

ORDINANCE NO. 9978

An ordinance to amend and replace Grand Island City Code; Sections 15-53, 15-55, 15-57, 15-60, 15-63, 15-64, 15-68, 15-70 and 15-74, pertaining to electric utility rates; to repeal any ordinance or parts of ordinances in conflict herewith; add Sections 15-76 through 15-79; and to provide for publication and the effective date of this ordinance being October 1<sup>st</sup>, 2024.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Sections 15-53, 15-55, 15-57, 15-60, 15-63, 15-64, 15-68, 15-70 and 15-74 of the Grand Island City Code are hereby repealed in their entirety and amended to read as follows:

**§15-53. Power Factor**

The customer shall install power-factor correction equipment, if necessary, to ensure a power factor of no less than 90%, lagging or leading. Failure to maintain a power factor of 90% or greater (leading or lagging) will result in a penalty as stated herein. The Grand Island Utilities Department will notify any customers who have a power factor of less than 90% for two consecutive months. Power factor correction penalties will not be applied for the first 6 months after notification of failure to comply with this provision. After the initial 6-month period following notification, customer will be subject to penalties without further notice. For a customer whose power factor at the time of their Peak Monthly Demand is less than 90%, the Billing Demand will be multiplied by 90% and divided by the customer's power factor (expressed in percent) determined at the time of the customer's Monthly Demand.

**§15-55. 010 Residential Service**

Applicable in urban and rural distribution areas. Available at single phase, through a single meter, to residential consumers for domestic use in a single-family dwelling unit; but is not available for commercial or non-domestic use.

Individual single-phase motors, not to exceed 10 HP each, may be connected; however, the City Utilities Department must be notified in writing if a motor over 5 HP is installed.

This schedule has two sets of rates: one for the summer period of five months, beginning with the June billing; and the second for the winter season of seven months, beginning with the November billing.

**Rate:**

**Effective Date:**

**October 1, 2024**

	<b>Summer (June-October)</b>	<b>Winter (November-May)</b>
Customer Charge, per month	\$11.00	\$11.00
Energy Charge		
First 300 kWh, per kWh	\$0.100	\$0.100
All additional kWh, per kWh	\$0.079	\$0.062

**Plus** the applicable Power Cost Adjustment charge.

**Effective Date:**

**October 1, 2025**

	<b>Summer (June-October)</b>	<b>Winter (November-May)</b>
Customer Charge, per month	\$14.00	\$14.00
Energy Charge		
First 300 kWh, per kWh	\$0.099	\$0.099
All additional kWh, per kWh	\$0.079	\$0.061

**Plus** the applicable Power Cost Adjustment charge.

**Minimum Bill:** The minimum monthly bill shall be the monthly Customer Charge.

**§15-57. 030 Single-Phase Commercial Service**

Applicable in urban and rural distribution areas. Available for commercial customers, for lighting and small appliances. Available for single meter apartment units, and combined residential-commercial use, where the Residential Service Rate is not applicable. Service shall be through a single meter.

Individual single-phase motors, not to exceed 10 HP each, may be connected; however, the Grand Island Utilities Department must be notified in writing if a motor over 5 HP is installed.

**Rate:**

<b>Effective Date:</b>	<b><u>October 1, 2024</u></b>
Customer Charge, per month	\$15.00
Energy Charge	
First 1,000 kWh, per kWh	\$0.102
All additional kWh, per kWh	\$0.081

**Plus** the applicable Power Cost Adjustment charge.

<b>Effective Date:</b>	<b><u>October 1, 2025</u></b>
Customer Charge, per month	\$19.00
Energy Charge	
First 1,000 kWh, per kWh	\$0.102
All additional kWh, per kWh	\$0.081

**Plus** the applicable Power Cost Adjustment charge.

**Minimum Bill:** The minimum monthly bill shall be the monthly Customer Charge.

**§15-60. 050 Three-Phase Commercial Service**

Applicable in the territory served by the City of Grand Island; and is available through a single meter at three-phase for any electric service uses where three-phase service is available.

This schedule has two sets of rates: one for the summer period of five months, beginning with the June billing; and the second for the winter season of seven months, beginning with the November billing.

**Rate:**

<b>Effective Date:</b>	<b>October 1, 2024</b>	
	<b>Summer</b>	<b>Winter</b>
	<b><u>(June-October)</u></b>	<b><u>(November-May)</u></b>
Customer Charge, per month	\$26.00	\$26.00
Energy Charge		
First 1,000 kWh, per kWh	\$0.102	
Next 4,000 kWh, per kWh	\$0.090	
All additional kWh, per kWh	\$0.086	
First 500 kWh, per kWh		\$0.102
Next 1,000 kWh, per kWh		\$0.090
All additional kWh, per kWh		\$0.083

**Plus** the applicable Power Cost Adjustment charge.

**Effective Date:**

**October 1, 2025**

	<b>Summer</b>	<b>Winter</b>
	<b><u>(June-October)</u></b>	<b><u>(November-May)</u></b>
Customer Charge, per month	\$33.00	\$33.00
Energy Charge		
First 1,000 kWh, per kWh	\$0.105	
Next 4,000 kWh, per kWh	\$0.090	
All additional kWh, per kWh	\$0.087	
First 500 kWh, per kWh		\$0.105
Next 1,000 kWh, per kWh		\$0.090
All additional kWh, per kWh		\$0.083

**Plus** the applicable Power Cost Adjustment charge.

**Minimum Bill:** The minimum monthly bill shall be the larger of the following:

1. Customer Charge, or
2. Total connected HP x \$0.75

If questions arise as to the actual billing HP, the City Utilities Department may, at its option, install demand meters. The kilowatt reading shall determine the HP on the basis of 0.75 kilowatt = 1.0 HP.

It is the responsibility of the customer to inform the Grand Island Utilities Department of changes that may affect minimum billings.

**§15-63. 100 Three-Phase Power Service**

Applicable in the territory served by the City of Grand Island, available through a single meter at three-phase. Available for any commercial or industrial use of energy.

**Rate:**

<b>Effective Date:</b>	<b>October 1, 2024</b>	
	<b>Summer (June-October)</b>	<b>Winter (November-May)</b>
Customer Charge, per month	\$380.00	\$380.00
Demand Charge, per kW		
First 5,000 kW	\$14.95	\$10.70
All additional demand	\$11.90	\$7.60
Energy Charge, per kWh		
First 450 kWh per kW of demand	\$0.049	\$0.047
All additional energy	\$0.040	\$0.037

**Plus** the applicable Power Cost Adjustment charge (applied to energy consumption only).

<b>Effective Date:</b>	<b>October 1, 2025</b>	
	<b>Summer (June-October)</b>	<b>Winter (November-May)</b>
Customer Charge, per month	\$400.00	\$400.00
Demand Charge, per kW		
First 5,000 kW	\$15.40	\$11.00
All additional demand	\$12.25	\$7.80
Energy Charge, per kWh		
First 450 kWh per kW of demand	\$0.051	\$0.048
All additional energy	\$0.041	\$0.038

**Plus** the applicable Power Cost Adjustment charge (applied to energy consumption only).

**Minimum Bill:** The minimum monthly bill shall be no less than \$800.

**§15-64. Billing Demand**

The Monthly Demand shall be the highest integrated demand (in kW) during a 30-minute time interval in the billing period. For purposes of this section, Summer Months shall be June through October. Winter Months shall be November through May. The Billing Demand shall be the greater of:

1. The Monthly Demand
2. 65% of the Monthly Demand in the 5 most recent Summer Months

**§15-68. 114 Area Floodlighting**

Applicable in the territory served by the City of Grand Island; and is available for any outdoor area floodlighting of consumer's property from dusk to dawn, where such service can be rendered directly from existing secondary distribution lines of the City.

Luminaire will be selected by the Grand Island Utilities Department and provided from the Utilities Department stock. Installation will be on an existing wood pole and connected to existing secondary conductors on such pole. If installed lamp is not listed on the rate schedule, the rate for the nearest sized lamp of the same type shall be charged.

**Monthly Rate per Lamp:**

<b>Effective Date:</b>	<b><u>October 1, 2024</u></b>
Mercury Vapor:	
175 watt lamp	\$8.46
400 watt lamp	\$14.42
1,000 watt lamp	\$28.39
High Pressure Sodium:	
100 watt lamp	\$7.55
250 watt lamp	\$10.10
400 watt lamp	\$11.18
Metal Halide:	
100 watt lamp	\$9.40
400 watt lamp	\$17.10
1,000 watt lamp	\$31.48
LED:	
25 watt lamp	\$4.64
50 watt lamp	\$5.74
100 watt lamp	\$7.42
Halogen:	
500 watt lamp	\$19.40
<b>Effective Date:</b>	<b><u>October 1, 2025</u></b>
Mercury Vapor:	
175 watt lamp	\$8.72
400 watt lamp	\$14.85
1,000 watt lamp	\$29.24
High Pressure Sodium:	
100 watt lamp	\$7.78
250 watt lamp	\$10.40
400 watt lamp	\$11.51
Metal Halide:	
100 watt lamp	\$9.68
400 watt lamp	\$17.61
1,000 watt lamp	\$32.42
LED:	
25 watt lamp	\$4.77
50 watt lamp	\$5.91
100 watt lamp	\$7.65

Halogen:	
500 watt lamp	\$19.98

**§15-70. Power Cost Adjustment**

The rates set out are predicated upon a base power cost of 35.00 mills per kilowatt-hour. When the City’s cost of energy per kilowatt-hour shall temporarily be greater than 35.00 mills per kilowatt-hour, there shall be added to the consumer’s monthly charge for electricity used an amount equal to the number of kilowatt-hours used during the month to which the consumer’s charge applies, multiplied by the amount by which the cost of energy for kilowatt-hour shall be greater than 35.00 mills per kilowatt-hour.

Cost of energy per kilowatt-hour as determined for any month shall be applicable to all charges rendered to consumers after the last day of the following month, without any City Council action.

The cost of energy per kilowatt-hour applied to the consumer’s monthly charge shall be an average of the previous 12-months cost of energy per kilowatt-hour, provided that between October 2024 and March 2025 the calculation will transition from 6-months average to 12-months average as follows:

October 2024:	Average of February – September (7 months)
November 2024:	Average of February – October (8 months)
December 2024:	Average of February – November (9 months)
January 2025:	Average of February – December (10 months)
February 2025:	Average of February 2024 – January 2025 (11 months)
Thereafter:	Previous 12 months

For purposes of this section, the following words shall have the following meanings:

Cost of Energy shall mean the power cost for the generating plants owned by the City, consisting of the monthly natural gas cost and the cost of any fuel oil consumed; the cost of coal and air quality reagents consumed, including freight and handling charges; plus costs of payments by the City for power, energy, and transmission purchased from other power suppliers, less receipts from energy sold to other electric utilities.

Cost of Energy per Kilowatt-Hour shall mean “Cost of Energy” as above defined, divided by 95 percent (95%) of the total kilowatt-hours; consisting of the kilowatt-hour output of the City’s electric generating plants, plus the kilowatt-hours purchased from other power suppliers, less the kilowatt hours of energy sold to other electric utilities.

**§15-74. 116 Interdepartmental; Streetlights**

Applicable for various size lights used for public street lighting and public parks lighting, whether City or privately-owned. If installed lamp is not listed on the rate schedule, the rate for the nearest sized lamp of the same type shall be charged.

**Monthly Rate per Lamp:**

<b>Effective Date:</b>	<b><u>October 1, 2024</u></b>
Mercury Vapor:	
175 watt lamp	\$5.04
400 watt lamp	\$9.45
1,000 watt lamp	\$18.68
High Pressure Sodium:	
100 watt lamp	\$3.78
250 watt lamp	\$6.23
400 watt lamp	\$7.39
Metal Halide:	
100 watt lamp	\$4.53
400 watt lamp	\$12.13
1,000 watt lamp	\$21.78
LED:	
50 watt lamp	\$3.52
100 watt lamp	\$4.82

Power Cost Adjustment is not applicable to the Interdepartmental Streetlights rate.

<b>Effective Date:</b>	<b><u>October 1, 2025</u></b>
Mercury Vapor:	
175 watt lamp	\$5.19
400 watt lamp	\$9.74
1,000 watt lamp	\$19.24
High Pressure Sodium:	
100 watt lamp	\$3.89
250 watt lamp	\$6.42
400 watt lamp	\$7.61
Metal Halide:	
100 watt lamp	\$4.66
400 watt lamp	\$12.50
1,000 watt lamp	\$22.44
LED:	
50 watt lamp	\$3.63
100 watt lamp	\$4.96

Power Cost Adjustment is not applicable to the Interdepartmental Streetlights rate.

SECTION 2. Sections 15-76 thru 15-29 of the Grand Island City Code are hereby added to read as follows:



**§15-76. Co-Generation Standby**

Applicable in the territory served by the City of Grand Island at locations acceptable to the City who meet all of the following conditions:

1. Take three-phase service from the City’s system at a nominal standard voltage of 13,800 volts or greater.
2. Operates any PURPA-eligible electric generating equipment in parallel with the City’s electric system with availability to produce energy at an average of 65% of nameplate capacity during the hours of 12:00 PM and 7:00 PM, June 15 through September 15.
3. Requires 1,000 kW or more of standby capacity from the City.
4. Desire use of the City’s electric service for temporary backup or maintenance power and energy.
5. The City determines that it has sufficient capacity available in production and transmission facilities at the location where service is requested.

Not applicable to resale service. Service under this rate is only provided via an agreement for standby service.

**Rate:**

<b>Effective Date:</b>	<b><u>October 1, 2024</u></b>
Customer Charge, per month	\$1,000.00
Distribution Standby Rate	\$5.79/kW-month of Standby Capacity
Monthly Usage Demand	
<u>Summer</u>	
Up to Standby Capacity	\$9.16/kW-month
In Excess of Standby Capacity	\$14.95/kW-month
<u>Winter</u>	
Up to Standby Capacity	\$4.91/kW-month
In Excess of Standby Capacity	\$10.70/kW-month
Firm Energy Usage (per kWh)	
<u>Summer</u>	
First 450 kWh per kW of Monthly Usage Demand	\$0.049
Excess	\$0.040
<u>Winter</u>	
First 450 kWh per kW of Monthly Usage Demand	\$0.047
Excess	\$0.037
<b>Plus</b> the applicable Power Cost Adjustment charge	

<b>Effective Date:</b>	<b><u>October 1, 2025</u></b>
Customer Charge, per month	\$1,000.00
Distribution Standby Rate	\$5.79/kW-month of Standby Capacity
Monthly Usage Demand	
<u>Summer</u>	
Up to Standby Capacity	\$9.61/kW-month
In Excess of Standby Capacity	\$15.40/kW-month
<u>Winter</u>	
Up to Standby Capacity	\$5.21/kW-month
In Excess of Standby Capacity	\$11.00/kW-month
Firm Energy Usage (per kWh)	
<u>Summer</u>	
First 450 kWh per kW of Monthly Usage Demand	\$0.051
Excess	\$0.041
<u>Winter</u>	
First 450 kWh per kW of Monthly Usage Demand	\$0.048
Excess	\$0.038
<b>Plus</b> the applicable Power Cost Adjustment charge	

**Definition of Standby Capacity:** Standby Capacity is defined as the lower of:

1. Customer's accredited summer capability, as determined under the procedures established by Attachment AA of the Southwest Power Pool Open Access Transmission Tariff, or
2. The customer's gross demand, defined as the highest 30-minute integrated demand of customer facility as determined by a meter that measures total load, including amounts that may be served by customer-owned generation, or
3. The Contract Standby Capacity, as stated in the service contract between the Customer and City.

Standby Capacity will be set for a 12-month period beginning on January 1 of each calendar year based on the above criteria applied to the prior October 1 through September 30.

**Determination of Monthly Usage Demand:** Monthly Usage Demand equals the Customer's measured net demand (gross usage less output of customer-owned generation used to serve customer energy requirements) in a given month, less the capacity associated with any generation that is out of service for a maintenance outage that has been approved by the City (see "Maintenance Outages" section of this rate schedule).

**Determination of Firm Energy:** Firm Energy is determined hourly and is equal to the lesser of:

1. Monthly Usage Demand, integrated for sixty-minute period
2. Hourly Usage Energy

— **Determination of Standby Energy:** Standby Energy is determined hourly and is equal to the Hourly Usage Energy less Firm Energy.

**Determination of Hourly Usage Energy:** Hourly Usage Energy equals the energy usage by customer in excess of the output of customer-owned generation, provided that the energy usage in any hour cannot be less than zero. In the event that customer-owned generation produces excess energy in a given hour, the Monthly Usage Energy for that interval shall be zero and any excess energy shall be reimbursed under the “Excess Energy Rate” section of this rate schedule.

**Excess Energy Rate:** In the event the customer’s generators produce excess energy over the energy used by the customer’s facility and the customer has not made arrangements with a third party to purchase said energy, the energy shall be purchased by the City at the real-time locational marginal price for the Grand Island load settlement location in the Southwest Power Pool Integrated Marketplace.

**Billing for Actual Demand:** If customer takes service associated with the standby capacity from City without approval of a maintenance outage, the customer will be billed for its Actual Demand based on Schedule 100, provided that charges for Distribution Standby Service will be credited against the demand charges applicable to said customer.

— **Billing for Firm Energy:** Firm Energy is billed at the established rate in this rate schedule, including applicable monthly Power Cost Adjustment.

**Billing for Standby Energy:** Standby Energy is billed based on the higher of the following:

1. The Real-Time Locational Marginal Price (LMP) for the Grand Island load settlement location in the Southwest Power Pool Integrated Marketplace multiplied by the energy consumed, calculated for each interval in the billing month when the customer takes energy from the City, plus \$0.0015 per kWh (\$1.50/MWh), or
2. The Day-Ahead LMP for the Grand Island load settlement location in the Southwest Power Pool Integrated Marketplace multiplied by the energy consumed, calculated for each interval in the billing month when the customer takes energy from the City, plus \$0.0015 per kWh (\$1.50/MWh).

**Maintenance Outages:** Customer may take up to 14 days per year of maintenance outages without being billed for Actual Demand under the following conditions:

1. Outages must be scheduled at least 120 days in advance during the period of September 15 and December 1 and March 15 through May 31, with written notification provided to the City and approval or rejection provided in writing to the customer within 7 days, or
  2. During other periods as agreed-upon by the City based on weather conditions, loads, and local and regional generation availability, provided the customer must notify the City at least 14 days prior to any planned outage, with the City providing an approval or rejection within 7 days of the request.
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**Minimum Bill:** The minimum bill shall be the sum of the following:

1. Customer Charge
2. Distribution Standby Rate multiplied by the contracted standby capacity, and
3. Generation Standby Rate multiplied by the contracted standby capacity

**Specific Terms and Conditions Applicable to Standby Rate:** The following terms and conditions are specific to service provided under this rate schedule:

1. *Contract Year:* All contracts under this schedule shall be for a minimum period of one year, beginning January 1 and ending December 31, and one-year periods thereafter until terminated, where service is no longer required on 30 days' notice. Greater minimum periods may be required by contract in situations involving large or unusual loads.
2. *Meter Installation:* The City shall, at the expense of the customer, install, own, operate, and maintain the metering to measure the electric power and energy supplied to customer to allow for proper billing. Said meter will provide data based on the billing intervals used by the Southwest Power Pool Integrated Marketplace. In addition, the City will install, at the expense of the customer, a meter that measures the flow of power and energy from the customer's own generating facility (generation metering).

As a result of the electrical or physical configuration of the customer's generation facility, the City may determine that it is more practical or economical to use generation metering installed and owned by the customer rather than installing its own metering equipment. If the City, at its sole discretion, makes such a determination, then the customer-owned generation metering may be used for billing purposes, so long as such metering equipment meets the City's standards for quality and accuracy.

#### **§15-77. Economic Development Rate**

Applicable at the City's discretion in the territory served by the City of Grand Island at locations acceptable to the City who meets all the following conditions:

1. Has monthly peak demand of 1,000 kW or greater of new or expansive load.
2. New load or expansion of existing load has monthly load factor of 60% or greater.
3. Enter into an agreement with the State of Nebraska or other political subdivision to provide an economic development project under state or local laws and is in compliance with all obligations under said agreement.
4. Enter into a service agreement with the City.

5. The City determines that it has sufficient capacity available in production and transmission facilities at the location where service is requested.

**Rate:**

<b>Effective Date:</b>	<b><u>October 1, 2024</u></b>
Customer Charge, per month	\$1,000.00
Demand Charge, per kW	\$11.50/kW-month of Contract Demand
Energy Charge, per kWh	\$0.035/kWh

**Plus** the applicable Power Cost Adjustment charge (applied to energy consumption only).

<b>Effective Date:</b>	<b><u>October 1, 2025</u></b>
Customer Charge, per month	\$1,000.00
Demand Charge, per kW	\$12.00/kW-month of Contract Demand
Energy Charge, per kWh	\$0.035/kWh

**Plus** the applicable Power Cost Adjustment charge (applied to energy consumption only).

**Facility Charge:** Customer will be responsible for any capital costs as determined by an engineering and economic analysis prepared by the City and agreed to between the customer and the City.

**Minimum Bill:** The minimum monthly bill shall be sum of the Customer Charge plus Demand Charge multiplied by Contract Demand plus Facility Charge.

**Term:** Service under this rate schedule is available for a period of up to 60 months, commencing when the customer first meets the minimum 1,000 kW size and monthly load factor requirements. Any service prior to this period is under the applicable commercial rate class.

**Failure to Comply with Requirement of Economic Development Agreements:** If the customer fails to comply with the terms and conditions of any economic development agreement entered into with the State of Nebraska or other political subdivision as well as the service agreement with the City, including minimum load and monthly load factor provisions, service under this rate schedule will be suspended and customer will revert to the otherwise applicable rate schedule. The customer will remain on the otherwise applicable rate schedule until such time customer is in compliance with all terms and conditions of said agreements. If service is terminated under this provision, the customer must comply with all terms and conditions of the economic development agreements for an uninterrupted period of 12 months to restart service under this rate schedule.

**§15-78. Interruptible Service Rate**

Applicable at the City's discretion in the territory served by the City of Grand Island at locations acceptable to the City, who meets all the following conditions for customers willing to take interruptible service under the provisions of this section.

1. Take three-phase service from the City’s system at a nominal standard voltage of 13,800 volts or greater.
2. Is fully interruptible. Any firm load must be separately metered and served under the otherwise-applicable rate schedule.
3. Enter into a service agreement with a term of 5 years, agreeing to pay a minimum contract demand rate, such service commencing no more than 18 months after contract execution.
4. Customer’s load characteristics will not have a detrimental effect on City. Detrimental effects will be determined at the City’s sole discretion and may include, but are not limited to harmonics, sudden unexpected load or voltage fluctuations, an expected power factor of less than 90%, adverse impacts on other City infrastructure, a proposed load that is not consistent with City’s planning and zoning regulations, and excessive financial risk to City.
5. The City determines that it has sufficient capacity available in production and transmission facilities at the location where service is requested.

**Rate:**

**Effective Date:**

	<u><b>October 1, 2024</b></u>	
	<b>Summer</b>	<b>Winter</b>
Customer Charge, per month	\$10,000.00	\$10,000.00
Interruptible Demand Charge, per kW-month of Contract	\$5.79	\$5.79
Interruptible Demand		
Failure to Interrupt Charge, per kW-month	\$9.16	\$4.91

**Effective Date:**

	<u><b>October 1, 2025</b></u>	
	<b>Summer</b>	<b>Winter</b>
Customer Charge, per month	\$10,000.00	\$10,000.00
Interruptible Demand Charge, per kW-month of Contract	\$6.50	\$6.50
Interruptible Demand		
Failure to Interrupt Charge, per kW-month	\$9.61	\$5.21

**Energy Charge:** An Energy Charge will be assessed based on the number of kilowatt-hours consumed in any given hour multiplied by the cost of purchased energy from the Southwest Power Pool. The cost of purchased energy will be the higher of the day-ahead or real-time locational marginal price for the Grand Island load settlement location, unless City and customer agree to a price-sensitive day-ahead energy bid in which case the energy price will be the day-ahead locational marginal price for the Grand Island load settlement location, plus 0.0015 per kWh (\$1.50 per MWh).

**Facility Charge:** City may require a contribution in aid of construction based on actual cost of improvements necessary to provide interconnection to City’s 13.8 kV or 115 kV system.

— **Minimum Charge:** Customer Charge plus Firm Demand Charge multiplied by Billable Firm Demand plus Interruptible Demand Charge multiplied by Contract Interruptible Demand.

**Contract Interruptible Demand:** To be eligible for the Interruptible Demand rate, the customer must demonstrate the ability to interrupt at least 80% of its Total Contract Demand with 30 minutes notice and execute a contract specifying the Total Contract Demand and Contract Interruptible Demand. The City may interrupt service under any of the following conditions:

1. It is anticipated the City's demand in a given hour will be greater than the forecasted seasonal peak unless customer's service is interrupted.
2. The Southwest Power Pool declares an Energy Emergency Alert of any level.
3. The City experiences a facility outage or local system emergency affecting a facility that is directly necessary to serve the customer.
4. Up to an additional 50 hours per Contract Year, the City may interrupt service at its discretion for economic or operational reasons.
5. At the request of the customer, City and customer will coordinate to provide for a price-sensitive load bid to be submitted in the Day-Ahead market. A price-sensitive bid is one where the customer provides an upper limit on the hourly energy rate it is willing to pay. If the price threshold is exceeded, the customer agrees to interrupt service. In this case, the energy charge will be based on the Day-Ahead energy price.

— Customer must execute a service agreement specifying the amount of Interruptible Demand the customer will commit. Service agreements will run for a term of 12 months, beginning on June 1 of a given year (Contract Year). The service agreement will include the amount of Interruptible Demand, methodology for measuring interruptible demand, testing protocols, notification provisions, and other information necessary to administer the interruption provisions of this rate schedule. Any non-interruptible load will be connected to a separate meter and billed based on the otherwise-applicable rate schedule.

To qualify for Interruptible Demand rate, the customer must demonstrate its ability to interrupt service through an annual test using protocols established in the service agreement. The test will be performed at a randomly selected on-peak time and will last up to four hours.

If customer fails to interrupt at any time requested by the City, the customer will be obligated to pay the Failure to Interrupt Charge for the current month and the number of prior billing months customer was served by City or eleven months, whichever is lower. Further, customer will be ineligible for the Interruptible Demand rate for a period of 5 years and will have their service converted to the otherwise applicable rate schedule.

#### — **§15-79. City Dividend for Utility Ownership**

All electric services provided by the Grand Island Utilities Department will be subject to a City Dividend for Utility Ownership. The City Dividend for Utility Ownership will be set by

— resolution in the City of Grand Island Fee Schedule and calculated as a percentage of the total bill. The City Dividend for Utility Ownership will be identified as a separate line item on an electric bill and will be calculated as follows:

$$\text{City Dividend} = \text{Electric Usage Bill Before Sales Tax} * (1 - (1 / (1 - \text{City Dividend})))$$


The City Dividend for Utility Ownership will be subject to applicable sales tax.

SECTION 3. Any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed and amended.

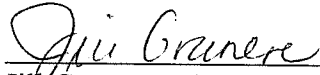
SECTION 4. The validity of any section, subsection, sentence, clause or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause or phrase thereof.

SECTION 5. That this ordinance shall be in force and take effect from and after its passage and publication, in pamphlet form, on October 1, 2024. The Ordinance shall be published in one issue of the Grand Island Independent as provided by law.

Enacted: June 11, 2024.

  
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Roger Steele, Mayor

ATTEST:

  
\_\_\_\_\_  
Jill Granere, City Clerk

