLING KW:

The Billing KW is the average number of kilowatts supplied during the 15-minute period of maximum use during the current billing period.

APPLICATION PROVISIONS:

- (1) This rate schedule applies to single meter service for all of customer's energy requirements, under the following conditions:
 - (a) The facilities for electric space heating are, in Borough's judgment, a significant and integral portion of customer's total energy requirement to be supplied hereunder.
 - (b) Service supplied hereunder includes all energy requirements on customer's premises in a building.
 - (c) All service in one building is supplied at one voltage from one service connection.
 - (d) Another form of energy may be used for emergency lighting generators and, upon Borough approval, for other similar uses.
 - (e) When customer occupies an entire building, service hereunder may include uses of service outside the building only when they are directly incident to the principal use of service in the building.
- (2) Supplemental use of renewable energy sources such as wood, solar, wind and water is permitted in conjunction with service supplied hereunder without violating the total electric energy requirement of the rate. Any customer system of this type that produces electric energy may not be operated concurrently with service supplied by the Borough except under written agreement setting forth the conditions of such operation.

RATE SCHEDULE KF
KF-LARGE GENERAL SERVICE AT 69,000 VOLTS OR HIGHER

APPLICATION OF RATE SCHEDULE KF:

This rate schedule is for large general service supplied from available 3-phase lines of 69,000 volts or higher, with the customer furnishing and maintaining all equipment necessary to transform the energy from the line voltage.

NET MONTHLY RATE:

The KF rate shall be a block rate consisting of three (3) rate levels:

Level I: 7.40 cents per KWH

Level II: 8.01 cents per KWH

Level III: 11.18 cents per KWH

The rate levels shall be applied as follows:

The numbers listed with the Schedules are time and based on a twenty-four (24) hour clock.

Schedule A: Monday through Friday, during the months of April, May, June, July, August, September and October:

Level I rate shall apply: 23:00:00 through 6:59:59

Level II rate shall apply: 7:00:00 through 10:59:59 and 19:00:00 through 22:59:59

Level III rate shall apply: 11:00:00 through 18:59:59

Schedule B: For Monday through Friday, during the months of January, February, March, November and December:

Level I rate shall apply: 23:00:00 through 6:59:59

Level II rate shall apply: 12:00:00 through 16:59:59 and 20:00:00 through 22:59:59

Level III rate shall apply: 7:00:00 through 11:59:59 and 17:00:00 through 19:59:59

Schedule C: For all Saturdays and Sundays and the holidays of: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day:

Level I rate shall apply: 0:00:00-24:00:00

Or alternatively at the Borough's sole discretion the Borough may charge a blended rate of 9.03 cents per KWH for all KWH energy charge. The blended rate energy charge would apply to all KWH supplied under this rate.

The monthly rate minimum is \$3,790.00.

The Pennsylvania state tax is applied as required by the Pennsylvania Department of Revenue.

ADVANCED METER MONITORING SERVICE FEE:

If the Borough offers and the customer subscribes to an advanced meter monitoring service, the fee shall be \$75.00 per month.

RATE SCHEDULE DD
PRIVATE AREA LIGHTING SERVICE

APPLICATION OF RATE SCHEDULE DD:

This rate schedule is for the lighting of yards, private roadways, alleys and other areas supplied from existing overhead secondary distribution.

NET MONTHLY RATE:

Per light:

175 watt mercury vapor	\$ 14.28
150 watt high pressure sodium	\$ 14.28
250 watt high pressure sodium	\$ 24.31

The Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

EQUIPMENT AND SERVICE:

Borough installs and maintains the bracket, luminaire, lamp and photoelectric control on a Borough-owned wood pole. Lamp is lighted from dusk to dawn or for approximately 4,300 hours per annum.

A mercury vapor lamp of a nominal, 6,650 lumens (175 watts), a high pressure sodium lamp of a nominal 16,000 lumens (150 watts) or a high pressure sodium lamp of a nominal 25,500 lumens (250 watts) is installed in a luminaire on a bracket. Lamp replacements are normally made on the first working day after outage notification by the customer to the Borough office. There is no credit for outages.

Borough installs up to one span of secondary not exceeding 150 feet from an existing secondary voltage supply and one pole for each lamp provided the location of the pole is accessible by a service truck for the installation and maintenance of the lamp and provided the Borough is furnished a suitable right of way.

Upon request and at the Borough's discretion, the Borough may install an area light fixture on a suitable customer-owned support.

Where a secondary supply is not available at the desired lamp location and/or where the distance is more than one span, the Borough may furnish the service providing the customer reimburses Borough for the Borough's estimated added investment required to supply the service in each case.

PAYMENT SCHEDULE AND CONTRACT PERIOD FOR ALL RATE SCHEDULES

PAYMENT:

The above net rates apply when bills are paid on or before the due date specified on the bill. After the due date, the Borough may initiate collection procedures. A late payment charge of 10% will be applied on the unpaid balance of the current monthly bill if payment is not received on or before the due date.

CONTRACT PERIOD:

Not less than one year.

BE IT FURTHER RESOLVED, (1) that any and all resolutions and parts of resolutions inconsistent with this Resolution are hereby superseded, (2) with respect to the rate schedules set forth hereinabove, the effectiveness thereof shall apply to electric bills due and payable on and after February 25, 2010, and (3) that this Resolution shall remain in effect until superseded by a duly adopted Resolution of the Council of the Borough of Kutztown.

DULY ADOPTED AS A RESOLUTION this 15th day of December, 2009, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF KUTZTOWN

By: _____
President of Borough Council

(CORPORATE SEAL) Attest: _____
Secretary of the Borough

APPROVED: _____
Mayor

Date of Approval: December 16, 2009