

ORDINANCE NO. 81-6

AN ORDINANCE ESTABLISHING RATES TO BE CHARGED FOR THE TYPES OF ELECTRIC SERVICE AND CLASSES OF SERVICES SPECIFIED BY THE CITY OF NEWTON WITHIN THE CITY OF NEWTON ESTABLISHING A SCHEDULE OF RATES TO BE KNOWN AS SCHEDULE 140 – RESIDENTIAL SERVICE; ESTABLISHING A SCHEDULE OF RATES TO BE KNOWN AS SCHEDULE 141 – COMMERCIAL LIGHTING SERVICE; ESTABLISHING A SCHEDULE OF RATES TO BE KNOWN AS SCHEDULE 141A – SMALL USER COMMERCIAL ELECTRIC SERVICE; ESTABLISHING A SCHEDULE OF RATES TO BE KNOWN AS SCHEDULE 142 – LARGE LIGHT AND POWER; ESTABLISHING A SCHEDULE OF RATES TO BE KNOWN AS SCHEDULE 143 – SECURITY LIGHTS; ESTABLISHING A SCHEDULE OF RATES TO BE KNOWN AS SCHEDULE 144 – MUNICIPAL WATER PUMPING RATES; ESTABLISHING A SCHEDULE TO BE KNOWN AS 145 – MUNICIPAL STREET LIGHTING; ESTABLISHING A SCHEDULE OF RATES TO BE KNOWN AS SCHEDULE 146 – MISCELLANEOUS ELECTRIC SERVICE CHARGES, DEFINING THE TYPE OF SERVICE UNDER EACH SCHEDULE, MINIMUM BILLS, AND POWER FACTOR ADJUSTMENTS UNDER EACH SCHEDULE OF RATES, AND FURTHER PROVIDING FOR COLLECTION FEES AND CONNECTION FEES UNDER SCHEDULE 146; PROVIDING THAT SALES TAXES IMPOSED BY ANY GOVERNMENTAL AUTHORITY SHALL BE IN ADDITION TO THE RATES ESTABLISHED HEREIN, PROVIDING THAT THE ELECTRIC SERVICE HEREUNDER IS SUBJECT TO THE CITY'S RULES AND REGULATIONS FOR THE SALE OF ELECTRIC SERVICE; PROVIDING THAT SCHEDULE 140, 141, 141A, 142, 143, AND 144 SHALL BE SUBJECT TO CERTAIN ADJUSTMENTS FOR INCREASED POWER COSTS AND INCREASED TAXES INCLUDING ADJUSTMENT FOR LINE AND OTHER LOSSES, PROVIDING WHEN BILLS SHALL BE DUE AND PAYABLE AND MAKING PROVISIONS CONCERNING PAYMENT; REPEALING OTHER ORDINANCES OR PARTS THEREOF WHICH MAY BE IN CONFLICT HERewith; PROVIDING THAT THE CITY OF NEWTON SHALL MAINTAIN COPIES OF ALL RATE SCHEDULES ON FILE AND AVAILABLE AT ITS PRINCIPAL OFFICE IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; MAKING PROVISIONS FOR THE EFFECTIVE DATE OF THE ORDINANCE AND RATES THEREIN ESTABLISHED FROM AND AFTER THE PUBLICATION OF THE ORDINANCE OR ITS DESCRIPTIVE CAPTION IN THE NEWTON COUNTY NEWS.

ORDINANCE NO. 81-6

An ordinance repealing previous electric rates and rate ordinances of the City of Newton, Texas; and enacting certain rates to be charged by the Light and Power Department for electricity delivered to certain classes of consumers.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, TEXAS:

SECTION "1"

That existing electric rates and rate ordinances of the City of Newton, Texas are hereby in all things repealed and of no further force or effect.

SECTION "2"

That the following rates are established, subject to the terms and conditions hereof, as the rates which shall be charged by the City of Newton, engaged in the business of furnishing and supplying electric service, of the type and class hereinafter specified, to consumers thereof, for consumption within the corporate limits of the City, until such rates are changed by the order of the City Council, or as hereinafter provided and it shall be unlawful for the City of Newton to charge any other rate or rates for service of the types and classes hereinafter set forth.

SECTION "3"

SEHEDULE 140 – RESIDENTIAL SERVICE

- (A) APPLICATION – This Council shall be applicable as follows: To all Electric service required for residential purposes for all domestic uses, including power to single phase motor installations of from 1 HP to 10 HP capacity, at not less than 80 percent power factor lagging, both inclusive, in individual private dwellings or individually metered apartments or where two family or housekeeping units are served at one point of delivery measured through one meter.

Where two individual private dwellings or two apartment units or two family housekeeping units are served at one point of delivery and measured through one meter, it will be optional at the beginning of service with the customer whether the kilowatt hours in the rate and the minimum bill provisions will be doubled for billing purposes or whether all the service will be furnished under Commercial Electrical Service. Where more than two family or housekeeping units or apartments are served at one point of delivery and, measured through one meter, Commercial Electrical Service rates shall be used for billing.

- (B) TYPE OF SERVICE – Single phase, 60 cycles and at any one of the City’s standard service voltages.
- (C) NET MONTHLY BILL- The monthly bill will be calculated as follows:
 - 1) Customer Charge: 5.85 includes 50 kwh or less used per month
 - 2) Energy Charge: .03548/kwh for additional KWH used per month.
 - 3) Minimum Charge: 5.85
- (D) POWER COST ADJUSTMENT- The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the adjustment per KWH for the current month, calculated in accordance with Section”13” of this ordinance.
- (E) NOT APPLICABLE- Schedule 140, Residential Service, shall not be applicable to commercial, temporary, breakdown, standby, supplementary or resale service.

SECTION “4’

SCHEDULE 141 – COMMERCIAL LIGHTING SERVICE:

- A) APPLICATION- This schedule shall be applicable as follows: To commercial or non-residential customers for lighting and small appliances, including power to motor installation up to 40 HP capacity or less, at not less than 80 percent power factor lagging, in commercial or non-residential establishments where all service is supplied at one premise through one point of delivery and measured through one meter.
- B) TYPE OF SERVICE- Single or three phase when available, 60 cycles and at any of the City’s standard service voltages.
- C) NET MONTHLY BILL-
 - 1) Customer Charge – 16.00 per month
 - 2) Billing Load Charge- Demands in excess of 15 KW per month 3.85/KW
 - 3) Energy Charge- AllKWH used per month .0297/KWH
 - 4) Power Cost Adjustment- The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the adjustment per KWH for the current month calculated in accordance with Section “13”.
 - 5) Minimum Charge- minimum net monthly charge will be the Customer Charge plus the Billing Load Charge.
- (D) DETERMINATION OF BILLING LOAD- the Billing Load will be rounded to the nearest whole KW and will be the highest 15 minute KW load during the billing period. Only connected loads in excess of 15 KW, or connected loads indicated in excess of 15 KW, or connected loads indicated in excess of 15 KW by KWH, or connected loads indicated in excess of 15 KWH consumptions, will be measured.

- (E) METERING- If both single phase and three phase service are taken, customer's wiring must terminate at a common metering point in order that service will be measured by a single metering installation as required in Section "1".
- (F) USE OF SERVICE- Electric service furnished under this rate shall not be used by the customer as an auxiliary or supplementary service to engines or other prime movers, or to any other source of power. Customers shall not sub-meter and resell any energy purchased under this rate.

SECTION "5"

SCHEDULE 141a – SMALL USER COMMERCIAL ELECTRIC SERVICE

- A) APPLICATION- This schedule shall be applicable as follows:
To commercial or non-residential customers for lighting and small appliances using less than 50 KWH/month, including power to motor installation up to 10 HP capacity or less, at not less than 80 percent power factor lagging, in commercial or non-residential establishments where all service is supplied at one premise through one point of delivery and measured through one meter. If customer uses more than 50 KWH during any billing month, they will automatically revert to Schedule 141 for the next succeeding twelve (12) months. If during this twelve (12) months customer does not exceed the 50 KWH, they will then revert back to this Schedule 141A.
- B) TYPE OF SERVICE- Single or three phase when available, 60 cycles and at any of the City's standard service voltages.
- C) NET MONTHLY BILL-
 - 1) Customer Charge- 5.85 per month
 - 2) Energy Charge - AllKWH used per month .03548/KWH
 - 3) Power Cost Adjustment- The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the adjustment per KWH for the current month calculated in accordance with Section "13".
 - 4) Minimum Charge- Minimum net monthly charge will be the Customer Charge.
- D) METERING
If both single phase and three phase service are taken, customer's wiring must terminate at a common metering point in order that service will be measured by a single metering installation as required in Section "1".
- E) Electric service furnished under this rate shall not be used by the customer as an auxiliary or supplementary service to engines or other prime movers, or to any other source of power. Customers shall not sub-meter and resell any energy purchased under this rate.

SECTION "6"

SCHEDULE 142 – LARGE LIGHT AND POWER:

- A) APPLICATION- This schedule shall be applicable as follows: For general lighting and motor loads of 40 HO capacities or more, where all such service is taken through one point of delivery and measured through one meter.
- B) NET MONTHLY BILL
- 1) Customer Charge – 25.60 per month
 - 2) Billing Load Charge- All KW – 3.40 /KW
 - 3) Energy Charge- All KWH used per month - .02 /KWH
 - 4) Power Cost Adjustment- The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the adjustment per KWH for the current month calculated in accordance with Section "13"
 - 5) Minimum Charge- Minimum net monthly charge will be the Customer Charge plus the Billing Load Charge.
- C) DETERMINATION OF LOAD- The billing Load will be the average number of KW used by the customer during any 15 minute interval of the current month. The customer is not entitled to receive, nor the City obligated to deliver any more than the Contract Power. When customer's power factor of total service supplied by the City is such that 80 percent of measured maximum KVA as the number of KW for all purposes that measured maximum KW metering equipment or remove same if previously installed.
- D) PHASE AND VOLTAGE OF SERVICE- Service will be rendered at the City's standard phase and voltage available at the point of service.
- E) USE OF SERVICE- Electric service furnished under this rate shall not be used by the customer as an auxiliary or supplementary service to engines or other prime movers, or to any other source of power. Customers shall not sub-meter and resell any energy purchased under this rate, except as may be specifically authorized by the appropriate regulatory authority.

SECTION "7"

SCHEDULE 143 – SECURITY LIGHTS:

- A) APPLICATION- Residential or Commercial customers for use of lighting private property areas, using City installed and approved lights on existing poles belonging to the City of Newton or on one additional pole located at a distance of not to exceed 200 feet from an appropriate distribution pole of the City of Newton.
- B) TYPE OF SERVICE- Single phase, 60 cycle, 120 volts
- C) RATE- The net monthly billing shall be computed as follows: 5.00 per light per month, or fraction thereof. This type of service is not metered and this charge includes only normal wear and tear maintenance.

- D) POWER COST ADJUSTMENT- The power cost adjustment will be calculated based upon the security lights consuming 60 KWH per month of energy calculated in accordance with Section “13”.
- E) MINIMUM BILL- 5.00 per light per month

SECTION “8”

SCHEDULE 144- MUNICIPAL WATER PUMPING RATE

- A) APPLICATION- This schedule applies to the municipal water department where the connected motor load is less than 25 HP for use for water and gathering pumps in the operation of the municipal water distribution system and electric service for incidental lighting when service is supplied at same point of delivery and measured through one meter.
- B) TYPE OF SERVICE- Single or three phases, 60 cycles and at any one of the City’s standard service voltages.
- C) RATE- The net monthly billing shall be computed as follows: 3.00 for up to 30 KWH. KWH in excess of 30 KWH will be 0.015 per KWH.
- D) POWER FACTOR ADJUSTMENT- The power factor of demands up to 100 KW shall be 80 percent or higher. Measured demands of 100 KW or more will be multiplied by the ration of 80 to the actual power factor. For power factors of more than 90 percent, lagging the measured demand will be multiplied by the ratio of 90 to the actual power factor. For power factors between 80 percent and 200 percent, leading the measured demand will be multiplied by 0.9.
- E) POWER COST ADJUSTMENT- The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the adjustment per KWH for the current month, calculated in accordance with Section “13” of this ordinance.
- F) MINIMUM BILL- The customer may use up to 30 KWH in any month for the minimum monthly charge of 4.28.
- G) NOT APPLICABILITY- Schedule 144, municipal Water Pumping Rate, shall not be applicable to resale service or service shared with others or other departments of the City.

SECTION “9”

SCHEDULE 145 – MUNICIPAL STREET LIGHTING

- A) APPLICABILITY- This rate schedule is applicable under the regular terms and conditions of the City to Street and Highway Lighting Service.
- B) TYPE OF SERVICE- Lights will burn from dusk to dawn for approximately 4,455 hours per year; will be single phase, 60 cycle, 120 volts.
- C) RATES- The net monthly bill shall be computed as follows:
 - 175 watt mercury vapor street light 3.25/month
 - 400 watt mercury vapor light 7.00/month

SCHEDULE "10"

SCHEDULE 146- MISCELLANEOUS ELECTRIC SERVICE CHARGES:

The following charges will apply to the miscellaneous services listed below:

COLLECTION FEE: A charge of 7.50 will be made when the City sends an employee to collect a delinquent bill.

CONNECTION FEE: The Following charges will be made as a connection fee:

- a) A fee of 10.00 to restore service which has been suspended as a result of any electric bill in arrears, failure of customer to comply with the terms and conditions applicable to electric service, prevention of fraud or abuse, or discovery that meter has been tampered with or damaged.
- b) A fee of 7.50 but not less than the sum of the minimum charges that would be applicable for the months that a home, camper, etc. was disconnected at request of the customer.
- c) A fee if 7.50 for new service applications or changes in existing service applications.

NSF CHECKS: A charge of \$15.000 for temporary service for residential connections and the estimated net cost to the City for temporary service for commercial connections will be made where distribution lines are readily available and the installation of additional poles or lines is not necessary to provide service to the customer.

DISCONNECT NOTICE- A fee of 3.00 will be charged for preparing and mailing the following notice in the event any customer is actually delinquent.

According to your records, your bill for City Services is unpaid. Your utility service is subject to disconnect after the 15^h day of _____ (month). If you have any questions concerning this account, contact us immediately at 379-5061, Newton, Texas to avoid the inconvenience and expense of a disconnect. We must hear from you before the 17th day of _____(month) or your services will be disconnected. Before it can re restored all bills and a 10.00 service charge must be paid. Your cooperation in clearing this bill for \$_____ is appreciated.

SECTION "11"

SALES TAXES:

Sales taxes imposed by any governmental authority shall be in addition to the rates hereinabove established.

SECTION "12"

RULES AND REGULATIONS:

Electric service hereunder is subject to the City's rules and regulations for the sale of electric service. When service is not already available, customer shall enter into contractual agreement with the City for extension of service or for service no then being supplied to the location.

SECTION "13"

POWER COST AND TAX ADJUSTMENT:

Schedules 140, 141, 141A, 142, 143 and 144 hereinabove established shall be subject to the following adjustments:

"In case the rate under which the city purchases power at wholesale is adjusted in accordance with the fuel cost adjustment provision in the City's Wholesale Power Contract, the foregoing energy charges shall be adjusted each month by the same amount Per KWH plus 1.185 to cover line losses as the power cost adjustment per KWH in the City's Wholesale Power Bill for the next proceeding month, or the revision or abolition of any existing tax (except income tax) levied or assessed against the City of Newton as the result of any new or amended laws or ordinances enacted, or the repeal of any such law or ordinance.

SECTION "14"

PAYMENT OF BILLS:

Bills shall be due on the 10th of the month after which a 10 percent penalty is added, and a disconnect notice is mailed to the last known address. If satisfactory arrangements are not made by the 15th of the month, the meter will be disconnected. If the 10th due date or the additional five (5) day grace period allowed before cut off falls on a holiday or week-end, said day shall be the next regular business day of the month.

SECTION "15"

All ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict only.

SECTION "16"

The City shall maintain on file at its principal office in this City in printed form copies of all established schedules of rates charged for electricity, and the same shall be made available to any citizen of the City who shall apply therefore.

SECTION "17"

If any provisions, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intention of the City Council of this City in adopting this ordinance that no portion thereof or provision or regulation contained therein shall become inoperative or fail by reason of unconstitutionality or invalidity or any other portion, provision or regulation, and to their end, all provisions of this ordinance are declared to be severable.

SECTION "18"

The rate and charges prescribed in this ordinance shall apply to all electricity used by each customer to whom such rates are applicable as provided hereinafter _____, 1981.

PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF NEWTON, THE THE 28TH DAY OF MAY, A.D., 1981 AND ALL CONCIL MEMBERS PREENT VOTING "AYE".

ATTEST:
Mertice Jacks
City Secretary

APPROVED:
Steve Bean
Mayor

ATTACHMENT "B"

ORDINANCE NO. 81-6

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BE IT ORDAINED BY THE CITY COUCIL OF THE CITY OF NEWTON, TEXAS:

SECTION "1"

That existing electric rates and rate ordinances of the City of Newton, Texas are hereby in all things repealed and of no further force or effect.

SECTION "2"

That the following rates are established, subject to the terms and conditions hereof, as the rates which shall be charged by the City of Newton, engaged in the business of furnishing and supplying electric service, of the type and class hereinafter specified, to consumers thereof, for consumption within the corporate limits of the City, until such rates are changed by the order of the City Council, or as hereinafter provided and it shall be unlawful for the City of Newton to charge any other rate or rates for service of the types and classes hereinafter set forth.

SECTION "3"

SCHEDULE 140-RESIDENTIAL SERVICE:

- A) APPLICATION- This schedule shall be applicable as follows: To all electric service required for residential purposes for all domestic uses, including power to single phase motor installations of from 1hp to 10 hp capacity, at not less than 80 percent power factor lagging, both inclusive, in individual private dwellings or individually metered apartments or where two family housekeeping unites are served at one point of delivery and measured through one meter. Where two individual private dwellings or two apartment units or two family or housekeeping units are served at one point of delivery and measured through one meter, it will be optional at the beginning of service with the customer whether the kilowatt-hours in the rate and minimum bill provisions will be doubled for billing purposes or whether all service will be furnished under Commercial Electrical Service. Where more than two family housekeeping units or apartments are service at one point of delivery and measured through one meter, Commercial Electrical Service rates shall be used for billing.
- B) TYPE OF SERVICE- Single phase, 60 cycles and at any one of the City's standard service voltages.
- C) NET MONTHLY BILL- The monthly bill will e calculated as follows:

- 1) Customer Charge- 8.50 includes 50 kwh or less used per month
 - 2) Energy Charge- \$0.0719/KWH fir additional KWH used per month
 - 3) Minimum Charge- \$8.50
- D) POWER COST ADJUSTMENT- The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the adjustment per KWH for the current month, calculated in accordance with Section “13” of this ordinance.
- E) NOT APPLICABLE- Schedule 140, Residential Service, shall not be applicable to commercial, temporary, breakdown, standby, supplementary or resale service.

SECTION “4”

SCHEDULE 141- COMMERCIAL LIGHTING SERVICE:

- A) APPLICATION- This schedule shall be applicable as follows: To commercial or non-residential customers for lighting and small appliances, including power to motor installation up to 20 HP capacity or less, at not less than 80 percent power factor lagging, in commercial or non-residential establishments where all service is supplied at one premise through one point of delivery and measured through one meter.
- B) TYPE OF SERVICE- Single or three phase when available, 60 cycles and at any of the City’s standard service voltages.
- C) NET MONTHLY BILL
- 1) Customer Charge- 23.24 per month
 - 2) Billing Load Charge- Demands in excess in 15 KW per month 7.27/KWH
 - 3) Energy Charge- All KWH used per month 0.07875/KWH
 - 4) POWER COST ADJUSTMENT- The power cost adjustment will be calculated based upon the total KWH for the current month calculated in accordance with Section 13.
 - 5) Minimum Charge- Minimum net monthly charge will be the Customer Charge plus the Billing Load Charge.
- D) DETERMINATION OF BILLING LOAD- the Billing Load will be rounded to the nearest whole KW and will be the highest 15 minute KW load during the billing period. Only connected loads in excess of 15 KW, or connected loads indicated in excess of 15 KW, or connected loads indicated in excess of 15 KW by KWH consumptions, will be measured.
- E) METERING- If both single phase and three phase service are taken, customer’s wiring must terminate at a common metering point in order that service will be measured by a single metering installation as required in Section “1”.
- F) USE OF SERVICE- Electric service furnished under this rate shall not be used by the customer as an auxiliary or supplementary service to engines or other prime movers, or to any other source of power. Customers shall not sub-meter and resell any energy purchased under this rate.

SECTION "5"

SCHEDULE 142- SMALL USER COMMERCIAL ELECTRIC SERVICE

- A) APPLICATION- This schedule shall be applicable as follows: To commercial or non-residential customers for lighting and small appliances using less than 50 KW/month, including power to motor installation to 10 HP capacity or less, at not less than 80 percent power factor lagging, in commercial or non-residential establishment where all service is supplied at one premise through one points of delivery and measured through one meter. If customer uses more than 50 KWH during any billing month, they will automatically revert to Schedule 141 for the next succeeding twelve (12) months. If during this (12) months customer does not exceed the 50 KWH, they will then revert back to the Schedule 142.
- B) TYPE OF SERVICE- Single or three phase when available, 60 cycles and at any of the City's standard service voltages.
- C) NET MONTHLY BILL-
- 1) Customer Charge- 8.50 per month
 - 2) Energy Charge- All KWH used per month \$0.0719
 - 3) Power Cost Adjustment- The power cost adjustment will be calculated based upon the total KWH for the current month calculated in accordance with Section "13".
 - 4) Minimum Charge- Minimum net monthly charge will be the Customer Charge.
- D) METERING- If both single phase and three phase service are taken, customers wiring must terminate at a common metering point in order that service will be measured by a single metering installation as required in Section "1".
- E) Electric service furnished under this rate shall not be used by the customer as an auxiliary or supplementary service to engines or other prime movers, or to any other source of power. Customers shall not sub-meter and resell any Entergy purchased under this rate.

SECTION "6"

- A) APPLICATION- This schedule shall be applicable as follows: For general lighting and motor loads of 20 HP capacities or more, where all such service is taken through one point of delivery and measured through one meter.
- B) NET MONTHLY BILL
1. Customer Charge-\$3718 per month
 2. Billing Load Charge-All KW - \$6.54 KW
 3. Energy Charge-All KWH used per month \$0.0524
 4. Power Cost Adjustment-The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the

adjustment per KWH for the current month calculated in accordance with Section "13"

5. Minimum Charge- Minimum net monthly charge will be the customer charge plus the Billing Load Charge.
- C) Determination of Load- the Billing Load will be the average number of KW used by the customer during any 15 minute interval of the current month. The customer is not entitled to receive, nor is the City obligated to deliver any more than Contract Power. When customer's power factor to total service supplied by City is such that 80 percent of measured maximum KVA used during any 15 minute interval exceeds corresponding measured KW, City will use 80 percent of such metered maximum KVA as the number of KW for all purposes that measured maximum KW is specified herein. However, where customer's power factor is regularly 80 percent higher, the City may at its option omit the KVA metering equipment or remove same if previously installed.
- D) Phase and Voltage of Service- Service will be rendered at the City's standard phase and voltage available at the point of service.
- E) Use of Service- Electric service furnished under this rate shall not be used by the customer as an auxiliary or supplementary service to engines or other prime movers, or to any other source of power. Customer shall not sub-meter and resell any energy purchased under this rate, except as may be specifically authorized by the appropriated regulatory authority.

SECTION "7"

SCHEDULE 144- SECURITY LIGHTS:

- A) APPLICATION- Residential or Commercial customers for use of lighting private property areas, using City installed and approved lights on existing poles belonging to the City of Newton or on one additional pole located at a distance of not to exceed 200 feet from an appropriate distribution pole of the City of Newton.
- B) TYPE OF SERVICE- Single phase, 60 cycle, 120 volts
- C) RATE- The net monthly billing shall be computed as follows: \$7.50 per light per month, or fraction thereof. This type of service is not metered and this charge includes normal wear and tear maintenance.
- D) POWER COST ADJUSTMENT- The power cost adjustment will be calculated based upon the security lights consuming 60KWH per month of energy calculated in accordance with Section "13".
- E) MINIMUM BILL- \$7.50 per light per month.

SECTION "8"

Schedule 145-MUNICIPAL WATER PUMPING RATE

- A) This schedule applies to the municipal water department where the connected motor load is less than 25HP for use for water and gathering pumps in the operation of the municipal water distribution system and electric service for incidental lighting when service is supplied at same point of delivery and measured through one meter.
- B) TYPE OF SERVICE- Single or three phases, 60 cycles and at any one of the City's standard service voltages.
- C) RATE- the net monthly billing shall be computed as follows: \$4.36 for up to 30 KWH. KWH in excess of 30 KWH will be \$0.0481 per KWH.
- D) POWER FACTOR ADJUSTMENT- The power factor demands up to 100 KW shall be 80 percent, lagging or leading, the measured demand will be multiplied by the ratio of 80 to the actual power factor. For power factors of more than 90 percent, lagging, the measured demand will be multiplied by the ration of 90 to the actual power factor. For power factors between 80 percent and 100 percent, leading, the measured demand will be, multiplied by 9.0.
- E) POWER COST ADJUSTMENT- The power cost adjustment will be calculated based upon the total KWH included in the monthly bill times the adjustment per KWH included in the monthly bill times the adjustment per KWH for the current month, calculated in accordance with Section "13" of this ordinance.
- F) MINIMUM BILL- The customer may use up to 30 KWH in any month for the minimum monthly charge of \$4.28.
- G) NOT APPLICABLE- Schedule 145, Municipal Water Pumping Rate shall not be applicable to resale service ore service shared with others or other departments of the City.

SECTION "9"

SCHEDULE 146-MUNICIPAL STREET LIGHTING

- A) APPLICABILITY- This rate schedule is applicable under the regular terms and conditions of the City to Street and Highway Lighting Service.
- B) TYPE OF SERVICE- Lights will burn from dusk to dawn for approximately 4,455 hours per year; will be single phase, 60 cycle, and 120 volts.
- C) RATES- The net monthly bill shall be computed as follows: 175 watts mercury vapor street light 3.25/month – 400 watt mercury vapor street light \$7.00/month

SECTION "10"

SCHEDULE 147 – MISCELLANEOUS ELECTRIC SERVICE CHARGES:

The following charges will apply to the miscellaneous services listed below:

COLLECTION FEE – A charge of \$7.50 will be made when City sends an employee to collect a delinquent bill.

CONNECTION – The following charges will be made as a connection fee:

- A) A fee of \$10.00 to restore service which has been suspended as a result of any electric service bill in arrears, failure to customer to comply with the terms and conditions applicable to electric service, prevention of fraud or abuse, or discovery that meter has been tampered with or damaged.
- B) A fee of \$7.50 but not less than the sum of the minimum charges that would be applicable for the months that a home, camper, etc., was disconnected at the request of the customer.
- C) A fee of \$7.50 for new service applications or changes in existing service application.

NSF CHECKS – A charge of \$10.00 will be made for each “non-sufficient funds” check from customer.

TEMPORARY SERVICE CHARGE – A charge of \$15.00 for temporary service for residential connections and the estimated net cost to the City for temporary service for commercial connections will be made where distribution lines are readily available and the installation of additional poles or lines is not necessary to provide service for commercial connections will be made where distribution lines are readily available and the installation of additional poles or lines are not necessary to provide service to the customer.

DISCONNECT NOTICE – A fee of \$3.00 will be charged for preparing and mailing the following notice in the event any customer actually is delinquent.

According to our records, your bill for City services is unpaid. Your utility service is subject to disconnect after the 15th day of _____ (month). If you have any questions concerning this account, contact us immediately at 379-5061, Newton, Texas to avoid the inconvenience and expense of disconnect. Before it can re restored, all bills and a \$10.00 service charge must be paid. Your cooperation in clearing this bill for \$ _____ is appreciated.

SECTION “11”

SALES TAXES – Sales taxes imposed by any governmental authority shall be in addition to the rates hereinabove established.

SECTION “12”

TULES AND REGULATIONS – Electric service hereunder is subject to the City’s rules and regulations for the sale of electric service. Where service is not available, customer

shall enter into contractual agreement with the City for extension of service or for service not then being supplied at the location.

SECTION "13"

POWER COST AND TAX ADJUSTMENT - Schedules 140, 141, 142, 143, 144, and 145 are hereinabove established shall be subject to the following adjustments:

"In case that rate under which the City purchases power at wholesale is adjusted in accordance with the fuel cost adjustment provisions in the City's Wholesale Power Contract, the foregoing energy charges shall be adjusted each month by the same amount per KWH plus 1.20 to cover line losses as the power cost adjustment per KWH on the City's Wholesale Power Bill for the next proceeding month, or the revision or abolition or assessed against the City of Newton as the result any new or amended laws or ordinances enacted, or the repeal of any such law or ordinance. If the fuel cost adjustment is a credit, it is passed on without any percentage added for line losses.

SECTION "14"

PAYMENT OF BILLS – Bills shall be due on the 10th of the month after which a 10 percent penalty is added, and a disconnect notice is mailed to the last known address. If satisfactory arrangements are not made by the 15th of the month, the meter will be disconnected. If the 10th due date or the additional five (5) day grace period allowed before the cut off falls on a holiday or week-end, said day shall be the next regular business day of the month.

SECTION "15"

All ordinances or parts of ordinances in conflict herewith are repealed to the extent of the conflict only.

SECTION "16"

The City shall maintain on file at its principal office in this City in printed form copies of all established schedules or rates charged for electricity, and the same shall be made available to any citizen of the City who shall apply therefore.

SECTION "17"

If any provisions, sections, subsection, sentence, clause or phrase of this ordinance is for any held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intention of the City Council of this City in adopting this ordinance that no portion

thereof or provision of regulation contained therein shall become inoperative or fail be reason of any unconstitutionality or invalidity of any other portion, provision or regulation, and to this end, all provisions of this ordinance are declared to be severable.

SECTION "18"

The rate and charges prescribed in this ordinance shall apply to all electricity used by each customer to whom such rates are applicable as provided hereinafter _____, 1981.

PASSED AT A _____ MEETING OF THE CITY COUNCIL OF THE CITY OF NEWTON, THIS THE ____ DAY OF _____, A.D., 1981 ABD ALL COUNCIL MEMBERS PRESENTVOTING "AYE".

ATTEST:
Mertice Jacks
City Secretary

APPROVED:
Steve Bean
Mayor