

(Published one time in the Johnson Pioneer on May 12, 2022 and the City website)

ORDINANCE NO. 401

AN ORDINANCE ESTABLISHING A RENEWABLE PARALLEL GENERATION POLICY AND ELECTRIC RATE SCHEDULE FOR THE CITY OF JOHNSON CITY, STANTON COUNTY, KANSAS, AND REPEALING ALL ORDINANCE OR PARTS OF ORDINANCE IN CONFLICT HEREWITH.

WHEREAS K.S.A 66-1,184 *et seq.* sets forth provisions for and authorizes the governing body of the City of Johnson City, Stanton County, Kansas to govern contracts for parallel generation services between electric utilities and their customers;

WHEREAS the governing body of the City of Johnson City, Stanton County, Kansas finds it necessary and prudent to adopt policy and rate plans for renewable parallel generation services;

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JOHNSON CITY, STANTON COUNTY, KANSAS:

The following calculation of rates and charges are hereby established as the monthly service charges and rate schedules for the use of use of renewable parallel generation electrical services and services provided by the City of Johnson City, Stanton County, Kansas, to be paid to the City by all persons, firms, corporations, the United States, The State of Kansas and its political subdivisions, and any organizations within and without of the City as hereinafter limited and defined whose premises are connected or may hereafter be connected to the electrical services by the City of Johnson City, Kansas:

SECTION 1. Availability.

- a) Service is available under this ordinance at points on the City of Johnson City Utility's (hereafter referred to as "Utility") existing electric distribution system for Customers operating Renewable Energy Resources. The service is available to Customer-generators on a first-come, first-served basis. Allocation of available service shall be 30% to Residential Customer and 70% to Commercial Customers until the total rated generating capability of all interconnections served under Parallel Generation equals or exceeds four percent of the City's peak load for the previous calendar year. Upon reaching this limit, no additional service shall be available under this Rate Schedule. This Rate Schedule shall not be available for any electric service schedule allowing for resale.

SECTION 2. Application.

- a) Service under this Renewable Parallel Generation Rate Schedule is available to City of Johnson City ("Utility") customers in good standing with a Customer-owned renewable electric Generation Facility as defined in the Interconnection Standards for Installation and Parallel Operation of Customer-owned Renewable Electric Generation Facilities 25 kW_{AC} or less for Residential Customers and 200 kW_{AC} or less for Commercial Customers that wish to receive a billing credit for surplus renewable energy supplied to the Utility subject to the terms and conditions of this Schedule. Customer-owned renewable generation and associated equipment are

collectively referred to as a Generation Facility.

- b) Utility may refuse interconnection of any generating facility with a rated generating capacity greater than Customer's annual peak electric load rounded up to the next whole number.

SECTION 3. Character of Service.

- a) Single phase, 60 Hertz, alternating current will be supplied at standard voltages as available through one transformer. A qualifying Customer is a customer in good standing, connected to the Utility Electric Distribution System for the purpose of receiving retail electric service that also owns and operates a Generation Facility as defined in the Interconnection Standards for Installation and Parallel Operation of Customer-owned Renewable Electric Generation Facilities. The Generation Facility shall be installed and operated in accordance with the requirements of said Interconnection Standards.

SECTION 4. Rates.

In addition to the rates set in Ordinance No. 355 for the City of Johnson City for Commercial and Residential Customers, all interconnected Parallel Generation Shall be billed monthly a Capacity Charge based off the System Nameplate Capacity Rating. The Capacity Charge shall be calculated using the following formula.

System Nameplate Capacity Rating (kW) x \$ 3.40 = Capacity Charge

Minimum Bill:

- a) The minimum monthly charge set forth in Ordinance No. 355 for the City of Johnson City plus the Capacity Charge shall be the minimum bill, and will not exceed \$60 dollars. Any credits (\$) applied to the bill will not result in a total bill less than the Minimum Bill.

SECTION 5. Metering.

- a) Metering shall be accomplished by use of a Utility-approved electric meter or meters capable of registering the flow of electricity in each direction. The Utility may, at its own expense and with written consent of the Customer, install one or more additional meters to monitor the flow of electricity.

SECTION 6. Customer Billing.

- a) The measurement of net electricity supplied by the Electric Utility and delivered to the Electric Utility shall be calculated in the following manner. Electric Utility shall measure the amount of electricity delivered by Electric Utility to Customer and the amount of electricity generated by the Customer and delivered to Electric Utility during the billing period, in accordance with normal metering practices. The kWh delivered by Electric Utility to the Customer shall be billed to the Customer at the rates contained in Ordinance No. 355 for the City of Johnson City. The kWh

generated by the Customer and delivered to the Electric Utility shall be credited as described in Customer Billing Credit below. The calculated credit (\$) applied to the bill will not result in a total bill less than the Minimum Bill.

SECTION 7. Customer Billing Credit.

- a) The billing credit for surplus energy generated by the Generation Facility and delivered to the Electric Distribution System that exceeds the Customer's instantaneous load but is not in excess of the appropriate generator size, the City shall credit one hundred and fifty percent (150%) of the City's actual cost of purchased energy (\$/kWh) for the periods in which energy was delivered to the City.

SECTION 8. Terms and Conditions.

- a) The Utility shall offer this Renewable Parallel Generation Rate Schedule to Customers that wish to receive billing credit for surplus renewable energy supplied to the Utility from eligible Customer-owned Solar Generation Facilities.
- b) The Utility may limit the number and size of renewable generators to be connected to the Utility's system due to the capacity of the distribution line to which such renewable generator would be connected, and in no case, shall the Utility be obligated to purchase an amount greater than 4% of Utility's peak power requirements.
- c) This Schedule shall only be available to Customers in good standing. All agreements hereunder shall be between the Customer and the City and will not include third parties.
- d) This Schedule is subject to the provisions of the Interconnection Standards for Installation and Parallel Operation of Customer-owned Renewable Electric Generation Facilities.
- e) The Interconnection Agreement between the Utility and Customer must remain in effect and the Customer-Owned Generation Facility must be in full compliance with the terms and conditions of the Interconnection Standards for Installation and Parallel Operation of Customer-owned Renewable Electric Generation Facilities.
- f) Any required insurance coverage is specifically addressed in the Interconnection Standards for Installation and Parallel Operation of Customer-owned Renewable Electric Generation Facilities.
- g) Nothing in this Schedule shall abrogate any Customer's obligation to comply with all applicable Federal, State and Local laws, codes or Ordinances.
- h) This Schedule shall remain in place for a minimum of 12 months.

SECTION 9. REPEAL OF CONFLICTING ORDINANCES.

That any and all ordinances or portions thereof of the City of Johnson City in conflict herewith are hereby repealed.

SECTION 10. VALIDITY.

If any part or parts of this ordinance shall be held to be invalid, such invalidity shall not affect the validity of the remaining parts of this ordinance.

SECTION 11. EFFECTIVE DATE.

This ordinance shall take effect upon passage, approval, and publication in the official city newspapers, all as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF JOHNSON CITY, STANTON COUNTY, KANSAS on this 3rd day of May, 2022.

/s/ Bryan Ellis, Mayor

Attest:

/s/ Dayle Jeanne Lorenson, City Clerk