

**ORDINANCE NO. 2022-13**

**ORDINANCE AMENDING ORDINANCE NO. 2012-11**

WHEREAS, the City of Lebanon, Indiana owns and operates its own electric utility; and

WHEREAS, the City of Lebanon, Indiana is a member of the Indiana Municipal Power Agency (“IMPA”); and

WHEREAS, on March 15, 2022, the Indiana General Assembly passed House Bill 1002, effective July 1, 2022, which is codified, in part, at Ind. Code § 8.1.2-4.2 (“HB 1002”); and

WHEREAS, HB 1002 provides that all Utility Receipts Tax and Utility Services Use Tax (Ind. Code § 6-2.3, before its repeal) shall be repealed; and

WHEREAS, a rate adjustment (operating on a prospective basis) is required by HB 1002 and as has been recommended to the Common Council for the City of Lebanon (“City Counsel”) by the Lebanon Utility Service Board through passage of its Resolution 2022-01; and

WHEREAS, the rate adjustment is subject to the City Council and the Indiana Utility Regulatory Commission (“IURC”) approval; and

WHEREAS, HB 1002 provides that not later than May 1, 2022, a utility shall file with the IURC a rate adjustment request that adjusts the utility’s rates and charges to reflect the repeal of the utility receipts tax (Ind. Code §6-23, before its repeal), independent of any other matters related to the utility’s revenue requirement [Ind. Code § 8-1-2-4.2(b)]; and

WHEREAS, the City Council previously passed Ordinance No. 2012-11 (An Ordinance of the City of Lebanon, Indiana Adopting a New Schedule of Rates and Charges For Services Rendered by the City of Lebanon Municipal Electric Utility) adopting a new schedule of rates and charges for the City of Lebanon’s electric utility; and

WHEREAS, the City Council has determined that Ordinance No. 2012-11 shall be amended to include a revised rates in compliance with HB 1002, attached hereto as **Exhibit A**, as required by Ind. Code § 8-1-2-4.2(b), which shall replace Exhibit A of Ordinance 2012-11 and shall be effective on the next full customer billing cycle following IURC approval or July 1, 2022, whichever is later.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON:

SECTION 1. The findings and determinations set forth in the preambles to this Ordinance are hereby made findings and determinations of the Council.

SECTION 2. Ordinance No. 2012-11 is hereby amended.

SECTION 3. The provisions of this Ordinance shall take effective on the next full customer billing cycle following IURC approval or July 1, 2022, whichever is later.

This ordinance shall be in full force and effect from and after its passage and any publication required by law.

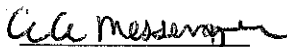
25 PASSED AND ADOPTED by the City Council of the City of Lebanon Indiana, this day of April, 2022.

CITY COUNCIL OF THE CITY OF LEBANON, INDIANA

Voting For

Voting Against

Abstain

  
Sierra Messenger

\_\_\_\_\_  
Sierra Messenger

\_\_\_\_\_  
Sierra Messenger

  
John Copeland

\_\_\_\_\_  
John Copeland

\_\_\_\_\_  
John Copeland

ABSENT  
Brent Wheat

\_\_\_\_\_  
Brent Wheat

\_\_\_\_\_  
Brent Wheat

Mike Kincaid

Mike Kincaid

Mike Kincaid

Mike Kincaid

Keith Campbell

Keith Campbell

Keith Campbell

Keith Campbell

Morris Jones

Morris Jones

Morris Jones

Morris Jones

Dick Robertson

Dick Robertson

Dick Robertson

Dick Robertson

ATTEST:

Tonya Thayer  
Clerk-Treasurer, Tonya Thayer

I hereby certify that Ordinance 2022-13 was delivered to the Mayor of Lebanon on the 25 day of April, 2022, at 8:15 p.m.

Tonya Thayer  
Tonya Thayer, Clerk-Treasurer

I hereby APPROVE ORDINANCE 2022-13  
this 10 day of May, 2022

Matthew T. Gentry  
Matthew T. Gentry, Mayor

I hereby VETO ORDINANCE 2022-13  
this \_\_\_ day of April, 2022

Matthew T. Gentry, Mayor

**EXHIBIT A**

Electric Utility

City of Lebanon, Indiana

Rate RS – Electric Residential Service

(Pursuant to the IURC Order in Cause No. 44142 dated September 12, 2012)

(Pursuant to the URT elimination approved per  
IURC Conference Minutes dated \_\_\_\_\_)

July 1, 2022

Availability

Available through one meter for residential service, including lighting, household appliances, refrigeration, cooking, water heating, space heating and small motors not exceeding three (3) horsepower individual capacity.

Character of Service

Alternating current, sixty Hertz, single phase at a voltage of approximately 120 volts two-wire, or 120/240 volts three-wire.

Rate \*

Customer Charge per month -----	\$7.88	
First 300 KWH per month-----	9.52¢	per KWH
Next 700 KWH per month-----	8.93¢	per KWH
Over 1,000 KWH per month-----	8.19¢	per KWH

Minimum Charge

The minimum monthly charge shall be the customer charge.

\* Subject to the provisions of Appendices A and B.

Electric Utility

City of Lebanon, Indiana

Rate CS – Electric Commercial Service

(Pursuant to the IURC Order in Cause No. 44142 dated September 12, 2012)

(Pursuant to the URT elimination approved per  
IURC Conference Minutes dated \_\_\_\_\_, \_\_\_\_ 2022)

July 1, 2022

Availability

Available to any customer for light and/or power purposes whose maximum load requirements do not exceed 50 kilowatts. Customer must be located on or adjacent to an electric distributions line of the Utility which is adequate and suitable for supplying the service required.

The availability of this Schedule to polyphase customers is in the process of elimination and is withdrawn except for polyphase customers contracting for service hereunder prior to September 4, 1985, and will not be applicable to any future polyphase customers. If service hereunder is at any time discontinued at the Customer's option, this Schedule shall not again be available.

Character of Service

Alternating current, sixty Hertz, single phase at a voltage of approximately 120/240 volts and polyphase at one of the following voltages: 120/240 volts four-wire Delta, 240 volts three-wire Delta, 480 volts three-wire Delta, 120/208 volts four-wire Wye, or 277/480 volts four-wire Wye, where available.

Rate \*

	<u>Single Phase</u>	<u>Polyphase</u>
Customer Charge per month -----	\$15.27	\$34.48
First 500 KWH per month-----	10.82¢ per KWH	11.06¢ per KWH
Next 1,000 KWH per month-----	9.74¢ per KWH	10.01¢ per KWH
Next 1,000 KWH per month-----	8.88¢ per KWH	9.11¢ per KWH
Over 2,500 KWH per month-----	8.50¢ per KWH	8.76¢ per KWH

Minimum Charge

The minimum monthly charge shall be the customer charge.

\* Subject to the provisions of Appendices A and B.

Electric Utility

City of Lebanon, Indiana

Rate MS – Electric Municipal Service

(Pursuant to the IURC Order in Cause No. 44142 dated September 12, 2012)

(Pursuant to the URT elimination approved per  
IURC Conference Minutes dated \_\_\_\_\_, \_\_\_\_ 2022)

July 1, 2022

Availability

Available to any metered municipal customer for light and/or power purposes. Customer must be located on or adjacent to an electric distribution line of the Utility which is adequate and suitable for supplying the service required.

Character of Service

Alternating current, sixty Hertz, single phase at a voltage of approximately 120/240 volts and polyphase at one of the following voltages: 120/240 volts four-wire Delta, 240 volts three-wire Delta, 480 volts three-wire Delta, 120/208 volts four-wire Wye, or 277/480 volts four-wire Wye, where available.

Rate \*

Customer Charge per month -----	\$15.27
All KWH used per month-----	7.86¢ per KWH

Minimum Charge

The minimum monthly charge shall be the customer charge.

\* Subject to the provisions of Appendices A and B.

Electric Utility

City of Lebanon, Indiana

Rate SGP – Small General Power Service

(Pursuant to the IURC Order in Cause No. 44142 dated September 12, 2012)

(Pursuant to the URT elimination approved per  
IURC Conference Minutes dated \_\_\_\_\_, \_\_\_\_ 2022)

July 1, 2022

Availability

Available to any customer for light and/or power purposes.

Character of Service

Alternating current, sixty Hertz, at any standard polyphase voltage supplied by Utility in the locality for which the service is requested.

Rate \*

Customer Charge per month -----	\$59.11
First 500 KWH per month-----	13.21¢ per KWH
Next 2,000 KWH per month-----	11.82¢ per KWH
Next 2,500 KWH per month-----	9.87¢ per KWH
Next 5,000 KWH per month-----	9.04¢ per KWH
Over 10,000 KWH per month-----	8.57¢ per KWH

Minimum Charge

The minimum monthly charge shall be the customer charge.

Metering Adjustment

If service is metered at a voltage greater than 480 volts, the energy measurements shall be decreased by one and one-half percent (1 ½%) to convert such measurements to the equivalent of metering at the Utility's secondary voltage.

\* Subject to the provisions of Appendices A and B.

Electric Utility

City of Lebanon, Indiana

Rate PPL – Electric Primary Power and Light Service

((Pursuant to the IURC Order in Cause No. 44142 dated September 12, 2012)

(Pursuant to the URT elimination approved per  
IURC Conference Minutes dated \_\_\_\_\_, \_\_\_\_ 2022)

July 1, 2022

Availability

Available for any customer contracting for a specified capacity of not less than 50 kilovolt-amperes. Applicant must agree to a one-year term of service and must be located adjacent to an electric transmission line of the Utility that is adequate and suitable for supplying the service required.

Character of Service

Alternating current, sixty Hertz, at any standard polyphase voltage supplied by Utility in the locality for which the service is requested.

Rate \*

<u>Customer Charge (Monthly)</u> -----	\$98.51
<u>Maximum Load Charge (Monthly)</u>	
Each KVA of Billing Maximum Load -----	\$17.38 per KVA
<u>Energy Charge (In Addition to the Maximum Load Charge)</u>	
First 300 hours' use of Billing Maximum Load -----	3.58¢ per KWH
Over 300 hours' use of Billing Maximum Load -----	3.10¢ per KWH

Measurement of Maximum Load and Energy

Maximum load shall be measured by suitable instruments provided by the Utility and in any month the maximum load expressed in kilovolt-amperes shall be the average number of kilowatts in the 30-minute interval in such month during which the energy metered is greater than in any other such 30-minute interval in such month, divided by the average lagging power factor (expressed as a decimal) calculated for the month. For billing purposes, the billing maximum load, shall be the greater of the maximum load occurring during the month or fifty (50) KVA. Energy shall be measured by suitable integrating instruments provided by the Utility.



If service is metered at a voltage of approximately 480 volts or lower, the maximum load measurements shall be increased by one percent (1%) and the energy measurements shall be increased by one and one-half percent (1 ½%) to convert such measurements to the equivalent of metering at the Utility's primary voltage.

Minimum Charge

The minimum monthly charge shall be the customer charge.

\* Subject to the provisions of Appendices A and B.

Electric Utility

City of Lebanon, Indiana

Rate OL – Outdoor Lighting Service

((Pursuant to the IURC Order in Cause No. 44142 dated September 12, 2012)

(Pursuant to the URT elimination approved per  
IURC Conference Minutes dated \_\_\_\_\_, \_\_\_\_ 2022)

*(date to be inserted upon approval by the IURC)*

Availability

Available only for continuous year-round service for outdoor lighting to any residential, farm, commercial or industrial customer located adjacent to an electric distribution line of Utility.

Character of Service

Outdoor Lighting Service using lamps available under this schedule.

Rate \*

<u>Type of Lamp</u>	<u>Rate per Lamp per Month</u>
175 watt mercury vapor	\$5.04
250 watt mercury vapor	\$6.13
400 watt mercury vapor	\$8.52
100 watt sodium vapor	\$4.31
200 watt sodium vapor	\$7.49
400 watt sodium vapor	\$13.01
150 watt sodium vapor	\$6.14
250 watt sodium vapor	\$7.49

<u>Special Contracts</u>	<u>Rate per Lamp per Month</u>
175 watt mercury vapor	\$4.82
250 watt mercury vapor	\$5.81

When Utility is required to install a pole to provide customer with Outdoor Lighting Service, customer shall be required to pay, in addition to the above charges, \$1.55 per month.

Hours of Lighting

All lamps shall burn approximately one-half hour after sunset until approximately one-half hour before sunrise each day in the year, approximately 4,000 hours per annum.

\* Subject to the provisions of Appendices A and B.

Electric Utility

City of Lebanon, Indiana

Rate SL – Public Street Lighting Service  
(Other Than State Highway Lighting Service)

((Pursuant to the IURC Order in Cause No. 44142 dated September 12, 2012)

(Pursuant to the URT elimination approved per  
IURC Conference Minutes dated \_\_\_\_\_, \_\_\_\_ 2022)

*(date to be inserted upon approval by the IURC)*

Availability

Available for any standard overhead Public Street Lighting Service.

Character of Service

Public Street Lighting Service using lamps available under this schedule.

Rate \*

<u>Type of Lamp</u>	<u>Rate per Lamp per Month</u>
100 watt mercury vapor	\$5.72
175 watt mercury vapor	\$6.23
250 watt mercury vapor	\$7.25
100 watt sodium vapor	\$5.10
200 watt sodium vapor	\$8.85
400 watt sodium vapor	\$15.38
150 watt sodium vapor	\$7.25
250 watt sodium vapor	\$8.85

<u>City of Ulen</u>	<u>Rate per Lamp per Month</u>
100 watt sodium vapor	\$4.69
175 watt sodium vapor	\$5.09

Hours of Lighting

All lamps shall burn approximately one-half hour after sunset until approximately one-half hour before sunrise each day in the year, approximately 4,000 hours per annum.

\* Subject to the provisions of Appendices A and B.

Electric Utility

City of Lebanon, Indiana

Appendix A

Rate Adjustments

The Rate Adjustments shall be on the basis of a Purchased Power Cost Adjustment Tracking Factor occasioned solely by changes in the cost of purchased power and energy, in accordance with the Order of the Indiana Utility Regulatory Commission, approved September 12, 2012 in Cause No. 44142 (Pursuant to the URT elimination approved per IURC Conference Minutes dated \_\_\_\_\_, \_\_\_\_ 2022) (*date to be inserted upon approval by the IURC*) as follows:

Rate Adjustments applicable to the below listed Rate Schedules as follows:

Residential Service Rate	RS	\$	per kWh
Commercial Service Rate			
Single Phase	CS 10	\$	per kWh
Three Phase	CS 30	\$	per kWh
Municipal Service Rate	MS	\$	per kWh
Primary Power Light Rate	PPL	\$	per kVA
		\$	per kWh
Small General Power Rate	SGP	\$	per kWh
Outdoor Lighting and Street Lighting Rate	OL & SL	\$	per kWh

Electric Utility

City of Lebanon, Indiana

Appendix B

Rate Adjustments applicable to the below listed Rate Schedules as follows:

Residential Service Rate	RS	\$	per kWh
Commercial Service Rate			
Single Phase	CS 10	\$	per kWh
Three Phase	CS 30	\$	per kWh
Municipal Service Rate	MS	\$	per kWh
Primary Power Light Rate	PPL	\$	per kVA
		\$	per kWh
Small General Power Rate	SGP	\$	per kWh
Outdoor Lighting and Street Lighting Rate	OL & SL	\$	per kWh

Average Change in Schedule of Rates

Residential Service Rate	RS	\$	per kWh
Commercial Service Rate			
Single Phase	CS 10	\$	per kWh
Three Phase	CS 30	\$	per kWh
Municipal Service Rate	MS	\$	per kWh
Primary Power Light Rate	PPL	\$	per kVA
		\$	per kWh
Small General Power Rate	SGP	\$	per kWh
Outdoor Lighting and Street Lighting Rate	OL & SL	\$	per kWh

Electric Utility

City of Lebanon, Indiana

Appendix C

<u>Description of Charge</u>	<u>Charge</u>
Bad Check Charge	\$15.00
Reconnect/Disconnect Charge	\$20.00
Meter Tampering Charge	\$20.00
Meter Deposits (Minimum)	\$25.00 For Rates RS & CS
After Hours	\$35.00 Sunday and Holidays
	\$25.00 Monday thru Saturday
Penalty for Late Payment	\$3% of Late Payment Amount