



AGENDA

Thursday, May 30, 2024

Special Meeting of the Mishawaka Common Council

6:00PM

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Proof of Certification of Service

5. Ordinance on Second Reading

Proposed Ordinance Number 2024-13 An Ordinance Reestablishing a Schedule of Rates and Charges for Electric Energy and Services Rendered by the Mishawaka Utilities Electric Department

6. At this time no other business can come before the Council according to Council Rules, Section 3 - Special Meetings

7. Adjournment

Deborah S. Block, IAMCA, CMO, MMC, City Clerk

PROPOSED ORDINANCE NO. 2024- 13

ORDINANCE NO. _____

**AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES
AND CHARGES FOR ELECTRIC ENERGY AND SERVICES
RENDERED BY THE MISHAWAKA UTILITIES ELECTRIC
DEPARTMENT.**

WHEREAS, the City of Mishawaka, Indiana, owns and operates the Mishawaka Utilities Electric Department for the purpose of distributing electric energy in said City and surrounding areas; and

WHEREAS, the existing rates and charges for services provided by the Mishawaka Utilities Electric Department were placed into effect following the Common Council's approval of Ordinance No. 5729; and

WHEREAS, the Common Council of the City of Mishawaka has found that (i) the existing electric rates and charges of the Mishawaka Utilities Electric Department are insufficient to maintain the Utility property in a sound physical and financial condition to render adequate and efficient service, (ii) Mishawaka Utilities Electric Department's existing rates and charges are insufficient to provide for all the legal and other necessary expenses incident to operation of the Utility (including, but not limited to, operation and maintenance costs, upkeep, repairs, depreciation and taxes), to provide adequate money for working capital, to provide funds for making extensions and replacements, to provide funds for payments to the City in lieu of taxes and to provide a reasonable return upon the City's investment in plant and, therefore, such current rates and charges need to be adjusted, (iii) the proposed rates and charges attached hereto as Exhibit "A" are designed so as to be nondiscriminatory, "reasonable and just charges" for services within the meaning of IC 8-1.5-3-8, and (iv) the proposed rates and charges attached reflect therein the election of the Common Council to include in such rates and charges each of the elements of "reasonable and just charges" under IC-8-1.5-3-8, and

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, THAT:

Section 1. The rates and charges for the Mishawaka Utilities Electric Department are those set forth in Exhibit "A" attached hereto, made a part hereof and incorporated herein by reference.

Section 2. From time to time the cost of purchased power will be adjusted by Indiana Michigan Power in accordance with the rules and regulations promulgated by the Federal Energy Regulatory Commission. The Mishawaka Electric Utility's rates may be adjusted solely by the change in the cost of purchased power (the "I&M Adjustment Factor"). The I&M Adjustment Factor will be calculated in a manner reflected or closely reflected in Appendix A and, unless otherwise directed by the Common Council, shall be effective upon presentation to the Common Council for its review.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage. Phase I rates shall be effective on January 1, 2025, phase II rates shall be effective on January 1, 2026, phase III rates shall be effective on January 1, 2027, phase IV rates shall be effective on January 1, 2028, phase V rates shall be effective on January 1, 2029, and phase VI rates shall be effective on January 1, 2030.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, ON THIS ____ DAY OF _____, 2024.

Common Council
City of Mishawaka, Indiana

Gregg Hixenbaugh, President

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

Presented by me, the undersigned City Clerk of the City of Mishawaka, Indiana, to the Mayor of the City of Mishawaka, Indiana, for approval on the ____ day of _____, 2024 at _____ o'clock __.m.

Deborah S. Block, IAMC, MMC, City Clerk

Having examined the foregoing Ordinance, I do as the Mayor of the City of Mishawaka, Indiana, approve said Ordinance and return the same to the City Clerk of the City of Mishawaka, Indiana, this ____ day of _____, 2024.

Dave Wood, Mayor
City of Mishawaka, Indiana

EXHIBIT "A"

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RATE "R"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

RESIDENTIAL SERVICE

To Whom Available

Available for all residential through one meter to individual residential customers including rural residential customers.

Character of Service

Alternating current, sixty-cycle, single phase, at a standard voltage.

Rates

<u>Customer Charge</u>	<u>Phase</u>	<u>Phase</u>	<u>Phase</u>	<u>Phase</u>	<u>Phase</u>	<u>Phase</u>
	<u>I</u>	<u>II</u>	<u>III</u>	<u>IV</u>	<u>V</u>	<u>VI</u>
Per month for each dwelling unit	\$5.75	\$6.00	\$6.25	\$6.50	\$6.75	\$7.05
<u>Energy Charge (per KWH):</u>						
For the first 500 KWH used per month	0.1109	0.1151	0.1194	0.1239	0.1285	0.1333
Energy over 500 KWH user per month	0.1021	0.1059	0.1099	0.1140	0.1183	0.1227

Minimum Payment

The customer's minimum monthly payment under this rate shall be the Customer Charge plus the Energy Charge for the month.

Rate Adjustment

See Appendix A.

Non-Recurring Charges

See Appendix B.

Terms

Contracts under this rate shall be made for no less than one year and shall be self-renewing for successive periods of one year each until either party shall give at least 48 hours' notice to the other of their intention to discontinue service at the end of any earlier period. The Utility reserves the right to require contracts for periods in excess of one year.

Special Terms and Conditions

This rate is available for single-phase service only. Where three-phase service is required and/or where motors or heating equipment are used for commercial or industrial purposes, the applicable power rate will apply to such service.

RATE "C"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

COMMERCIAL SERVICE

To Whom Available

Available to non-residential and commercial customers.

Character of Service

Alternating current, sixty-cycle, single-phase service supplied through a single set of service wires on a single meter location at a standard service voltage.

Rates

<u>Customer Charge</u>	<u>Phase</u> <u>I</u>	<u>Phase</u> <u>II</u>	<u>Phase</u> <u>III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Per month for each service location	\$5.75	\$6.00	\$6.25	\$6.50	\$6.75	\$7.05
<u>Energy Charge (per Kwh):</u>	0.1327	0.1377	0.1429	0.1483	0.1539	0.1597

Minimum Payment

The customer's minimum monthly payment under this rate shall be the Customer Charge plus the Energy Charge, if applicable.

Rate Adjustment

See Appendix A.

Non-Recurring Charges

See Appendix B.

Terms

Contracts under this rate shall be made for no less than one year and shall be self-renewing for successive periods of one year each until either party shall give at least 48 hours' notice to the other of their intention to discontinue service at the end of any earlier period. The Utility reserves the right to require contracts for periods in excess of one year.

Special Terms and Conditions

This rate is available for single-phase service only. Where six-phase service is required and/or where motors or heating equipment are used for commercial or industrial purposes, the applicable power rate will apply to such service.

Unmetered Usage

For customers whose service cannot reasonably be metered, the Utility shall estimate the average monthly Kwhs usage and the bill shall be based on estimated average Kwhs usage price at the current rates for Commercial Service, including Rate Adjustment.

RATE "P"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

COMMERCIAL POWER SERVICE

To Whom Available

Available for all commercial and industrial customers taking service through one three-phase meter with a monthly billing demand less than 150 KW.

Character of Service

Alternating current, sixty-cycle, three-phase service supplied through a single set of service wires to a single meter location. The service voltage shall be standard secondary voltage as the Utility may, at its option, make available.

Any applicant requiring service differing from that to be supplied as herein provided shall provide proper conveying, transforming, regulating, or other equipment upon his own premises at his own expense.

Rates

The rate for electrical energy supplied hereunder shall be as follows:

<u>Customer Charge</u>	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>	<u>Phase VI</u>
Per month for each service location	\$20.05	\$20.85	\$21.65	\$22.50	\$23.35	\$24.25
<u>Demand Charge:</u>	\$7.60	\$7.90	\$8.20	\$8.55	\$8.90	\$9.25
<u>Energy Charge (per KWH):</u>	0.0813	0.0843	0.0875	0.0908	0.0942	0.0977

Rate Adjustment

See Appendix A.

Non-Recurring Charges

See Appendix B.

Terms

Contracts under this rate shall be made for no less than one year and shall be self-renewing for successive periods of one year each until either party shall give at least 48 hours' notice to the other of their intention to discontinue service at the end of any earlier period. The Utility reserves the right to require contracts for periods in excess of one year.

Monthly Minimum Payment

The customer's minimum monthly payment under this rate shall be the Customer Charge plus Demand Charge plus the Energy Charge for the month.

Measurement of Maximum Demand

Maximum demand shall be measured by suitable recording instruments provided by the Utility and in any month the maximum demand expressed in kilowatts shall be the highest registration of a 15 minute integrating demand meter or the highest registration of a thermal type demand meter.

RATE "P" (continued)

Billing Demand

The billing demand for any month shall be the greater of (i) 5 KW or (ii) the maximum demand for the month.

Delivery Voltage

Where the Utility elects to meter the customer's service at the Utility's primary voltage, the measured maximum demand and energy will be multiplied by 0.98.

Primary Voltage Service

Where customer furnished and maintains all transformers and/or other apparatus necessary for the customer to take its entire service at the primary voltage of the Utility distribution system, a credit of \$0.44 per KW of monthly billing maximum load will be applied to each month's net bill.

RATE "I"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

INDUSTRIAL POWER SERVICE

To Whom Available

Available for all industrial customers taking service through one three-phase meter with a monthly billing demand greater than 149 KW.

Character of Service

Alternative current, sixty-cycle, three-phase service supplied through a single set of service wires to a single meter location. The service voltage shall be standard secondary voltage as the Utility may, at its option, make available.

Any applicant requiring service differing from that to be supplied as herein provided shall provide proper converting, transforming, regulating, or other equipment upon his own premises at his own expense.

Rates

The rate for electrical energy supplied hereunder shall be as follows:

<u>Customer Charge</u>	<u>Phase</u> <u>I</u>	<u>Phase</u> <u>II</u>	<u>Phase</u> <u>III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Per month for each service location	\$17.65	\$18.35	\$19.05	\$19.80	\$20.55	\$21.35
<u>Demand Charge:</u>						
Per KW of billing demand for month	\$6.70	\$7.00	\$7.30	\$7.60	\$7.90	\$8.20
Per KW of billing demand for month*	6.00	6.25	6.50	6.75	7.05	7.35
<u>Energy Charge (per Kwh):</u>	0.0741	0.0769	0.0798	0.0828	0.0859	0.0891

Energy Charge (per Kwh):

*At the Utility's option it is determined by metering that the customer's monthly power factor is less than 85% leading or lagging.

Rate Adjustment

See Appendix A.

Non-Recurring Charges

See Appendix B.

Terms

Contracts under this rate shall be made for no less than one year and shall be self-renewing for successive periods of one year each until either party shall give at least 48 hours' notice to the other of their intention to discontinue service at the end of any earlier period. The Utility reserves the right to require contracts for periods in excess of one year.

Monthly Minimum Payment

The customer's minimum monthly payment under this rate shall be the Customer Charge plus the Energy Charge for the month.

RATE "I" (Continued)

Measurement of Maximum Demand

Maximum demand shall be measured by suitable recording instruments provided by the Utility and in any month the maximum demand expressed in kilowatts shall be the highest registration of a 15 minute integrating demand meter or the highest registration of a thermal type demand meter.

Billing Demand

The billing demand for any month shall be the greater of (i) 5 KW or (ii) the maximum demand for the month.

Delivery Voltage

Where the Utility elects to meter the customer's service at the Utility's primary voltage, the measured maximum demand and energy will be multiplied by 0.98.

Primary Voltage Service

Where customer furnished and maintains all transformers and/or other apparatus necessary for the customer to take its entire service at the primary voltage of the Utility distribution system, a credit of \$0.39 per KW of monthly billing maximum load will be applied to each month's net bill.

RATE "MS"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

MUNICIPAL SERVICE

To Whom Available

Available to the City of Mishawaka for the supply of electrical energy to public buildings or locations which are supported by public tax levies or municipally-owned Utility rates.

Character of Service

Electric energy supplied hereunder shall be alternating current, sixty-cycle, at standard single-phase or poly-phase voltage.

Rates

<u>Customer Charge</u>	<u>Phase</u> <u>I</u>	<u>Phase</u> <u>II</u>	<u>Phase</u> <u>III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Per month for each service location	\$20.05	\$20.85	\$21.65	\$22.50	\$23.35	\$24.25
<u>Energy Charge (per KWH):</u>	0.1296	0.1345	0.1395	0.1447	0.1501	0.1557

Rate Adjustment

See Appendix A.

Non-Recurring Charges

See Appendix B.

RATE "EH"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

ELECTRIC HEATING SERVICE

To Whom Available

This tariff is available to existing customers only who were taking service under tariff EHND prior to December 12, 1984.

Character of Service

Alternating current, sixty-cycle, supplied through a single set of service wires to a single meter location at a standard service voltage.

Rates

<u>Customer Charge</u>	<u>Phase</u> <u>I</u>	<u>Phase</u> <u>II</u>	<u>Phase</u> <u>III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Per month for each service location	\$20.05	\$20.85	\$21.65	\$22.50	\$23.35	\$24.25
<u>Energy Charge (per Kwh):</u>	0.2261	0.2346	0.2434	0.2525	0.2620	0.2719

Rate Adjustment

See Appendix A.

Non-Recurring Charges

See Appendix B.

RATE "S"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

SCHOOL SERVICE

To Whom Available

Available to public and private not-for-profit entities providing educational instruction serving students pre-kindergarten through twelfth grade for facilities that house classrooms.

Character of Service

Electric energy supplied shall be alternating currents, sixty-cycle and single-phase or polyphase voltage.

Rates

The rate for electrical energy supplied hereunder shall be as follows:

<u>Customer Charge</u>	<u>Phase</u> <u>I</u>	<u>Phase</u> <u>II</u>	<u>Phase</u> <u>III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Per month for each service location	\$5.75	\$6.00	\$6.25	\$6.50	\$6.75	\$7.05
<u>Energy Charge (per KWH):</u>	0.1196	0.1241	0.1288	0.1336	0.1386	0.1438

Rate Adjustment

See Appendix A.

Non-Recurring Charges

See Appendix B.

Terms

Contracts under this rate shall be made for no less than one year and shall be self-renewing for successive periods of one year each until either party shall give at least 48 hours' notice to the other of their intention to discontinue service at the end of any earlier period. The Utility reserves the right to require contracts for periods in excess of one year.

Minimum Payment

The customer's minimum monthly payment shall be the Customer Charge plus the Energy Charge.

RATE "OL"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

RATE FOR OUTDOOR PROTECTION LIGHTING

To Whom Available

Available for outdoor lighting customers within the service area of the Utility. The utility has begun the process of converting the RPS bulbs to light emitting diode (LED) fixtures. The utility will continue this process replacing the RPS bulbs to make all lighting in the city LED. All existing 100, 250 and 400 watt high pressure sodium and 175 watt mercury lighting will be replaced at the end of life or at the request of the customer at no additional charge.

Rates Per Month

- (a) Where the lighting fixture can be installed on an existing distribution-type wood pole or other supporting device and served from existing secondary facilities, with no more than one span of secondary, the rate shall be:

<u>Customer Charge</u>	<u>Phase</u> <u>I</u>	<u>Phase</u> <u>II</u>	<u>Phase</u> <u>III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Single 48 watt LED lamp	\$6.60	\$6.85	\$7.15	\$7.45	\$7.75	\$8.05
Single 110 watt LED lamp	8.90	9.25	9.60	10.00	10.40	10.80

- (b) Where additional poles and spans of overhead secondary are required to provide outdoor lighting service, the following additional charges shall apply:

<u>Customer Charge</u>	<u>Phase I</u>	<u>Phase</u> <u>II</u>	<u>Phase III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Additional pole	\$0.80	\$0.85	\$0.90	\$0.95	\$1.00	\$1.05
Additional span of secondary	0.55	0.60	0.65	0.70	0.75	0.80

- (c) Where customer requests outdoor lighting service requiring special poles or fixtures, or the use of an underground distribution system instead of an overhead distribution system, the customer's rates will be increased according to the Company's cost to install, operate, and maintain such special facilities, or the customer may be required to make a payment to cover the investment made as a result of these special installations.

<u>Customer Charge</u>	<u>Phase</u> <u>I</u>	<u>Phase</u> <u>II</u>	<u>Phase</u> <u>III</u>	<u>Phase</u> <u>IV</u>	<u>Phase</u> <u>V</u>	<u>Phase</u> <u>VI</u>
Single 80 watt LED lamp decorative light	\$8.90	\$9.25	\$9.60	\$10.00	\$10.40	\$10.80
Single 110 watt LED lamp decorative retrofit	8.90	9.25	9.60	10.00	10.40	10.80

Terms

Contracts under this tariff will be not less than one year for residential customers and three years for commercial or industrial customers.

Hours of Lighting

All rates assume that lamps will burn approximately 4,000 hours per year.

RATE "SL"

MISHAWAKA (INDIANA) ELECTRIC UTILITY

MUNICIPAL STREET LIGHTNING SERVICE

To Whom Available

Available to the City of Mishawaka and other governmental agencies for street lighting service. The utility has begun the process of converting the HPS bulbs to light emitting diode (LED) fixtures. The utility will continue this process replacing the HPS bulbs to make all lighting in the city LED. All existing 100, 250, and 400 watt high pressure sodium and 175 watt mercury lighting will be replaced at the end of life or at the request of the customer at no additional charge.

Character of Service

The Utility shall install, operate, and maintain, at its expense, all street lighting equipment and appurtenances.

Rates

The rates for street lighting per lamp per month shall be as follows:

<u>Lamp Size</u>	<u>Lamp Type</u>	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>	<u>Phase V</u>	<u>Phase VI</u>
D4A	LED Retro	\$8.90	\$9.25	\$9.60	\$10.00	\$10.40	\$10.80
73 watt	LED	6.75	7.05	7.35	7.65	7.95	8.25
80 watt	LED	8.90	9.25	9.60	10.00	10.40	10.80
110 watt	LED	8.90	9.25	9.60	10.00	10.40	10.80
150 watt	Sodium	6.75	7.05	7.35	7.65	7.95	8.25
175 watt	Mercury Vapor	6.75	7.05	7.35	7.65	7.95	8.25
250 watt	Sodium	8.90	9.25	9.60	10.00	10.40	10.80

Hours of Lighting

All rates assume that lamps will burn approximately 4,000 hours per year.

APPENDIX A

MISHAWAKA (INDIANA) ELECTRIC UTILITY

RATE ADJUSTMENT

The Rate Adjustment shall be on the basis of an I&M Adjustment Factor, occasioned solely by changes in the cost of purchased power applicable to Rates R, C, P, I, MS, EH, and S.

Rate Adjustment applicable to the above-listed Rate Schedules:

\$0.000000 per KWH used per month as computed following the method, or a method closely approximating the method, illustrated below.

Annual Cost of Purchased Power at the new wholesale rates and charges		\$0	
Annual Cost of Purchased Power priced at rates and charges effective _____	_____	0	
Annual Change in Purchased Power Cost		0	
Annual KWH Sales		0	KWH
Annual Increase per KWH Sold	_____	0	
I&M Adjustment Factor		<u>\$0.000000</u>	/KWH

APPENDIX B

MISHAWAKA (INDIANA) ELECTRIC UTILITY

NON-RECURRING CHARGES

- A. **Electric Account Service Charge:** \$20.00 one-time charge (not refundable)
- B. **New Account OPL Service Charge:** \$10.00 one-time charge (not refundable)
- C. **Service Deposit:** Service deposits are set by the Utility and can be up to One-sixth (1/6) of normal annual bills per service location
- D. **Failure to Meet Appointment Scheduled Charge:** \$15.00
- E. **Dishonored Negotiable Instrument Charge:** \$20.00
- F. **Processing/Disconnect Charge:**
Single Phase
— Disconnect During Office Hours—\$25.00
— Additional Reconnect charges after hours—\$70.00
— Additional Reconnect charges on Sundays & Holidays— \$90.00
Three-Phase
— Disconnect During Office Hours—\$ 100.00
— Additional Reconnect after hours—\$ 225.00
— Additional Reconnect on Sundays & Holidays—\$ 275.00
- G. **Processing/Disconnect Charge, when Disconnect is required at pole, in vault, manhole or service box:**
— Disconnect During Office Hours—\$ 100.00
— Additional Reconnect after hours—\$ 225.00
— Additional Reconnect on Sundays & Holidays—\$ 275.00
- H. **Meter Test Charge:** Free every two years if required
1. Single Phase—\$ 20.00* if more frequent than every 2 years
2. Three-Phase—\$ 40.00* if more frequent than every 2 years
*Fee is refunded if meter is off more than two percent (2%)
- I. **Service Call ("no power" call when the Customer is at fault):** Same as Processing/Disconnect Charge (F, above)
- J. **Late Payment Penalty:** 10% on the first \$3.00; 3% on the balance for Electric & OPL

APPENDIX B

MISHAWAKA (INDIANA) ELECTRIC UTILITY

NON-RECURRING CHARGES (Cont'd)

K. Meter Tampering Charge:

1. First Offense—Actual cost of parts, labor, equipment and overhead plus cost of service estimated to have been used, based on prior history \$75.00 + damage and a police report should be filed with the police.
2. Second Offense—Same as above, plus 100.00 + damage
3. Subsequent Offenses— Same as above, plus disconnection

L. Credit Agreement Fee: 10% of arrears amount or \$10, whichever is greater (added to payment agreement)

M. Temporary Service Charge:

- ☐ Residential Service (if meter immediately adjacent to Delivery Point): \$ 50.00

In Addition:

- ☐ single span up to 125 feet \$100.00
- ☐ each additional Span up to 125 feet \$150.00
- ☐ Commercial Service: \$100.00

In Addition:

- ☐ Cost of labor for hookup and removal
- ☐ Cost of vehicles for hookup and removal
- ☐ Cost of engineering (two hour minimum)
- ☐ Cost of additional transformers (per 30 days, or any part thereof) \$10.00 each

N. Energy Recording Device: \$20.00 installation charge (not refundable) at customers request. No charge if found to be utility problem.