

**ORDINANCE NO. 20151112-002**

**AN ORDINANCE AMENDING ORDINANCE NO. 20150908-003 TO ADD AN ELECTRIC RATE SCHEDULE FOR PRIMARY VOLTAGE SERVICE TO CUSTOMERS WITH AN AVERAGE LOAD OF AT LEAST 20 MEGAWATTS AND A LOAD FACTOR OF AT LEAST 85 PERCENT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Council amends Ordinance 20150908-003 to add the electric rate schedule attached as Exhibit A for service at primary voltage to customers with an average load of at least 20 megawatts and a load factor of at least 85 percent.

**PART 2.** This ordinance takes effect on November 23, 2015.

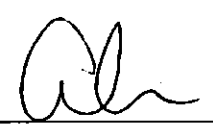
**PASSED AND APPROVED**

\_\_\_\_\_, November 12, 2015

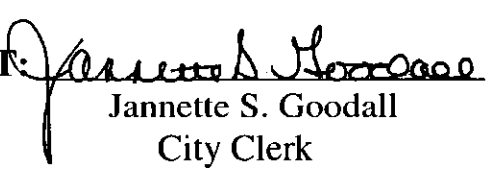
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Steve Adler  
Mayor

**APPROVED:**

  
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Anne L. Morgan  
City Attorney

**ATTEST:**

  
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Jannette S. Goodall  
City Clerk

## **EXHIBIT A**

### **High Load Factor Primary Voltage (Demand greater than or equal to 20 MW)**

This rate apply to any customer whose average monthly billed demand for power met or exceeded 20,000 kW and has an annual average monthly load factor of at least 85 percent.

#### **Contract Term:**

For a term ending at the end of the billing month that includes October 31, 2024, the customer shall enter into an exclusive sole supplier agreement to purchase its entire bundled electric service requirements for the facilities and equipment at the account service location, with an exception for on-site back-up generation and up to 1 MW of on-site renewable generation capacity. The City Manager or his designee may establish and agree to terms and conditions for a service contract.

#### **Block Power Supply Pricing:**

In lieu of the Power Supply Adjustment, the customer's service contract may provide a fixed power supply charge for a monthly block quantity of energy for a defined term, based on the cost of wholesale power market prices. Block pricing is contingent on the availability of authorized funding and the customer's satisfaction of credit requirements. All billed energy not subject to block pricing is subject to the variable Power Supply Adjustment (or Green Choice Energy rider), as may be amended from time to time, or any other successor power or fuel adjustment schedules.

The kWh block price shall be the actual wholesale kWh cost to Austin Energy of the block quantity supplied, plus a renewable portfolio charge based upon the forecast kWh price of renewable energy credits in the ERCOT market during the term of the block pricing.

In lieu of the renewable portfolio charge, the customer may opt to designate an equal renewable portfolio dollar value as a monthly block quantity of GreenChoice Energy by paying the per-kWh price difference between the wholesale power price paid by Austin Energy and the applicable GreenChoice Charge for the specified quantity.

#### **Minimum Bill:**

The minimum monthly bill is the highest billed demand established during the most recent 12-month billing period multiplied by the Summer Demand Charge, in addition to any associated fuel, power supply, or block pricing charges.

#### **Maximum Community Benefit Charges:**

During the term of a service contract, Customer Assistance Program charges shall not exceed \$200,000 during any fiscal year of October 1 through September 30 (prorated for any partial fiscal year). Charges for Service Area Lighting and Energy Efficiency Services (EES) do not apply under this rate schedule.

#### **Terms and Conditions:**

This schedule is effective through the end of the customer's billing month that includes October 31, 2024. Austin Energy may provide service under this schedule as a bundled entity or, if retail deregulation is implemented in its service area, as separate, unbundled entities. The customer is ineligible for participation in energy efficiency, retail demand response, and renewable energy incentive programs. Billed amounts due and owing shall incur a penalty of one percent per month until paid.

Average annual monthly load factor is the sum of the customer's load factor percentages for the previous twelve billing months divided by twelve. Verified reductions in energy consumption made in response to a request for Emergency Response Service or another demand response program operated by ERCOT shall be credited in calculating load factor. Dual Feed Service charges are not applicable to this rate schedule.

### ***Standard Rates***

Basic, energy, demand, and community benefits charges will be fixed for the initial contract period ending October 31, 2018. The City Council may amend these charges to be fixed for the period November 1, 2018, through October 31, 2021, and again for the period November 1, 2021, through October 31, 2024.

If, during the initial contract period ending October 31, 2018, the City Council adopts new base electric rates for customers receiving service at primary voltage based upon a comprehensive cost-of-service study, the customer may opt to have its contract rates adjusted to any applicable new rates during the initial contract term.

Regulatory charge will remain fixed for the initial contract period ending October 31, 2018. For each subsequent three-year period, the regulatory charge will be reset and fixed in accordance with the regulatory charge schedule, plus an adjustment for any over- or under-recovery of regulatory charges from the previous three-year period. The regulatory charge may be adjusted during any three-year period if an over-recovery of more than 110 percent or an under-recovery of less than 90 percent of costs occurs.

	<b>Summer</b> (June through September)	<b>Non-Summer</b> (October through May)
<b>Basic Charges</b>		
<i>Customer (\$/month)</i>	\$12,000.00	\$12,000.00
<i>Delivery (\$/kW)</i>	\$3.75	\$3.75
<b>Demand Charges (\$/kW)</b>		
<i>All Billed kW's</i>	\$11.10	\$11.10
<b>Energy Charges (\$/kWh)</b>		
<i>All kWh's</i>	\$0.00370	\$0.00370
<b>Power Supply Adjustment Charge (\$/kWh)</b>		
<i>Power Supply</i>	\$0.03068	\$0.03068
<b>Community Benefit Charges (\$/kWh)</b>		
<i>Customer Assistance Program</i>	\$0.00065	\$0.00065
<b>Regulatory Charges (\$/kW)</b>		
<i>All Billed kW's</i>	\$5.18	\$5.18