

## Chapter 15.12 ELECTRICITY

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#### **15.12.010 Authority to establish and maintain power plant.**

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The borough through its assembly is empowered to purchase, construct, establish and maintain a plant or plants for the generation, distribution and use of electricity for the purposes of light, heat and power in the borough. [Ord. 238 § 5, 1969; prior code § 54.20.010.]

#### **15.12.020 Authority to enter into contracts – Terms.**

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A. The borough through its duly authorized officers is empowered to enter into any and all contracts necessary in order to provide the borough and its inhabitants with an adequate and suitable power plant for the generation and distribution of electricity, and is fully empowered to enter into any and all such contracts in such form as shall not be contrary to or in violation of the laws of Alaska applicable to municipal corporations.

B. Any such agreements or contracts entered into by the borough pursuant to this section shall provide that the public utility contracted for shall not be operated or maintained by funds raised by taxation, but from revenue collected for service rendered by such plant, plants or utilities, from the customer or users thereof.

C. In any contract which the borough may enter into for the acquisition, purchase, maintenance and operation of a borough light plant or public utility, the borough through its assembly is authorized to agree by said contract with the party furnishing the plant, equipment and public utility, that the rates and tariffs thereof for the users and customers of the light plant or public utility, until the purchase price contracted to be paid for the light plant or public utility, may be fixed and established either by contract or by the party furnishing the light plant and public utility, which shall then apply and be in full force and effect until the purchase price has been paid, unless modified, altered or changed by the mutual consent of the borough and the party furnishing such light plant and public utility. [Ord. 238 § 5, 1969; prior code § 54.20.012.]

#### **15.12.030 Administration.**

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A. The borough light department is charged with administering the business in connection with the acquisition, establishment, operation and maintenance of the light plant or public utility.

B. The borough through its assembly is given full and complete authority, whether specifically mentioned in this chapter or not, to effectually and completely accomplish the purpose and intention of subsection (A) of this section. [Ord. 238 § 5, 1969; prior code §§ 54.20.020, 54.20.032.]

#### **15.12.035 Permits – Approval – Posting – Fees – Issuance.**

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Electrical installations shall be made only upon receipt of permits approved by the office of the electrical superintendent. Permits are to be posted in a conspicuous location whenever electrical installations are being made and must be displayed until such time as final approval has been received on the entire installation. Permits shall be issued only upon submission of drawings and/or a complete description in writing of the work to be performed and the payment of the following fee(s):

A. Residential up to six meter sockets: \$25.00.

B. Residential over six meter sockets: \$50.00.

C. Commercial: \$50.00.

D. Temporary: \$20.00.

The above fees include two inspections, one rough-in and one final.

E. For each additional inspection made necessary for defective workmanship or material or for recall by customer: \$35.00.

Barring complications, permits will be issued within three business days from the time of application. [Ord. 693 § 4, 2000.]

#### **15.12.040 Permits – When required – When not required.**

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No electrical equipment shall be installed within or on any building, structure or premises, public or privately owned, nor shall any alteration or addition be made in any such existing facilities without first securing a permit from the office of the electrical superintendent. No permits will be required for the following:

A. Minor repair work, replacing lamps, or the connection of portable electrical equipment to existing suitable permanently installed receptacles.

B. The installation, alteration or repair of electrical equipment installed by or for the electrical utility for use in the generation, transmission, distribution or metering of electricity. [Ord. 693 § 4, 2000.]

**15.12.045 Inspections.**

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All electrical work requiring an electrical permit must pass inspection prior to electrical service being rendered, and under no circumstances will service be supplied until all electrical wiring passes inspection. In the event of remodeling or additions to structures having existing service, the failure to pass electrical inspection will result in service being discontinued until wiring is brought up to code. All electrical wiring shall pass inspection prior to being covered (insulation, sheetrock, etc.). All covering in place prior to inspection will be required to be removed before inspection takes place. [Ord. 693 § 4, 2000.]

**15.12.050 Meter deposits.**

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All customers requesting new electrical service shall be required to establish an account with the borough and make a deposit in the following amount before service is rendered:

Residential: \$100.00.

Commercial: \$200.00.

Persons who make deposits for property they own will be refunded after one year or 12 consecutive months of good credit. All other customers' deposits will be refunded less any amount due the borough for service, when service is discontinued. Deposits shall bear simple interest at five percent per year but shall not apply to any part of less than a full month, said interest credit or payment to be given no less frequently than semiannually. [Ord. 693 § 4, 2000; Ord. 601 § 4, 1995; Ord. 305 § 6, 1974; prior code § 54.20.050(d).]

**15.12.055 Electrical connection fees.**

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After the office of the electrical superintendent has seen the plans and issued the electrical permit, the following connection fees shall be paid. These rates are for overhead service within 100 feet of an existing power pole and for a single point of attachment.

Residential:

Temporary	\$50.00
100, 150 and 200 amp	\$400.00
Over 200 amp	– See commercial connections schedule

Commercial (single-phase):

100, 150 and 200 amp	\$500.00 plus transformer cost
Over 200 but less than 400 amp	\$600.00 plus transformer cost
Over 400 amp	\$800.00 plus transformer cost

Commercial (three-phase):

100, 150, and 200 amp	\$700.00 plus transformer cost
Over 200 amp	\$700.00 plus transformer cost plus \$10.00 per KVA required

For services which are in excess of 100 but less than 200 feet from existing power poles and not requiring a service pole, an additional charge of \$3.00 will be added for each foot over 100 feet. [Ord. 693 § 4, 2000.]

#### **15.12.060 Service entrance and connection – Terms of service.**

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A. The electric utility shall deliver power to a predetermined point of delivery on the customer's premises. It shall be the responsibility of the customer to furnish all labor, material, and equipment necessary to install and maintain all other premises wiring, including the service entrance. Such installation shall meet all national, state and borough codes, rules, regulations, and standards.

B. The electric utility shall supply one meter per service connection. All additional meters will be installed at a cost of \$10.00 per meter. The electric utility will furnish and the customer will be charged for any instrument transformers necessary for metering. All meters and instrument transformer cabinets will be sealed by the electric utility, and no such seal shall be tampered with or broken except by a representative of the electric utility. It shall be the responsibility of the customer to take all reasonable and proper precautions to prevent damage to electric utility property on his/her premises. The customer shall not permit any person, except as authorized by the electric utility, to make any connections, repairs and changes to electric utility property on his/her premises and in the event any defect therein is discovered, the customer shall notify the electric utility immediately.

C. All customers shall furnish, install, maintain and replace at their own expense any step-down transformers or protective devices required to facilitate the delivery of electric service to the customer's premises to be approved by the electric utility in advance.

D. The customer shall convey to the borough all necessary rights-of-way or utility easements required to install and maintain the service connection.

E. The customer shall install a service entrance at a location approved by the electric utility. Such location shall be suitable for the preservation of the integrity of the meter(s) and shall be free from any adverse conditions. All wiring on the customer's premises shall be done at the customer's expense, with the exception of instrument transformer wiring, which will be done by the electric utility.

F. The customer shall maintain an accessible clear space for the electric utility to install, read and maintain meter(s). Such space shall have the following minimums: 48 inches in front of the meter; 24 inches to either side of the meter; 84 inches in height.

G. The electric utility shall have the right to enter upon the premises of the customer at all reasonable times for the purpose of inspecting, repairing, or removing any and all equipment, appliances, and wiring of the electric utility.

H. The customer is responsible for maintaining a six-foot minimum clearance for the protection of the service drop. If the customer fails to maintain the required clearance the electric utility will give notice in writing of the failure. If after 30 days from receipt of notice, the customer has still not maintained the clearance, the electric utility will supply, and the customer will be charged for, all labor and equipment necessary to maintain the clearance. The electric utility will maintain all clearances within 15 feet of primary distribution lines.

I. Whenever any actions taken by the customer result in any part of the electrical system, either the customers or the utilities, become noncompliant with national, state or borough rules, regulations, codes or standards, the customer shall, at the customer's expense, take all steps necessary to bring the system back into compliance.

J. A combination meter base/main disconnect type service entrance equipment is required to facilitate de-energizing the premises wiring in an emergency. No meter will be installed unless a main breaker/disconnect exists with the meter socket.

K. All rental units, either single-family or multifamily, shall have a means by which the electric utility can open and seal open the main disconnect for each structure or rental unit within a structure.

L. Meters shall be installed so that a single meter is between 5.5 feet and 6.5 feet above finished grade, platform, deck, etc. In the case of multiple ganged meters, as allowed by the National Electric Code, the top meter may be no more than 6.5 feet above finished grade.

M. Where there is an electrical meter that is unattainable to be read or inspected because of an animal the utility believes to be dangerous or have potential to do bodily harm, the electric utility, upon written notice or

telephone communication to the owner or the landlord, will disconnect the service until corrections are made.  
[Ord. 821 § 1, 2008; Ord. 808 § 4, 2007; Ord. 693 § 4, 2000; Ord. 556 § 4, 1990.]

### **15.12.065 Extension policies.**

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A. Any person desiring an extension of the electrical utility service shall make application at the office of the electrical superintendent.

B. Extensions shall be made at the convenience of the electric utility and only after approval of proper design and feasibility by the electrical superintendent or a duly appointed representative.

C. The applicant may contract with a licensed contractor qualified to install the electric utility line extension, have the electric utility install the electrical utility line extension, or the electric utility may contract with a licensed contractor qualified to install an electric line extension.

D. Upon the applicant's acceptance of the cost and agreement by the applicant and the electric utility to proceed, both parties shall enter into a written agreement. The terms of the agreement shall include a completion date and the cost of the electric utility extension and such other provisions as may be required and deemed necessary.

E. 1. If the utility is to install the service, the property owner shall be required to deposit with the borough an amount equal to 50 percent of the cost of the electric utility line extension. Full payment must be made prior to energizing the electric utility extension.

2. If the property owner contracts to install the electric utility line extension, the installation shall be inspected and approved by the electrical superintendent. Any associated charges and costs shall be paid in full prior to energizing the electric utility line extension.

F. Upon inspection and approval of the electric utility line extension by the electrical superintendent and full payment of the project costs, ownership of the electric utility line extension shall be transferred to the borough and shall become and remain property of the borough.

G. The borough has established a "per pole span" fee for all electric utility extensions. These fees include easement and right-of-way acquisition, surveying, and design, engineering, administrative costs, materials, labor and equipment.

Secondary: \$1,500 per pole span.

Primary (single-phase): \$3,500 per pole span.

Primary (three-phase): \$4,500 per pole span. [Ord. 804 § 4, 2007; Ord. 693 § 4, 2000.]

#### **15.12.070 Multiple unit service connections.**

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A single meter to measure the electrical consumption of two or more separate dwelling units shall not be permitted for new construction or apartment conversions after January 1, 1990. The meter reading on existing multiple dwelling units serviced by a single meter shall be calculated by dividing the meter reading by the number of units served. The rate imposed to each unit by WMC [15.12.200](#) shall be applied as if each unit were metered separately. Conversely, if there is more than one meter at a customer's premises, each meter shall be read and billed separately and the readings from two or more meters shall not be combined. [Ord. 556 § 5, 1990.]

#### **15.12.080 Resale of service.**

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The customer shall not resell the electrical energy furnished by the borough unless such resale is specifically approved by the borough assembly. [Ord. 556 § 6, 1990.]

#### **15.12.090 Customer's installations.**

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A. The borough reserves the right to refuse to connect with or render service to any applicant or any customer where such connections and/or rendition will adversely affect the service rendered to its other customers or where the applicant or customer has not complied with all national, state, and borough rules, regulations, codes and standards pertaining to the service to be rendered by the borough.

B. The borough may require the installation of necessary filters or other devices to prevent or suppress such interference caused by any one or more of but not limited to the following: fluorescent lighting, motors, power-driven handtools, battery chargers, appliances, electric signs, and/or any other type of electrical equipment which tends to cause radio interference.

C. Suitable protective devices on the customers' premises may be required whenever the electric utility deems such installation necessary to protect its property or that of its customers.

D. Nothing in this section shall be construed as placing upon the borough any responsibility for permitting the continuation or maintenance of any of the customer's wiring, current consuming devices, plumbing, or other equipment and the borough shall not be held liable for any loss or damage resulting from any defects in the customer's installations and shall not be held liable for damage to persons or property arising from the use of

the service on the premises of the customers. There shall be no adjustments on meter readings, due to defective ground, and/or defective wiring beyond the meter. [Ord. 693 § 4, 2000; prior code § 54.20.041.]

#### **15.12.100 Customer's operations.**

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In the case of hoist and elevator motors, electric furnaces, wireless installations, or other equipment of like character where the use of electrical current is intermittent or subject to violent fluctuation which may interfere with normal service, the borough may require the customer to provide at his own expense equipment which will reasonably limit such fluctuation. The borough reserves the right to refuse to supply a service of a character which may seriously impair service to any customer who shall continue to use appliances or apparatus detrimental to the service of others, after being notified by the borough of such detriment to the service. Electric motors of 20 horsepower and larger shall use reduced-voltage starting equipment or torque convertors approved by the borough. [Ord. 238 § 5, 1969; prior code § 54.20.042.]

#### **15.12.110 Agreements not signed by assembly and mayor not binding – Personal employee gain prohibited.**

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A. No promise, agreement or representation of any official, employee or agent of the borough not contained in this chapter shall be binding on the borough unless same is approved by the assembly in writing and signed by the mayor.

B. It is unlawful for any official, employee or agent of the borough to ask, demand, receive or accept any personal compensation or consideration for any service rendered to consumers of electrical energy, or other persons, in connection with supplying or furnishing electric energy by the borough. [Ord. 238 § 5, 1969; prior code § 54.20.043.]

#### **15.12.130 Customer's responsibility.**

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A. It shall be the customer's responsibility to provide suitable protective equipment such as fuses, single-phase meter protecting, circuit breakers and relays adequate to protect his equipment. If three-phase equipment is used, it shall be the customer's responsibility to protect it against phase failure, and also under and over voltage.

B. The electricity department will take all reasonable precautions to prevent phase failure or abnormal voltage variations, but cannot guarantee that such conditions may not occur, due to circumstances beyond its control.

C. The customer's wiring shall be in accordance with National Electrical Code Standards. The electrical department will reserve the right to refuse or discontinue service to a customer where the customer's equipment or wiring is in hazardous condition, or not in conformity with lawful codes and local conditions.

D. The customer shall be solely responsible for the maintenance and safety of his wiring and equipment, and the electrical department shall not be any way liable for accident or damage occurring to the customer or to third parties because of contract with or failure of any portion of the customer's responsibility.

E. The borough shall have the right to temporarily suspend the supply of electrical energy to a customer whenever it finds it necessary to make repairs or improvements to its system; however, when possible, reasonable notice shall be given and repairs or improvements shall be prosecuted with reasonable diligence and, insofar as feasible, in a manner likely to cause the least inconvenience to customers.

F. Customers who have life-support equipment or otherwise require uninterrupted or emergency power shall notify the borough light department in writing. Such customers shall purchase at their own expense and maintain on-site an automatic emergency power supply suitable to their needs. The borough shall not be responsible nor liable for its failure to deliver a satisfactory supply of energy to such customers notwithstanding their extraordinary need or their prior notice to the borough. [Ord. 669 § 4, 2000; Ord. 556 § 8, 1990.]

#### **15.12.140 Discontinuance of service.**

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A. The borough reserves the right to cut off the supply of electric current and discontinue service in the event the customer fails to comply with the provisions of this chapter or any rule or regulation made hereunder.

B. The right to discontinue service for default may be exercised whenever and as often as default occurs and neither delay nor omission on the part of the borough to enforce this rule shall be deemed a waiver of its right to enforce this rule at any time so long as the default continues.

C. The due date for monthly electric/utility bills is the twentieth day of the month except when such date falls on a weekend or borough holiday. In that event, the due date is the last business day before such weekend or holiday. The account shall become delinquent if payment is not actually received on or before the due date. Payments placed in the City Hall drop box after 5:00 p.m. or on a weekend or borough holiday will be deemed received the next business day. Interest will be added to the delinquent account at the maximum rate allowable under AS [45.45.010](#).

D. Service shall be discontinued by the borough in the following manner for delinquent accounts: Notice shall be given with the issuing of the next monthly electrical/utility billing statement. The monthly billing statement will

be printed on pink paper with a statement indicating the account is delinquent and scheduled for a disconnection of electrical service. If the full delinquent amount has not been paid or a signed contract for repayment has not been consummated with the finance department by the due date on the statement, electrical service will be disconnected. No further notice is required prior to disconnect. Failure to receive mail is not a valid reason for nonpayment of the bill. The borough reserves the right to also provide notice by a telephone call, personal contact or by hanging a notice on the customer's door informing them that service will be disconnected.

Service to customers with delinquent accounts may be discontinued in accordance with the procedures in this code. Service may not be reestablished until the account is paid in full, plus the following fees:

Charge for disconnect	\$20.00
Charge for reconnect	\$20.00
Total extra cost	\$40.00

These fees also apply to customer requested disconnection and/or reconnections of service.

The right is reserved to refuse service to anyone who is indebted to the borough for light or power, merchandise or labor and materials in connection with electric service.

Where scheduling does not permit normal service reconnection on the same day as requested, the customer may elect to pay an after-hours charge equal to the actual cost of double time labor to obtain reconnection of service that day; otherwise, service will be reconnected the next business day.

E. Any customer with a delinquent account will not be allowed to move or open another account until the delinquent amount is paid in full or a contract for repayment has been consummated with the finance department.

F. Electric utility service will not be disconnected for nonpayment of a delinquent account in the following situations:

1. Life-support equipment is used and the customer is dependent on that utility service for the operation of the apparatus;
2. The customer has made prior credit arrangements for payment and is complying with the terms of such credit arrangement;

3. For delinquency in the payment of utility service rendered to a prior customer at the same premises where service is currently being provided, except in the instance where the prior delinquent customer also continues to reside on the premises. [Ord. 863 § 1, 2012; Ord. 768 § 1, 2005; Ord. 737 § 4, 2003; Ord. 736 § 4, 2003; Ord. 682 § 4, 2000; Ord. 556 §§ 9, 10, 1990; Ord. 455 §§ 8, 9, 1984; Ord. 238 § 5, 1969; prior code § 54.20.046.]

#### **15.12.145 Credit arrangements for delinquent accounts.**

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A. Credit arrangements must be made with the finance department and approved by the finance director and the electrical superintendent.

B. Credit payment and arrangements must specify the payment dates, payment amount, and review dates. The credit arrangement shall be a commitment by the customer to pay the delinquent portion of the bill on a specified date, or in equal payments over a specified period of time.

C. Customer's contracts for payment of delinquent balances will only be allowed under the following conditions:

1. An existing contract is in existence at the time of the ordinance codified in this section.
2. A customer can present evidence that the disconnection of service will create a hardship.
3. A customer will need to demonstrate by what means they will be able to successfully pay off the contract if such is approved. Other considerations in granting a contract would be previous payment history with the utility.

D. In the event a customer's request for a contract is denied by either the electrical superintendent or the finance director, the customer can appeal this decision to the borough manager.

E. All contracts are required to be paid in full within three months unless circumstances warrant a longer period. Contracts longer than six months are not to be allowed without approval of the electrical superintendent, finance director and borough manager.

F. If at any time the contract is not current the electrical department can immediately disconnect the service without further notice. [Ord. 863 § 2, 2012.]

#### **15.12.150 Frauds on borough or utility prohibited.**

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It is unlawful for any person, firm or corporation, by any manner or means whatever, to divert, acquire, take, or use, any electricity or electric energy of or from the utility or any of its facilities, with the intent to steal or

embezzle the same, or to avoid payment therefor, or in any manner to defraud the borough or the utility. [Ord. 230 § 6, 1969; prior code § 54.20.120.]

### **15.12.160 Demand – Defined – Determination – Terms.**

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A. "Demand" means the greatest average rate at which energy is used within any period of 15 consecutive minutes.

B. Determination. The demand of any power installation will ordinarily be determined by assessment in proportion to the connected load. It may be determined, at the borough's option, by test. The customer may, at his own expense, install a demand meter for the measurement of the billing demand. The meter for such purpose shall be approved by the borough and shall be tested for accuracy at the borough's option. Where a demand meter is used, the demand for billing purposes will never be less than that determined as outlined under subsection (E) of this section.

C. Heating. Noninductive heating and cooking appliances will be included in the determination of the demand.

D. High-Frequency Equipment. The demand of all such equipment shall be assessed in the same manner as are motors under power schedules and the full demand so determined shall be included in the total demand under the applicable schedule.

E. Motors. Each horsepower of manufacturer's rating shall be considered as 1,000 watts.

1. The billing demand under all power schedules will be the following percentages of the nameplate ratings of all of the motors in the installation:

- a. One hundred percent of total rating of one motor;
- b. Ninety percent of total rating of two motors;
- c. Eighty percent of total rating of three motors;
- d. Seventy-five percent of total rating of four or more motors.

2. Except that horsepower demand is never less than the following:

- a. One hundred percent rating of the largest motor;
- b. Ninety percent rating of the two largest motors;

c. Eighty-five percent rating of the three largest motors.

3. Namesplates on machines are to be manufacturers' nameplates and, if otherwise, the capacity of the equipment is to be determined by test when delivering its maximum output. Expense of any such test shall be paid for by the consumer.

4. In the event the customer has a demand in excess of the demand so determined, then the measured maximum demand shall determine the demand for billing purposes.

5. Should any motor deliver more than 110 percent of its rating, the borough shall base its demand charges upon actual input as determined by test.

F. Miscellaneous Equipment. When the use of miscellaneous equipment is permitted under the power schedule, the assessed demand of such shall be determined by taking the full-rated capacity of all miscellaneous equipment. [Ord. 455 § 10, 1984; Ord. 238 § 5, 1969; prior code § 54.20.060.]

#### **15.12.170 Service charges.**

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A. The service charges for new or modified service shall be computed as follows:

1. The borough shall furnish the meter at no charge to the customer. The customer shall pay the borough for any instrumentation transformers required to be installed to properly meter the customer's electrical energy usage.

2. Whenever, within a five-year period, additional customers connect to an existing three-phase transformer installation, the one-time cost shall be recalculated and equalized among all such customers. Such customers shall forthwith make payment or receive reimbursement, as appropriate, to effectuate such equalization. However, should a new service require the electric utility to upgrade the existing three-phase transformer installation to accommodate the additional load, the customer shall be charged at new service rates.

B. When a customer requests a change in an existing service installation, the electric utility will disconnect the service so that the customer can make the necessary changes, and reconnect the service after the changes have been made and inspected. A disconnect/reconnect fee of \$150.00 will be charged.

C. The foregoing covers overhead service only. Underground service must be paid for by the customer and the work performed under the supervision of the borough. All underground service must be properly maintained by the customer. [Ord. 693 § 4, 2000; Ord. 556 § 11, 1990.]

#### **15.12.172 Customer service inspection.**

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The electric utility will periodically test customer's meters for accuracy and when necessary, in the opinion of the electric utility, will replace a customer's meter. When a customer requests his meter be checked by the electric utility, a fee of \$30.00 will be charged to the customer if the meter is found to be accurate. [Ord. 693 § 4, 2000.]

#### **15.12.180 Rates – Based on consecutive service.**

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A. All rates in all tariffs, unless otherwise stated therein, are based on a minimum of 12 months of consecutive service delivered to one location of one customer for a period or term of not less than one year, unless otherwise specifically stated in the rate schedules.

B. All rates are for service only and do not cover charges which will be made for installing, reconnecting, or moving from one location to another any service and/or equipment not the property of the borough. All additional charges shall be reasonable and shall be determined by the electrical superintendent, and/or his duly authorized agent.

C. All rate schedules under this chapter are based on service to one customer at one point and will not apply for purposes of resale or redistribution in territory where the borough has, or is willing to provide, distribution facilities. [Ord. 693 § 4, 2000; Ord. 230 § 6, 1969; prior code § 54.20.050(a), (f), (g).]

#### **15.12.190 Fuel adjustment charge.**

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A. In addition to the charges and rates set forth in this chapter, there shall be a fuel surcharge applied to the kilowatt hour sales of electrical energy whenever diesel fuel is used to generate electrical energy during the billing period immediately preceding the current billing period.

The fuel surcharge rate shall be calculated as set forth in subsection (B) of this section.

B.  $R = (((G \times P)/D) - T) \times D$

K

For purposes of the above formula:

R = Rate to be charged for the fuel surcharge portion of the monthly bill;

G = Gallons of diesel used during the preceding billing period;

P = Price per gallon based on latest fuel delivery during the billing period of diesel consumption;

D = KWHs produced by diesel generation for the billing period;

T = Cost per KWH that is paid to purchase power from Tyee (Four Dam Pool);

K = Total KWHs sold during the preceding billing period (including KWHs sold to the borough).

C. The fuel surcharge rate shall be applied to KWHs sold. For example, if R under the above formula equals 0.053 per KWH, then the fuel surcharge would equal 5.3 cents for each KWH sold to the customer. [Ord. 769 § 1, 2005; Ord. 473 § 5, 1985; Ord. 465 § 4, 1984; Ord. 416 § 3, 1981.]

#### **15.12.192 Hydroelectrical wholesale power rate adjustment.**

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A. Applicability. An adjustment shall be made to each billing for kilowatt hours rendered under Schedule A, Schedule B, Schedule C, and shore service for boats to reflect increases or decreases in the wholesale power rate charged per kilowatt hour for the purchase of energy generated by the Lake Tyee Hydroelectric Project. The adjustment will be effective the first billing period following the date the wholesale power rate is set as provided in the long term power sales agreement between the borough and Alaska Power Authority, et al. The base wholesale power rate used to determine the adjustment is \$0.068 per kilowatt hour, which rate was effective July 1, 2002.

B. Method of Calculation. The adjustment shall be calculated as follows: The actual energy charge per kilowatt hour will be adjusted to the nearest tenth of a cent to reflect changes in the base wholesale power rate. [Ord. 721 § 4, 2002.]

#### **15.12.195 Meter rates – Definitions.**

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A. "Primary voltage level" means service of electrical energy at a voltage between 2.4 kV (kilovolts) and 13.8 kV (kilovolts) inclusive.

B. "Secondary distribution level" means service of electrical energy at a voltage below 2.4 kV (kilovolts).

C. The definitions provided in this section shall apply to the rates for residential service, small commercial, large commercial, and industrial. [Ord. 411 § 9, 1981; prior code § 54.20.095.]

**15.12.200 Meter rates – Residential service (Schedule A).**

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A. Availability. Residential service under this schedule shall be limited to single phase, two or three wire 120/140 service. All installations shall be subject to the approval of the electric utility.

B. Rate.

Customer charge: \$8.00 per month

Energy charge:

0 – 300 KWH \$0.1348 per KWH

301 – 1,200 KWH \$0.1091 per KWH

Over 1,200 KWH \$0.0856 per KWH

[Ord. 883 § 2, 2014; Ord. 834 § 1, 2009; Ord. 813 § 1, 2008; Ord. 721 § 4, 2002; Ord. 693 § 4, 2000; Ord. 643 § 5, 1998; Ord. 530 § 6, 1987; Ord. 495 § 5, 1986; Ord. 473 § 6, 1985; Ord. 411 § 5, 1981; prior code § 54.20.070.]

**15.12.210 Meter rates – Small commercial service (Schedule B).**

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A. Classification. Small commercial service includes lighting, cooking, appliances, and motors in professional mercantile, commercial, and other establishments not classed in Schedule A. This rate shall be for commercial users that use less than an average of 30,000 KWH per month, based upon the previous 12-month average consumption, and are served at secondary distribution voltage level.

B. Availability. Small commercial service under this schedule shall be limited to single phase 120/240 volts service. All installations shall be subject to the approval of the electric utility.

C. Rate. Schedule B.

Customer charge: \$9.00 per month

Energy charge: \$0.1241 per KWH

[Ord. 883 § 3, 2014; Ord. 834 § 2, 2009; Ord. 791 § 4, 2007; Ord. 721 § 4, 2002; Ord. 693 § 4, 2000; Ord. 643 § 5, 1998; Ord. 530 § 7, 1987; Ord. 495 § 6, 1986; Ord. 473 § 7, 1985; Ord. 411 § 6, 1981; prior code § 54.20.080.]

**15.12.215 Meter rates – Large commercial service (Schedule C).**

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A. Classification. Large commercial service includes lighting, cooking, appliances, and motors in professional mercantile, commercial, and other establishments not classed in Schedule A. This rate shall be for commercial

users that use an average of 30,000 KWH per month, or more, based upon the previous 12-month average consumption, and are served at secondary distribution level.

B. Availability. Large commercial service under this schedule shall be limited to single- or three-phase 115 and/or 230 volt service. All installations shall be subject to the approval of the electric utility.

C. Demand Charge. The rate in this section does not include a demand charge. The borough reserves the right to adopt a demand charge after installation of KW demand meters and adoption of rates as required by law.

D. Rate. Schedule C.

Customer charge: \$13.50 per month

Energy charge:

0 – 70,000 KWH \$0.1145 per KWH

Over 70,000 KWH \$0.1102 per KWH

[Ord. 883 § 4, 2014; Ord. 834 § 3, 2009; Ord. 791 § 4, 2007; Ord. 721 § 4, 2002; Ord. 693 § 4, 2000; Ord. 643 § 5, 1998; Ord. 530 § 8, 1987; Ord. 495 § 7, 1986; Ord. 473 § 8, 1985; Ord. 411 § 7, 1981; prior code § 54.20.085.]

#### **15.12.220 Meter rates – Industrial service (Schedule D).**

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A. Classification. Industrial service includes customers that receive service at a primary voltage level.

B. Availability. Service delivered under this schedule shall be three-phase, 60-cycles, alternating current at a primary voltage to be specified by the electric utility. All installations shall be subject to the approval of the electric utility.

C. Power Factor.

1. Adjustment of Demand for Power. The rate in this section does not include a charge for a power factor. The borough reserves the right to adopt an adjustment of demand for power factor following installation of KW demand and RKVA reactive meters and adoption of rates as required by law.

2. Demand Charge. The rate in this section does not include a demand charge. The borough reserves the right to adopt a demand charge after installation of demand meters and adoption of rates as required by law.

D. The rates established for large commercial service in WMC [15.12.215](#) shall apply for industrial service until such time as an agreement contemplated by subsections (E) and (F) of this section is entered into and becomes effective between the borough and the industrial user.

E. Rates. Pursuant to the provisions of Section 5-14(C) of the Charter, the rates to be established for the same of electrical energy to industrial users shall be as negotiated between the borough, and the industrial user, and as formalized between the borough, and the industrial users, and as formalized in a written contract authorized by resolution of the assembly.

F. The rights and remedies of any patrons or any consumer shall not be abridged, reduced or lost by virtue of the existence of a contract between a patron or consumer of electrical energy and the borough. The protection provided by this section shall exist in all contracts between the borough and a consumer or patron whether or not it is written therein. Notwithstanding the failure of the following list to include all rights and remedies of patrons or consumers, it is generally recognized that a patron or consumer is entitled to a supply of electrical energy or services without unjust or undue discrimination, without an unreasonable preference or advantage to any other patron or consumer, and without unjust or undue discrimination, as between classes of service. Nothing in this section prohibits the establishment of reasonable classifications of service or requires unreasonable investment in facilities. [Ord. 693 § 4, 2000; Ord. 495 § 8, 1986; Ord. 484 § 5, 1985; Ord. 473 § 9, 1985; Ord. 411 § 8, 1981; prior code § 54.20.090.]

#### **15.12.222 Rate for separately metered heat and hot water.**

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A. Classification. Separately metered electricity used for electric furnaces/boilers and electric water heaters.

B. Availability. For the rates set forth in this section to apply, the electric furnace/boiler or electric water heater or both must be metered on a meter separate from the meter for other electric service. Such separate meters will be supplied by the borough. The rate set forth in this section is only available for devices that have the primary purpose of providing building heat or hot water to the building's plumbing system. It is not available for other devices that may involve providing heat or heating water such as hot tubs, saunas, stoves or other appliances.

C. Rate.

Customer charge: One-half the applicable monthly customer charge  
for the class of service

Energy charge: \$0.0856/KWH

D. Transformers. For service under this section, the borough will provide any transformer upgrades for residential service and commercial service transformers under 75 Kva at no cost to the customer. Any other transformer upgrades must be paid for by the customer.

E. Exclusive Use. No other electric usage shall be connected to the separate meter for electric furnaces/boilers and electric water heaters.

F. Other Terms and Conditions. Except as otherwise expressly provided for in this section, all the provisions of this chapter shall apply to service under this section including, but not limited to, WMC [15.12.055](#), Electrical connection fees, WMC [15.12.060](#), concerning terms of service, WMC [15.12.190](#), Fuel adjustment charge, and WMC [15.12.192](#), Hydroelectric wholesale power rate adjustment.

G. Ineligibility. If an electric usage other than that permitted by this section is connected to the separate meter required by this section, both the customer and any property owned by the customer shall be ineligible for service at the rate provided for in this section for a period of three years for the first such instance and shall be permanently ineligible for such rate upon the second such instance.

H. Penalties. Any violation of this section is punishable as provided for in WMC [1.20.010](#), as that section may be amended, revised or replaced, and each day the violation continues shall constitute a separate offense.

[Ord. 883 § 5, 2014; Ord. 833 § 61, 2009; Ord. 789 § 1, 2006.]

#### **15.12.223 Electrical rate incentive.**

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Notwithstanding KWH fee Schedules B, C, and D of this chapter, the assembly may upon a finding of beneficial public interest by resolution offer an electrical rate incentive to new or expanded commercial or industrial users who comply with all of the following stipulations:

A. The incentive rate shall be no less than \$0.0856 per KWH.

B. The rate shall apply only to electricity consumed in the new or expanded portion of the business and shall be measurable by installation of a separate electrical meter.

C. The term of this incentive shall not exceed five years from date of meter hookup nor continue longer than seven days after any billing for electrical service becomes delinquent.

D. All other customer charges related to the delivery of electric service shall be charged as per provisions of this chapter. [Ord. 883 § 6, 2014; Ord. 725 § 4, 2002.]

### **15.12.225 Fuel displacement rate – Governmental.**

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- A. The rates of this section shall apply only to federal, state or local governmental agencies.
- B. Eligible loads must be capable of being served by the customer's existing fuel fired energy source and be capable of interruption of electric services at any time.
- C. The rate shall be established by contract between Wrangell light department and the customer. [Ord. 578 § 4, 1992.]

### **15.12.230 Shore service for boats.**

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- A. This section applies to any and all vessels, regardless of size, that are not serviced under WMC [15.12.200](#) or [15.12.210](#).
- B. This service is available to all locations where shore service facilities are provided by the borough. This is a combination rate for lighting and heating only.
- C. Only single-phase service, 110 volts will be furnished from controlled shore outlets limiting the demand to the billing demand. Shore outlets shall be under the exclusive control of the borough. All boats and vessels shall be charged a flat rate based on a 20-ampere fuse as follows:  
  
20-amp fuse: \$27.16 per month.
- D. Contracts shall be for not less than a monthly charge, payable in advance at the monthly rate. [Ord. 556 § 12, 1990; Ord. 530 § 9, 1987; Ord. 473 § 10, 1985; Ord. 388 § 4, 1979; Ord. 382 § 5, 1979; prior code § 54.20.100.]

### **15.12.240 Use of poles.**

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- A. Power poles and service poles belonging to the electric utility or for which the electric utility has jurisdiction may not be used for any purpose other than electrical power transmission and distribution, unless per a written pole attachment agreement.
- B. The annual rate for each attachment to any pole by any user, the rate to include right-of-way maintenance by the borough at the base of the pole only, shall be as follows:
  - 1. \$20.00 per attachment effective July 1, 2014.

C. All poles used in the transmission and distribution of electrical power will be approved by the electric utility and be treated with an approved preservative. [Ord. 883 § 7, 2014; Ord. 693 § 4, 2000; Ord. 678 § 4, 2000; Ord. 543 § 5, 1988.]

**15.12.250 Service rates outside city limits.**

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*Repealed by Ord. 833.* [Ord. 230 § 6, 1969; prior code § 54.20.110.]