

ORDINANCE NO. 504

AN ORDINANCE OF THE CITY OF FRIEND, SALINE COUNTY, NEBRASKA, PASSING AND ADOPTING NEW ELECTRIC ENERGY RATES; AMENDING CHAPTER XI, UTILITIES, ARTICLE I, ELECTRIC SERVICE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; DIRECTING THE PUBLICATION THEREOF IN THE FRIEND SENTINEL NEWSPAPER ON THURSDAY, FEBRUARY 10, 1994; AND PROVIDING THAT THE RATES THEREIN BE UTILIZED FOR ELECTRICAL BILLINGS THEREAFTER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FRIEND:

1. Chapter XI, Utilities, Article I, Electric Service, is amended as follows:

SECTION 11-101 ORDINANCE PART OF CONSUMER'S CONTRACT

The City of Friend, Saline County, Nebraska, shall furnish electric current for light, heating, cooking and power purposes to persons whose premises abut on any supply wire of the distributing system of this city. The rules and regulations and rates for electric service, hereinafter named, shall be considered a part of the contract with every person, company or corporation who is supplied with electric service through the electric distribution system of this city and every such person, company or corporation by taking electric service therefrom shall be considered and held to consent to be bound thereby, and whenever any of such rules and regulations are violated, or such others as said city or its Light Commissioner may hereafter adopt, the electric current shall be cut off from the building or place of such violation, even though two or more parties may receive current through the same line, and shall not be turned on again except by order of the Light Commissioner, and on payment of the fee for shutting off and turning on, and upon such other terms as said Light Commissioner shall determine, and upon a satisfactory understanding with the party that no further cause for complaint shall arise and in case of violation, the Light Commissioner shall have the right to declare any payment made for electric current by the person committing such violation forfeited and the same shall thereupon be forfeited.

SECTION 11-102 APPLICATION FOR ELECTRIC SERVICE REQUIRED;  
CONTENTS; CONNECTIONS, SUPPLY WIRES AND  
METERS FURNISHED BY CITY; SERVICE DEPOSIT  
REQUIRED OF CONSUMER; SAME, REFUND; METER  
TAMPERING, STEALING CURRENT.

Every person desiring a supply of electric current must make application therefor to the Light Commissioner upon blanks to be furnished for that purpose by said city, which application shall be made to the cashier and bookkeeper of the Water and Light Departments at the Water and Light office in the City Hall, or at such other place as the Mayor and Council shall from time to time designate by resolution. The application must state truly and fully all the uses to which said electric current is to be applied and no additional use will be allowed except by permission of said commissioner. When such application shall be made for electric service to said cashier, the City of Friend will run, or cause to be run, supply wire or wires to building or buildings of consumer, if the same are located on premises abutting the distribution system of this city. Applicants for electric service shall be required to accompany their application with a service deposit of not less than Sixty-Five Dollars (\$65.00) to any customer, whether a new customer or one moving from a prior Friend residence, so as to make all future deposits the same for all customers; that no interest shall be paid on utility deposits; that the purpose of utility deposits is to insure the payment of light bills and other charges; Provided however, if electric service is to be used for power purposes and external transformers must necessarily be installed to furnish said electric current for power purposes, then, in that event, the service deposit shall be such amount as the Light Commissioner in each instance shall determine. All meters required for providing applicant with electric service shall be furnished, shall be set in place and shall remain the property of said city. All service deposits shall be refunded to consumer when service is no longer desired subject to conditions as hereinafter provided. All such supply wires shall be considered the property of the City of Friend, Nebraska. Not more than one house or building shall be supplied from one connection to take current for residence or commercial lighting purposes as power rates, nor shall any lighting apparatus be attached or suffered to remain attached to any power meter. It shall be unlawful for any person to employ any scheme, device or contrivance for the purpose of evading the proper service and registration of any meter or to employ any scheme or device whereby he may obtain current which does not pass through the meter furnished him by the

Light Commissioner. Finding lighting apparatus attached to a power meter or any device in or near any meter which causes the same to register incorrectly shall be prima facie evidence of the intent of the occupier of said premises, or of said consumer, to convert electric current to his own use, which is hereby declared unlawful, and the person convicted or violation of the same shall be punished as hereinafter provided; and, if it shall appear to the Light Commissioner that any light or power meter shall have been tapped or tampered with, he is hereby empowered to install or cause to be installed, at consumer's expense, a meter installed in iron conduit mechanically sealed in closed meter box accessible only to Light Commissioner or his agents. In addition to all other charges provided for by these Ordinances, there shall be a Five Dollar (\$5.00) charge for reading a meter between regular monthly readings, for example, when ownership of property changes hands or some new tenant assumes the responsibility for the electrical service.

SECTION 11-103 METERS, WHEN READ; STATEMENTS, HOW RENDERED; BILLS, WHEN DUE, WHEN DELINQUENT; DISCOUNT FOR PROMPT PAYMENT; SERVICE WHEN SHUT OFF; RESUMPTION FEE.

The City Electrician and Light Commissioner, or his personnel under his supervision shall between the 19th day of the month during which electric service is rendered and the first day of the succeeding month read and have examined and read all meters of consumers of electric service from the electrical distribution system of the City of Friend. Said Commissioner shall deliver or cause to be delivered to the City Clerk of the City of Friend all electric meter readings as and when made for billing. The Clerk shall not mail any statements to customers, unless specifically ordered to do so by resolution of the Mayor and City Council. All electric consumers and receivers of electric service shall pay in net cash to the Clerk of the City at the City Hall, the amount due to the City of Friend for electric service rendered. No discount, rebate or refund shall be given to any customer or receiver of electric service, provided that the Mayor and Council of the City of Friend may by resolution authorize a discount, rebate or refund at such time and in such cases as they in their sole discretion shall determine and specifically authorize. If the consumer shall neglect or refuse to pay his bill or account on or before the 10th day of the month following that in which electric service was rendered and received, the same shall be considered delinquent and the Clerk shall notify the Light Commissioner who shall

discontinue and disconnect the electric service from the premises on which the account is delinquent until such delinquent bill is paid in full, together with a fee of Ten Dollars (\$10.00) for resumption of service from 8:00 o'clock A.M. to 5:00 o'clock P.M. and Twenty Dollars (\$20.00) between 5:00 o'clock P.M. and 8:00 o'clock A.M.

SECTION ?????

ELECTRIC SERVICE RATES

THE RATE OF CHARGE FOR ELECTRIC SERVICE RENDERED BY THE CITY OF FRIEND, SHALL BE BASED ON THE MONTHLY CONSUMPTION BY EACH CONSUMER AND PERSON RECEIVING ELECTRIC SERVICE FROM AND THROUGH THE DISTRIBUTION SYSTEM OF THE CITY OF FRIEND. THE SCHEDULE OF RATES HEREBY IS AS FOLLOWS:

**(A) RATE #1--RESIDENTIAL WINTER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS, FOR LIGHTING, REFRIGERATION, ELECTRICAL APPLIANCES OF ALL KINDS, MOTORS OF ONE HORSEPOWER RATED CAPACITY OR LESS, AND CERTAIN RANGES AND HEATERS NOT HEREINAFTER SPECIFICALLY ENUMERATED UNDER ANY OTHER RESIDENTIAL RATE FOR THE WINTER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.05992
OVER 750 KWH	\$0.04312

**(B) RATE #2--RESIDENTIAL SUMMER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS, FOR LIGHTING, REFRIGERATION, ELECTRICAL APPLIANCES OF ALL KINDS, MOTORS OF ONE HORSEPOWER RATED CAPACITY OR LESS, AND CERTAIN RANGES AND HEATERS NOT HEREINAFTER SPECIFICALLY ENUMERATED UNDER ANY OTHER RESIDENTIAL RATE FOR THE SUMMER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.05992
OVER 750 KWH	\$0.05146

**(C) RATE #3--RESIDENTIAL SPACEHEAT WINTER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS WITH AT LEAST 3KW OF PERMANENTLY CONNECTED HOUSE HEAT FOR THE WINTER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.05992
OVER 750 KWH	\$0.03500

**(D) RATE #4--RESIDENTIAL SPACEHEAT SUMMER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS WITH AT LEAST 3KW OF PERMANENTLY CONNECTED HOUSE HEAT FOR THE SUMMER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.05992
OVER 750 KWH	\$0.04630

(E) **RATE #5--RESIDENTIAL WATER HEAT WINTER**  
APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS WITH PERMANENTLY INSTALLED ELECTRIC WATER HEATERS FOR THE WINTER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.04815
OVER 750 KWH	\$0.04312

(F) **RATE #6--RESIDENTIAL WATER HEAT SUMMER**  
APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS WITH PERMANENTLY INSTALLED ELECTRIC WATER HEATERS FOR THE SUMMER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.04815
OVER 750 KWH	\$0.05146

(G) **RATE #7--RESIDENTIAL ALL ELECTRIC WINTER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS WHERE ELECTRICITY IS THE PRINCIPAL SOURCE OF SPACE AND WATER HEATING FOR THE WINTER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.04815
OVER 750 KWH	\$0.03500

(H) **RATE #8--RESIDENTIAL ALL ELECTRIC SUMMER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR PRIVATE DWELLINGS WHERE ELECTRICITY IS THE PRINCIPAL SOURCE OF SPACE AND WATER HEATING FOR THE SUMMER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 250 KWH	\$0.08855
NEXT 500 KWH	\$0.04815
OVER 750 KWH	\$0.04630

**(I) RATE #9 COMMERCIAL (TAXABLE) WINTER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR ALL PURPOSES NOT PREVIOUSLY IDENTIFIED AS RESIDENTIAL PRIVATE DWELLINGS, OR IDENTIFIED FOR A SPECIFIC RATE HEREAFTER ESTABLISHED BY THE CITY OF FRIEND. FOR USE DURING THE WINTER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING**	\$2.00000
FIRST 500 KWH	\$0.11398
NEXT 500 KWH	\$0.06944
NEXT 2000 KWH	\$0.06749
OVER 3000 KWH	\$0.05346

\*\*MINIMUM BILL: APPLICABLE TO CUSTOMERS CONNECTED TO OR REQUIRING ELECTRIC ENERGY TO BE SUPPLIED TO VARIOUS MOTOR LOADS AND OTHER POWER EQUIPMENT IN EXCESS OF 25 HORSEPOWER. THE MINIMUM MONTHLY CHARGE SHALL BE 50 CENTS PER HORSEPOWER PER MONTH OF THE TOTAL MOTOR LOAD EXCLUDING INDIVIDUAL SINGLE-PHASE MOTORS WITH A RATING OF THREE (3) HORSEPOWER OR LESS. NO CHARGE WILL BE ASSESSED FOR THE FIRST 25 HP.

**(J) RATE #10 COMMERCIAL (TAXABLE) SUMMER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR ALL PURPOSES NOT PREVIOUSLY IDENTIFIED AS RESIDENTIAL PRIVATE DWELLINGS, OR IDENTIFIED FOR A SPECIFIC RATE HEREAFTER ESTABLISHED BY THE CITY OF FRIEND. FOR USE DURING THE SUMMER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING**	\$2.00000
FIRST 500 KWH	\$0.11398
NEXT 500 KWH	\$0.07179
NEXT 2000 KWH	\$0.06977
OVER 3000 KWH	\$0.05527

\*\*MINIMUM BILL: APPLICABLE TO CUSTOMERS CONNECTED TO OR REQUIRING ELECTRIC ENERGY TO BE SUPPLIED TO VARIOUS MOTOR LOADS AND OTHER POWER EQUIPMENT IN EXCESS OF 25 HORSEPOWER. THE MINIMUM MONTHLY CHARGE SHALL BE 50 CENTS PER HORSEPOWER PER MONTH OF THE TOTAL MOTOR LOAD EXCLUDING INDIVIDUAL SINGLE-PHASE MOTORS WITH A RATING OF THREE (3) HORSEPOWER OR LESS. NO CHARGE WILL BE ASSESSED FOR THE FIRST 25 HP.

**(K) RATE #11 COMMERCIAL (NON-TAXABLE) WINTER**

NOTE: RATE #9 WILL BE USED FOR THIS APPLICATION.

**(L) RATE #12 COMMERCIAL (NON-TAXED) SUMMER**

NOTE: RATE #10 WILL BE USED FOR THIS APPLICATION



**(M) RATE #13 COMMERCIAL SPACE-HEAT WINTER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR A CUSTOMER THAT HAS BEEN PREVIOUSLY IDENTIFIED FOR A PARTICULAR COMMERCIAL RATE AND HAS INSTALLED A TYPE OF ELECTRIC HEAT THAT IS SEPARATELY METERED FROM ALL OTHER ELECTRICAL USAGE. THIS RATE SHALL APPLY FOR THE WINTER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 50 KWH	\$0.09610
NEXT 150 KWH	\$0.03610
OVER 200 KWH	\$0.03030

**(N) RATE #14 COMMERCIAL SPACE-HEAT SUMMER**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR A CUSTOMER THAT HAS BEEN PREVIOUSLY IDENTIFIED FOR A PARTICULAR COMMERCIAL RATE AND HAS INSTALLED A TYPE OF ELECTRIC HEAT THAT IS SEPARATELY METERED FROM ALL OTHER ELECTRICAL USAGE. THIS RATE SHALL APPLY FOR THE SUMMER BILLING PERIOD.

CUSTOMER CHARGE	\$2.00000
MINIMUM BILLING	\$2.00000
FIRST 50 KWH	\$0.11270
NEXT 150 KWH	\$0.04700
OVER 200 KWH	\$0.03950

**(O) RATE #15 COMMERCIAL NON-TAXED SPACE-HEAT WINTER**

NOTE: RATE #13 WILL BE USED FOR THIS APPLICATION.

**(P) RATE #16 COMMERCIAL NON-TAXED SPACE-HEAT SUMMER**

NOTE: RATE #14 WILL BE USED FOR THIS APPLICATION

**(Q) RATE #17 OFF-PEAK IRRIGATION**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR YEAR-ROUND IRRIGATION SERVICE TO CUSTOMERS WHO WILL CONTRACT FOR FIVE HORSEPOWER (5HP) OR MORE WHEN ALL ENERGY IS SUPPLIED THROUGH A SINGLE METER AND IS ONLY USED DURING OFF-PEAK SERVICE HOURS.

\$10.31 PER HORSEPOWER CONNECTED PER YEAR, PAYABLE WITH THE FIRST BILLING AFTER MAY 1ST OF EACH YEAR.

\$0.05640 PER KILOWATT-HOUR (KWH) FOR ALL ENERGY USED.

NOTE: ALL CUSTOMERS COMING INTO CONTRACT WITH THE CITY OF FRIEND FOR THIS PARTICULAR RATE WILL BE ALLOWED TO USE ENERGY ONLY DURING OFF-PEAK SERVICE HOURS AS DEFINED BY THE LIGHT COMMISSIONER. THIS OFF-PEAK DEFINITION WILL BE BASED UPON INFORMATION PROVIDED TO THE CITY OF FRIEND BY IT'S ELECTRICAL SUPPLIER AND WILL BE PASSED-ON TO THE CUSTOMER BY VERBAL COMMUNICATIONS.



**(R) RATE #18 ON-PEAK IRRIGATION**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR YEAR-ROUND IRRIGATION SERVICE TO CUSTOMERS WHO WILL CONTRACT FOR FIVE HORSEPOWER (5HP) OR MORE WHEN ALL ENERGY IS SUPPLIED THROUGH A SINGLE METER AND HAVE NOT REACHED AN AGREEMENT WITH THE CITY OF FRIEND TO OPERATE ONLY DURING OFF-PEAK HOURS OR HAVE DISREGARDED OR VIOLATED SUCH AN AGREEMENT.

\$20.44 PER HORSEPOWER CONNECTED PER YEAR, PAYABLE WITH THE FIRST BILLING AFTER MAY 1ST OF EACH YEAR.

\$0.06750 PER KILOWATT-HOUR (KWH) FOR ALL ENERGY USED.

**(S) RATE #19 HOSPITAL**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR YEAR-ROUND USE PERTAINING TO THE OPERATION OF A HOSPITAL.

\$.04485 PER KILOWATT-HOUR (KWH) FOR ALL ENERGY USED.

NOTE: THIS RATE WILL BE INCREASED 15% EFFECTIVE FEB. 15TH 1994. THIS RATE WILL HENCEFORTH BE RAISED 15% EFFECTIVE JAN. 15, 1995 AND WILL THEN BE ADJUSTED TO MEET WHOLESALE COST RATES EFFECTIVE JAN. 15, 1996. THEREAFTER THIS PARTICULAR RATE WILL BE ADJUSTED EFFECTIVE ON THE FIFTEENTH DAY OF JANUARY OF EACH FOLLOWING YEAR TO BE NOT LESS THAN THE WHOLESALE COST RATES INCURRED BY THE CITY OF FRIEND, LIGHT DEPT.

**(T) RATE #20 CITY TAXABLE METERS**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR YEAR-ROUND USE BY VARIOUS DEPARTMENTS OPERATED BY THE CITY OF FRIEND WHICH ARE REQUIRED BY FEDERAL AND STATE LAWS TO PAY TAXES.

\$0.05190 PER KILOWATT-HOUR (KWH) FOR ALL ENERGY USED.

NOTE: THIS RATE WILL BE ADJUSTED EFFECTIVE ON THE FIFTEENTH DAY OF JANUARY FOR EACH FOLLOWING YEAR TO BE NOT LESS THAN WHOLESALE COST WHICH ARE INCURRED BY THE CITY OF FRIEND, LIGHT DEPARTMENT.

**(T) RATE #21 CITY NON-TAXABLE METERS**

APPLICABLE TO ELECTRIC ENERGY SUPPLIED FOR YEAR-ROUND USE BY VARIOUS DEPARTMENTS OPERATED BY THE CITY OF FRIEND WHICH ARE NOT REQUIRED BY FEDERAL AND STATE LAWS TO PAY TAXES.

\$0.05190 PER KILOWATT-HOUR (KWH) FOR ALL ENERGY USED.

NOTE: THIS RATE WILL BE ADJUSTED EFFECTIVE ON THE FIFTEENTH DAY OF JANUARY FOR EACH FOLLOWING YEAR TO BE NOT LESS THAN WHOLESALE COST WHICH ARE INCURRED BY THE CITY OF FRIEND, LIGHT DEPARTMENT.

**(U) GENERAL TERMS AND CONDITIONS APPLICABLE SPECIFICALLY TO SPACEHEATING SERVICE**

- (1) ALL SPACE HEATERS LARGER THAN 1,650 WATTS SHALL BE DESIGNED TO OPERATE AT 240 VOLTS.
- (2) NO INDIVIDUAL THERMOSTAT OR OTHER SWITCHING DEVICE SHALL HAVE A CONNECTED LOAD IN EXCESS OF 10 KILOWATTS UNLESS SUCH INSTALLATION IS SPECIFICALLY APPROVED BY THE CITY ELECTRICIAN OR LIGHT COMMISSIONER IN WRITING AFTER PERSONAL EXAMINATION OF THE CONDITIONS IN EFFECT ON CONSUMERS PREMISES.
- (3) IN CASE OF PERMANENTLY INSTALLED ALL ELECTRIC EQUIP. WHICH IS ALSO USED FOR BOTH HEATING AND COOLING (HEAT PUMPS) ELECTRICAL SERVICE WILL BE PROVIDED FOR SUCH EQUIPMENT UNDER THE APPLICABLE SPACE HEATING SCHEDULE OF RATES.

**(V) GENERAL TERMS AND CONDITIONS APPLICABLE TO WATER HEATING SERVICES**

- (1) THE TOTAL OF THE HEATING ELEMENTS OF THE ELECTRIC WATER HEATER THAT MAY BE OPERATED AT ANY ONE TIME SHALL NOT BE IN EXCESS OF 4,500 WATTS AND IN NO EVENT MORE THAN 115 WATTS PER GALLON OF TANK CAPACITY.

**(W) GENERAL TERMS AND CONDITONS APPLICABLE TO WINTER AND /OR SUMMER RATES**

- (1) THE WINTER BILLING PERIOD SHALL BE DEFINED AS AND INCLUDING THE MONTHS OCTOBER, NOVEMBER, DECEMBER, JANUARY, FEBRUARY, MARCH, APRIL AND MAY.
- (2) THE SUMMER BILLING PERIOD SHALL BE DEFINED AS AND INCLUDING THE MONTHS OF JUNE, JULY, AUGUST, AND SEPTEMBER.

All Ordinances of the City in conflict with the terms hereof are repealed; that this Ordinance shall be in full force and effect and used for the computation of electric bills from and after publication according to law on February 10, 1994 in the Friend Sentinel or in pamphlet form.

PASSED AND APPROVED on February 1, 1994.

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MAYOR

ATTEST:

Phyllis Sue Wa  
CITY CLERK

(SEAL)