



Jody Lamar Finklea, B.C.S.
General Counsel and Chief Legal Officer
Board Certified City, County and Local Government Lawyer

FILED 5/27/2022
DOCUMENT NO. 03223-2022
FPSC - COMMISSION CLERK

VIA Electronic Filing

May 27, 2022

Florida Public Service Commission
Adam Teitzman, Commission Clerk
Office of the Commission Clerk
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: City of Newberry, Florida – Revised Net-Metering Tariff Sheets

Dear Mr. Teitzman:

This letter is submitted on behalf of the City of Newberry, Florida pursuant to Rules 25-9.05 through 25-9.071 of the *Florida Administrative Code*.

Electronically filed are the city's following net-metering rate tariff sheets in legislative and final filing formats:

- a. Eleventh Revised Sheet No. 7.0 – *Residential Service Rate Schedule – RS*;
- b. Fourth Revised Sheet No. 7.1 – *Reserved for Future Use*;
- c. Twelfth Revised Sheet No. 8.0 - *Commercial Service Rate Schedule, and*
- d. Eleventh Revised Sheet No. 9.0 – *Large Power Service Rate Schedule – LP*.

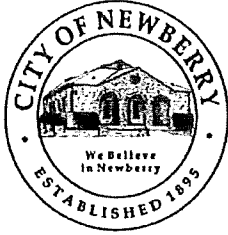
A copy of the city's Ordinance Number 2021-46 detailing the changes is also included with this filing. In preparing the tariff revisions we noted an error in a previous ordinance regarding sheet number 8.0 *Commercial Service Rate Schedule*, under "All kilowatt-hours (kWh)". That figure should have been \$0.1110 and *not* \$0.1102. The tariff being filed reflects the correct numbers.

Please contact our office if there are any questions.

Very truly yours,

/s/

Jody Lamar Finklea
General Counsel and Chief Legal Officer



CITY OF NEWBERRY

ORDINANCE NUMBER 2021-46

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA PERTAINING TO ELECTRIC UTILITY SERVICES IN THE CITY OF NEWBERRY TO AMEND AND REVISE SECTION 98-63 SUBSECTIONS 1, 2, 3, AND 8 OF THE CODE OF ORDINANCES OF THE CITY OF NEWBERRY PERTAINING TO THE ENERGY CHARGED, PROVIDING FOR CODIFICATION OF THE SAME; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Newberry provides electric utility services to residential and non-residential customers located within its service territory; and,

WHEREAS, the City desires to update Chapter 98, Article III, Section 98-63 subsections 1,2,3, and 8 of the City's Code of Ordinances pertaining to rates of service; and,

WHEREAS, the City Commission previously revised this Section via Ordinance 2020-24 in 2020; and

WHEREAS, the City Commission, being fully advised of the facts and circumstances, hereby finds it necessary and in the interest of prudent management of public assets and business affairs to revise Chapter 98, Article III, Section 98-63 of the Code of Ordinances as outlined below.

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF NEWBERRY, FLORIDA, as follows:

Section One: Chapter 98, Article III, Section 98-63 of the Newberry Code of Ordinance relating to electric utility service is hereby amended to read as follows (deletions are in ~~strike through~~ and additions are underlined):

Sec. 98-63. - Rates.

There are hereby established the following electric service rates to be charged for electric service supplied by the city:

- (1) Residential rate. This schedule is applicable to electric service throughout the entire territory served by the city to individual (single-family) residences, apartments or farms. This rate is not applicable to business houses, licensed boarding or rooming houses, or when advertised as such, educational institutions or apartment houses, except when the latter is served by a separate meter for each apartment. Single-phase motors used may be connected only at the option of the city. All of the electrical appliances to be served under this rate are subject to approval by the city.
 - a. Character of service. Energy delivered under this schedule shall be alternating current, 60 cycles, single-phase, at a normal 120/240 volts. The city may, at its option, provide three-phase 120/240 volt service if and when readily available, but only where individual motors rated at 7.5 hp or larger are connected.
 - b. Rate.

1. Customer charge per month per meter:

Single Phase \$9.50.

Three Phase \$11.00

2. Energy charge, per kWh: ~~\$.0.1010~~ \$0.1030

- (2) Commercial rate. This schedule is applicable to electric service at a single metering point throughout the entire territory served by the city for all service other than residential service and security lights.

- a. Character of service. Service to be furnished under this schedule shall be alternating current, 60 cycle, single-phase 120/240 volts or three-phase at nominal 120/208, 120/240 or 277/480 volts, at the option of city, depending upon the class of service available.

- b. Rate.

1. Customer charge: \$ per month per meter:

Single Phase \$11.00.

Three Phase \$12.00

2. Energy charge, per kWh: ~~\$0.1110~~ \$0.1130

- (3) Large power service electric rate. This schedule is applicable to electric service throughout the entire territory served by the city to those customers having an average monthly billing demands of not less than ten kW more than ten (10) kWh over the course of a twelve month period which shall be calculated during the first billing cycle of the following calendar year, when, but only when, all electric service on a given customer's premises, other than security lights, is taken and paid for under this rate schedule applied individually at one or more metering points and the currently effective general service rate schedule applied individually at each metering point. A customer requesting service under this rate schedule at a given metering point agrees to take and pay for service at the rate specified herein for at least 128 continuous months before receiving service at said metering point under any of the city's other available rate schedules.

- a. Character of service. Alternating current, 60 cycles, three-phase service will be provided at readily available voltages, as determined by the city.

- b. Rate.

1. Customer charge: \$45.00

2. Demand charge, per kW: ~~\$10.00~~ \$10.25

3. Energy charge, per kWh: ~~\$0.0690~~ \$0.0710

- c. Primary service discount. For service provided and metered at 2,400 volts or greater, but less than 69,000 volts, and where the customer owns the necessary transformation equipment, subject to a discount of two percent.

- d. Power factor adjustment. A charge will be made equal to one percent of the demand charge for each one percent the average power factor is below 90 percent lagging as

determined by a test made by the city or as indicated by a meter installed at the option of the city to measure power factor.

(8) Electric *security* service. *Security lights* will be provided upon request for a one-time installation fee of the actual cost of materials together with a rental fee in accordance with the table below:

Roadway Street Lighting	Monthly Fee
40 watt LED	\$9.00
110 watt LED	\$11.50
400 watt LED	\$14.50
100-watt HPS	\$9.00
250-watt HPS	\$13.00
400-watt HPS	\$14.50
Private Area/ Flood Lighting	
40 watt LED	\$9.00
110 watt LED	\$11.50
250 watt Flood	\$13.00
400 watt Flood	\$16.00

SECTION 2. INCLUSION IN THE CODE

It is the intention of the City Commission of the City of Newberry, Florida, and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Newberry, Florida; that the sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article" or other appropriate designation to accomplish such intention.

SECTION 3. REPEALING CLAUSE

All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent they conflict with this Ordinance, repealed.

SECTION 4. PROVIDING FOR SEVERABILITY

It is the declared intent of the Newberry City Commission that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this Ordinance and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed to be valid.

SECTION 5. EFFECTIVE DATE

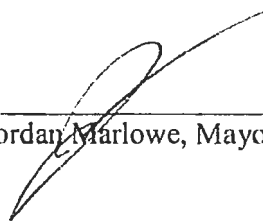
This Ordinance shall be effective immediately upon passage.

DONE THE FIRST READING, by the City Commission of the City of Newberry, Florida, at a regular meeting, this 13th day of September 2021.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Newberry, Florida, by the City Clerk of the City of Newberry, Florida on the 16th day of September 2021.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Newberry, Florida, at a regular meeting, this 27th day of September 2021.

BY THE MAYOR OF THE CITY OF
NEWBERRY, FLORIDA




Jordan Marlowe, Mayor

ATTEST, BY THE CLERK OF THE
CITY COMMISSION OF THE CITY OF
NEWBERRY, FLORIDA:



Judy S. Rice, City Clerk

APPROVED AS TO FORM AND
LEGALITY:



City Attorney

RESIDENTIAL SERVICE
RATE SCHEDULE – RS

AVAILABILITY – Service shall be available throughout the area served by the utility.

APPLICABILITY – Rate is applicable to electric service to individual (single-family) residences, apartments or farms. This rate is not applicable to business houses, licensed boarding or rooming houses, or when advertised as such, educational institutions or apartment houses, except when the latter is served by a separate meter for each apartment. Single-phase motors used may be connected only at the option of the City. All of the electrical appliances to be served under this rate are subject to approval by the City. Service provided hereunder shall not be shared or resold to others.

CHARACTER OF SERVICE – Service furnished under this schedule shall be alternating current, 60 cycles, single phase, at a normal 120/240 volts. The City may, at its option, provide three phase 120/240-volt service if and when readily available, but only where individual motors rated at 7.5 HP or larger are connected.

LIMITATIONS – Service is subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the utility. Standby and resale service not permitted.

RATE –

Customer Facilities Charge	\$9.50
Energy/Demand Charge	\$0.10 ^{100.1030}
All kilowatt hours (per kWh)	

MINIMUM CHARGE –

Per meter, per month for single-phase service	\$9.50
Per meter, per month for three-phase service	\$11.00

TERMS OF PAYMENT – Bills are due and payable when rendered and become delinquent if not paid by the 15th of the following month. On the 16th day of the following month, service will be disconnected.

FUEL ADJUSTMENT – (See Power Cost Adjustment on Sheet No. 12.0)

~~(Continued on Sheet No. 7.1)~~

Issued By: Jamie Jones
 Utilities Director

Effective: September ~~28~~²⁷, 2020~~1~~

RESIDENTIAL SERVICE
RATE SCHEDULE – RS

AVAILABILITY – Service shall be available throughout the area served by the utility.

APPLICABILITY – Rate is applicable to electric service to individual (single-family) residences, apartments or farms. This rate is not applicable to business houses, licensed boarding or rooming houses, or when advertised as such, educational institutions or apartment houses, except when the latter is served by a separate meter for each apartment. Single-phase motors used may be connected only at the option of the City. All of the electrical appliances to be served under this rate are subject to approval by the City. Service provided hereunder shall not be shared or resold to others.

CHARACTER OF SERVICE – Service furnished under this schedule shall be alternating current, 60 cycles, single phase, at a normal 120/240 volts. The City may, at its option, provide three phase 120/240-volt service if and when readily available, but only where individual motors rated at 7.5 HP or larger are connected.

LIMITATIONS – Service is subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the utility. Standby and resale service not permitted.

RATE –

Customer Facilities Charge	\$9.50
Energy/Demand Charge	\$0.1030
All kilowatt hours (per kWh)	

MINIMUM CHARGE –

Per meter, per month for single-phase service	\$9.50
Per meter, per month for three-phase service	\$11.00

TERMS OF PAYMENT – Bills are due and payable when rendered and become delinquent if not paid by the 15th of the following month. On the 16th day of the following month, service will be disconnected.

FUEL ADJUSTMENT – (See Power Cost Adjustment on Sheet No. 12.0)

Issued By: Jamie Jones
Utilities Director

Effective: September 27, 2021

City of Newberry, Florida

Fourth Revised Sheet No. 7.1
Canceling Third Revised Sheet No. 7.1

**(RESERVED FOR
FUTURE USE)**

Issued by: Jamie Jones
Utilities Director

Effective: September 27, 2021

COMMERCIAL SERVICE
RATE SCHEDULE

AVAILABILITY – Service shall be available throughout the area served by the utility.

APPLICABILITY – Rate shall be applicable to electric service from a single metering point for all service other than residential service, security lights and large power or industrial power service.

CHARACTER OF SERVICE – Service furnished under this schedule shall be alternating current 60 cycle, single phase 120/240 volts or three phase at nominal 120/208, 120/240, or 277/480 volts, at the option of the City, depending upon the class of service available.

LIMITATIONS – Service is subject to all the Rules and Regulations of this tariff and General Rules and Regulations of the utility. Standby and resale service not permitted.

RATE –

Customer Facilities Charge	\$11.00
All kilowatt-hours (kWh)	\$0.11020 <u>.1130</u>

MINIMUM CHARGE –

Customer facilities charge per meter, per month:

Single phase	\$11.00
Three phase	\$12.00

COMMERCIAL SERVICE
RATE SCHEDULE

AVAILABILITY – Service shall be available throughout the area served by the utility.

APPLICABILITY – Rate shall be applicable to electric service from a single metering point for all service other than residential service, security lights and large power or industrial power service.

CHARACTER OF SERVICE – Service furnished under this schedule shall be alternating current 60 cycle, single phase 120/240 volts or three phase at nominal 120/208, 120/240, or 277/480 volts, at the option of the City, depending upon the class of service available.

LIMITATIONS – Service is subject to all the Rules and Regulations of this tariff and General Rules and Regulations of the utility. Standby and resale service not permitted.

RATE –

Customer Facilities Charge	\$11.00
All kilowatt-hours (kWh)	\$0.1130

MINIMUM CHARGE –

Customer facilities charge per meter, per month:

Single phase	\$11.00
Three phase	\$12.00

Issued by: Jamie Jones
Utilities Director

Effective: September 27, 2021

LARGE POWER SERVICE
RATE SCHEDULE – LP

AVAILABILITY – Service shall be available throughout the area served by the utility.

APPLICABILITY – The rate shall be applicable to those customers having an average monthly billing demands of not less than more than ten kilowatts hours (10)kWh when, over the course of a twelve-month period which shall be calculated during the first billing cycle of the following calendar year, but only when, all electric service on a given customer’s premises, other than security lights, is taken and paid for under this rate schedule at a single metering point, or if through more than one metering point, then only under this rate schedule applied individually at one or more metering points and the currently effective general service rate schedule applied individually at each other metering point. Customers requesting service under this rate schedule at a given metering point agree to take and pay for service at the rates specified herein for at least eighteentwelve (1812) continuous months before receiving service at said metering point under any of the City’s other available rate schedules.

CHARACTER OF SERVICE – Alternating current, 60 cycles, three-phase service will be provided at readily available system voltages, as determined by the city.

LIMITATION – Service is subject to all the Rules and Regulations of this tariff and General Rules and Regulations of the utility. Standby and resale service not permitted.

RATE -

Customer facilities charge	\$45.00
Demand charge per kilowatt (kW)	\$10. 00 <u>25</u>
Energy charge per kilowatt-hour (kWh)	\$0. 069 <u>0710</u>

PRIMARY SERVICE DISCOUNT – For service provided and metered at 2,400 volts or greater, but less than 69,000 volts, and where the customer owns the necessary transformation equipment, account is subject to a discount of two percent (2%).

POWER FACTOR ADJUSTMENT – A charge will be made equal to one percent (1%) of the demand charge for each one percent (1%) the average power factor is below 90 percent (90%) lagging, as determined by a test made by the city, or as indicated by a meter installed at the option of the city to measure power factor.

(Continued on Sheet No. 9.1)

LARGE POWER SERVICE
RATE SCHEDULE – LP

AVAILABILITY – Service shall be available throughout the area served by the utility.

APPLICABILITY – The rate shall be applicable to those customers having an average monthly billing demand of more than ten kilowatt hours (10kWh) when, over the course of a twelve-month period which shall be calculated during the first billing cycle of the following calendar year, but only when, all electric service on a given customer’s premises, other than security lights, is taken and paid for under this rate schedule at a single metering point, or if through more than one metering point, then only under this rate schedule applied individually at one or more metering points and the currently effective general service rate schedule applied individually at each other metering point. Customers requesting service under this rate schedule at a given metering point agree to take and pay for service at the rates specified herein for at least twelve (12) continuous months before receiving service at said metering point under any of the City’s other available rate schedules.

CHARACTER OF SERVICE – Alternating current, 60 cycles, three-phase service will be provided at readily available system voltages, as determined by the city.

LIMITATION – Service is subject to all the Rules and Regulations of this tariff and General Rules and Regulations of the utility. Standby and resale service not permitted.

RATE -

Customer facilities charge	\$45.00
Demand charge per kilowatt (kW)	\$10.25
Energy charge per kilowatt-hour (kWh)	\$0.0710

PRIMARY SERVICE DISCOUNT – For service provided and metered at 2,400 volts or greater, but less than 69,000 volts, and where the customer owns the necessary transformation equipment, account is subject to a discount of two percent (2%).

POWER FACTOR ADJUSTMENT – A charge will be made equal to one percent (1%) of the demand charge for each one percent (1%) the average power factor is below 90 percent (90%) lagging, as determined by a test made by the city, or as indicated by a meter installed at the option of the city to measure power factor.

(Continued on Sheet No. 9.1)

Issued by: Jamie Jones
Utilities Director

Effective: September 27, 2021