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June 30, 2022

VIA E-FILING & FEDEX DELIVERY

Adam Teizman, Commission Clerk
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Revised Electric Tariff Sheets, Utilities Commission, City of New Smyrna
Beach, Docket # OT-2022-0000

Dear Mr. Teizman:

Please find enclosed four (4) copies of the revised electric tariff sheets for the Utilities Commission, City of New Smyrna Beach. The Utilities Commission will consider final adoption of the enclosed resolution at its July meeting. Upon approval, a signed copy of the resolution shall be forwarded to the FPSC. Please call me if you have any questions.

Very truly yours,



Thomas A. Cloud, Esquire

GrayRobinson, P.A.

TAC/jg

Enclosures

cc: Elisabeth Draper, Chief of Economic Impact & Rate Design, PSC (w/ encl. via email)
Tripp Coston, Economic Supervisor, Economic Impact, PSC (w/ encl. via email)
Efren Chavez, Chief Financial Officer, UCNSB (w/ encl. via email)
Julie Couillard, Chief Engineering Officer, UCNSB (w/ encl. via email)
Joseph Bunch, Chief Executive Officer & General Manager, UCNSB (w/ encl. via email)
Randy Halley, Summit Utility Advisors (w/ encl. via email)

RESOLUTION NO. 2022-01

A RESOLUTION OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; MODIFYING RATES, CHARGES, AND FEES RELATED TO ELECTRIC SERVICE; PROVIDING FINDINGS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS AND INTENT. The Utilities Commission, City of New Smyrna Beach, Florida (the "Utilities Commission") makes the following findings and declares the following legislative intent:

(1) The Utilities Commission is a public authority, political subdivision, and part of the government of the Utilities Commission possessed of powers granted by Special Acts of the Florida Legislature, to wit, Chapter 67-1754, Laws of Florida (1967), as amended by Chapter 85-503, Laws of Florida (1985), which shall be collectively referred to as the "Special Acts."

(2) The Utilities Commission has the exclusive authority over the management, operations and control of all the Utilities Commission's utilities and the authority to prescribe rules and regulations governing the use of such facilities, wherever such are provided by the Utilities Commission and to make such changes from time to time in its rules and regulations as it deems necessary.

(3) The Special Acts have granted the Utilities Commission the full and exclusive power and authority to prescribe rules, rates, and regulations governing the sale and use of any Utilities Commission utilities, including the right to acquire or condemn various utility systems and facilities for such purposes.

(4) The Florida Supreme Court has previously found that Utilities Commission also derives authority and standards laid down in § 180.13(2), Florida Statutes, pertaining to municipal public works and § 184.09(1) (b), Florida Statutes, governing municipal utility financing, requires cities fix rates that are just and reasonable for utility services. See *Cooksey v. Utilities Commission*, 261 So.2d 129 (Fla. 1972).

(5) Pursuant to the Special Acts and other Florida law, the Utilities Commission owns, operates, and manages an electric distribution system on behalf of the City of New Smyrna Beach and the Utilities Commission's customers within an exclusive service territory pursuant to its governmental powers and other law.

(6) As a municipal electric utility, the Utilities Commission has the authority and duty to establish and modify electric user rates, charges, and fees for the Utilities Commission's electric system.

(7) The Utilities Commission previously adopted new electric rates, fees, and charges pursuant to Resolution No. 2021-07 effective October 1, 2021, based upon a rate

study performed by Raftelis and other subconsultants (the "Rate Consultants") to analyze existing rates, charges, fees and to ensure adequate revenues to cover the costs of the Utilities Commission's electric utility system.

(8) Since that time, the Rate Consultants made recommendations to the Utilities Commission regarding updated lighting rate schedules and a new Electric Vehicle ("EV") pilot program rate schedule. The updated lighting rate schedules reflect current lighting technology and the corresponding materials and resource costs. The Utilities Commission established a pilot electric vehicle charging program at select locations within the City of New Smyrna Beach and this EV rate schedule was established for that program.

(9) The Utilities Commission has provided the requisite public notice and held the necessary public hearings under its rules of procedure and applicable state law in order to adopt this resolution and implement the updated lighting rates.

SECTION 2. ADOPTION OF MODIFIED TARIFF; AUTHORIZATION TO FILE WITH FLORIDA PUBLIC SERVICE COMMISSION. The Utilities Commission hereby adopts the modified Tariff set forth in Exhibit "A" attached to and incorporated in this Resolution. To ensure compliance with the Florida Public Service Commission (FPSC) rules, the Utilities Commission has previously authorized and hereby ratifies authorization to the Utilities Commission General Counsel to file this modified Tariff with the FPSC. The modified Tariff is intended to reflect the rates, terms and conditions contained in this Resolution. The modified Tariff shall take effect on August 1, 2022, following receipt of the filing thereof with the FPSC.

SECTION 3. SEVERABILITY. If any provision or portion of this Resolution is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

SECTION 4. REPEAL OF INCONSISTENT RESOLUTIONS. All resolutions and portions of resolutions in conflict herewith are hereby repealed.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption; however, the rates, fees, and charges set forth in this Resolution shall take effect upon August 1, 2022.

(Remainder of page left intentionally blank.)

THIS RESOLUTION was introduced at a regular meeting of the Utilities Commission, Utilities Commission of New Smyrna Beach, Florida, held this _____ day of _____, 2022, by Commissioner _____ who moved for its adoption, which motion was seconded by Commissioner _____, and upon roll call vote of the Commission was **DULY ADOPTED** as follows:

CHAIRMAN _____

VICE CHAIRMAN _____

SECY.-TREAS. _____

ASST. SECY.-TREAS. _____

COMMISSIONER _____

APPROVED:

ATTEST:

James "Buddy" Davenport, Chairman

Lillian Conrad, Secretary-Treasurer

APPROVED AS TO FORM & LEGALITY:

Thomas A. Cloud, General Counsel

INDEX OF RATES
Schedules

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FPPCAC	Fuel and Purchased Power Cost Adjustment Clause	8.0
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RATE SCHEUDLE SL-3

PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING ELECTRIC SERVICE RATE SCHEDULE

The Utilities Commission shall charge and collect for residential electric service energy based on the availability, application, type of service, monthly rate, fuel and purchased power cost adjustment clause and tax adjustment clause.

AVAILABILITY

This schedule is available throughout the entire territory served by the Utilities Commission, City of New Smyrna Beach, Florida. Availability may be limited due to inaccessibility by Utilities Commission equipment and personnel.

TYPE OF SERVICE

Service includes installation, lamp replacement, maintenance, and removal. The Utilities Commission will maintain its facilities during regular working hours, but does not guarantee continuous lighting and will not be liable for damages for any interruption, deficiency or failure of service, and reserves the right to interrupt service at any time for necessary repair to lines and equipment or system protection. The Utilities Commission shall be permitted to enter the customer's property at reasonable times for the purpose of inspecting, maintaining, installing and removing any of its equipment and facilities. The Utilities Commission will not be liable for damages occurring during installation, maintenance, or removal. The customer will be responsible for tree trimming and removing other vegetation that obstructs Utilities Commission vehicles and personnel. Willful damage to any Utilities Commission owned facilities by the customer will require full restitution by the customer.

TYPE OF INSTALLATION

Streetlights will normally be installed on Utilities Commission existing distribution system poles and fed from existing wires. The installation of any new distribution facilities and/or alterations to existing facilities to serve new streetlights will require a Contribution-in-Aid-of-Construction (CIAC) paid in advance.

Streetlights installed in existing or planned underground distribution areas will require customer trenching and conduit installation according to Utilities Commission drawings and specifications. The customer will also install Utilities Commission supplied equipment necessary to complete the conduit system. The Utilities Commission will install the electrical system, streetlight poles and fixtures. A Contribution-in-Aid-of-Construction (CIAC) paid in advance will be required.

CUSTOMER CONTRIBUTIONS

Contribution-in-Aid-of-Construction (CIAC) - The installation cost of any new distribution system and/or alterations to existing facilities to serve streetlights will require a CIAC payment from the requesting customer equal to the total Utilities Commission cost paid in advance.

(Continued on Fifteenth Revised Sheet No. 7.1)

(Continued from Thirteenth Revised Sheet No. 7.0)

RATE SCHEDULE SL-3

PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING ELECTRIC
SERVICE RATE SCHEDULE (Cont.)

MONTHLY RATES

LIGHT FIXTURES

<u>High Pressure Sodium Vapor (HPS)</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Open Bottom	120	100	49	\$4.35	\$3.28	\$7.63
Contempo	120	100	47	\$4.17	\$5.84	\$10.01
Acorn	120	100	47	\$4.17	\$7.54	\$11.71
Cobra/Cutoff	120	100	47	\$4.17	\$3.70	\$7.87
Cobra/Cutoff	120	250	108	\$9.57	\$3.80	\$13.37
Contempo	120	250	108	\$9.57	\$6.20	\$15.77
Wall Lighter	120	100	47	\$4.17	\$3.67	\$7.84
Top Mounting	480	100	47	\$4.17	\$4.52	\$8.69
Acorn	480	150	69	\$6.12	\$11.87	\$17.99
Wall Lighter	480	150	69	\$6.12	\$5.31	\$11.43
FDOT/Harris M. Saxon Bridge	480	150	69	\$6.12	\$4.26	\$10.38
FDOT/Martin Luther King Bridge	480	150	69	\$6.12	\$6.01	\$12.13
Cobra	480	150	69	\$6.12	\$4.29	\$10.41
Cobra - DOT 6' Mast	480	250	108	\$9.57	\$4.67	\$14.24
Cobra - DOT 10' Mast	480	250	108	\$9.57	\$4.87	\$14.44
<u>Metal Halide (MH)</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Providence	120	150	69	\$6.12	\$14.42	\$20.54
Providence	120	250	106	\$9.40	\$15.56	\$24.96
<u>Mercury Vapor (MV)*</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Cobra	120	175	77	\$6.83	\$3.52	\$10.35
Cobra	120	400	160	\$14.19	\$3.54	\$17.73
*Closed service schedule; available only to existing customers at existing locations as of October 1, 1982.						
<u>Light Emitting Diode (LED)</u>	<u>Voltage</u>	<u>Watts</u>	<u>kWh</u>	<u>Energy</u>	<u>Maintenance</u>	<u>Fixture Monthly Rate</u>
Open Bottom	120	45	16	\$1.42	\$2.43	\$3.85
Contempo	120	55	20	\$1.77	\$5.52	\$7.29
Acorn	120	55	20	\$1.77	\$8.41	\$10.18
Cobra/Cutoff	120	55	20	\$1.77	\$2.63	\$4.40
Cobra/Cutoff	120	138	50	\$4.44	\$3.08	\$7.52
Fixture Equivalent-150 HPS	480	78	28	\$2.49	\$2.68	\$5.17
Fixture Equivalent-250 HPS	480	138	50	\$4.44	\$3.21	\$7.65
Providence 100W	120	55	20	\$1.77	\$11.85	\$13.62
Providence 250W	120	138	50	\$4.44	\$17.11	\$21.55

Monthly rates for each fixture based on energy charge plus maintenance.
Energy charge is the kWh x base energy charge; does not include fuel adjustment.
Maintenance is the replacement costs of the fixture, lamp, and photocell.

MISCELLANEOUS MONTHLY RATES (Rates Based on Replacement Cost)

Turtle Shield - \$0.81

Black Double Bracket - \$2.95

(Continued on Twelfth Revised Sheet No. 7.2)

(Continued from Fifteenth Revised Sheet No. 7.1)

RATE SCHEDULE SL-3

PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING ELECTRIC
SERVICE RATE SCHEDULE (Cont.)

MONTHLY RATES (Cont.)

POLES/DOUBLE BRACKETS

Type	Height	Pole Monthly Rate
Wood	30	\$1.73
Wood	35	\$1.83
Wood	40	\$2.28
Concrete (Ameron Green)	16	\$5.74
Concrete	20	\$3.95
Concrete	30	\$2.84
Concrete	35	\$3.01
Concrete	40	\$3.42
Aluminum	16	\$3.60
East Canal Street	12	\$15.06
CRA Canal St Parking Lot	15	\$18.51
Flagler Avenue Bridge	25	\$30.90
S.R.44, 3 rd Avenue	30	\$7.48
Concrete (Ameron Black)	17	\$8.23
Concrete Black	20	\$5.59
Concrete (Ameron Green)	13	\$5.14
Concrete (Ameron Black)	24	\$8.47
Monthly rates based on replacement costs.		

INSTALLATION RATES

FIXTURES			POLES/DOUBLE BRACKET		
Type	Watts	Installation Costs	Type	Height	Installation Costs
High Pressure Sodium (HPS):			Wood	30	\$351.55
Open Bottom	100	\$344.82	Wood	35	\$380.55
Contempo	100	\$741.35	Wood	40	NLA
Acorn	100	NLA	Concrete (Ameron Green)	16	\$1,473.60
Cobra/Cutoff	100	\$410.80	Concrete	20	NLA
Cobra/Cutoff	250	\$424.30	Concrete	30	NLA
Contempo	250	\$760.85	Concrete	35	NLA
Wall Lighter	100	NLA	Concrete	40	NLA
Top Mounting	100	NLA	Aluminum	16	\$656.10
Acorn	150	NLA	East Canal Street	12	NLA
Wall Lighter	150	NLA	CRA Canal St. Pkg. Lot	15	NLA
FDOT/Harris M. Saxon Bridge	150	NLA	Flagler Avenue Bridge	25	NLA
FDOT/Martin Luther King Bridge	150	NLA	S.R. 44, 3 rd Avenue	30	NLA
Cobra 480 V	150	\$500.30	Concrete (Ameron Black)	17	\$2,111.98
Cobra 480 V - DOT 6' Mast	250	NLA	Concrete Black	20	NLA
Cobra 480 V- DOT 10' Mast	250	NLA	Concrete (Ameron Green)	13	\$1,319.52
Metal Halide (MH):			Concrete (Ameron Green)	24	\$2,173.60
Providence	150	NLA	Double Bracket (Providence)		\$651.32
Providence	250	NLA	NLA = No Longer Available		

(Continued on Third Revised Sheet No. 7.3)

(Continued from Twelfth Revised Sheet No. 7.2)

RATE SCHEDULE SL-3

PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING ELECTRIC SERVICE RATE SCHEDULE (Cont.)

FIXTURES (Cont.)		
Type	Watts	Installation Cost
Light Emitting Diodes (LED):		
Open Bottom	45	\$350.55
Contempo	55	\$891.10
Acorn	55	\$1,382.13
Cobra/Cutoff	55	\$415.55
Cobra/Cutoff	138	\$490.55
Fixture Equivalent-150 HPS	78	\$400.55
Fixture Equivalent-250 HPS	138	\$510.55
Providence 100W	55	\$1,946.10
Providence 250W	138	\$2,810.10

MISCELLANEOUS INSTALLATION COSTS - Turtle Shield - \$97.77

FUEL AND PURCHASED POWER COST ADJUSTMENT CLAUSE

The amount computed at the above monthly rate shall be adjusted plus or minus by an amount calculated in accordance with the formula specified in the Utilities Commission’s Fuel and Purchased Power Cost Adjustment Clause which is a part of the “Monthly Rate” of this rate schedule. The Monthly Fuel and Purchased Power Cost Adjustment charges, if any, will be determined as follows:

$$\text{Daily kWh usage} \times \text{days in billing period} \times \text{monthly energy cost adjustment factor (expressed dollars per kWh)}$$

TAX ADJUSTMENT CLAUSE

Electric service under this schedule is subject to the provisions of the Tax Adjustment Clause.

TERMS OF PAYMENT

The terms of payment shall be in accordance with the provisions set forth on Sheet No. 4.0.

RATE SCHEDULE PCEV

**UTILITIES COMMISSION OWNED PUBLIC CHARGING FOR ELECTRIC VEHICLES
(PILOT PROGRAM)**

AVAILABILTY AND APPLICABILITY

Any customer charging electric vehicles (EVs) at a Utilities Commission (UC) owned public charging station (Stations) installed throughout the Utilities Commission's service area.

APPLICATION

The Stations may be accessed by any person (User) who resides either within or outside the Utilities Commission's service area. The Stations will be accessible to the public for charging EVs.

LIMITATION OF SERVICE

The User must register an account with an EV charging station network provider, including payment information, prior to charging the EV.

BILLING AND PAYMENT TERMS

The current rate is set at \$0.35/kWh. Charging network fees as determined by the charging station network provider will apply at the stations and are over and above the UC's current rate per kWh. Vehicle idling fees at a rate up to \$0.40 per minute following a fifteen-minute grace period may apply at certain stations located in highly trafficked areas. The rates applicable to the Stations including the rate per kWh, taxes and charging network provider and idle fees will be visible to the User via the network provider mobile application and/or Stations display. Users will be notified when the charging session is complete via the display located at the Stations and through the network provider's mobile application and will have the ability to obtain a detailed receipt of the charge session.