

## RESOLUTION NO. U.A. 2001-5

A RESOLUTION AMENDING THE CHARGES FOR COMPRESSED NATURAL GAS ESTABLISHED IN THE SCHEDULE OF RATES AND CHARGES FOR DISTRIBUTION AND SERVICES OF THE NATURAL GAS DISTRIBUTION SYSTEM OF FORT PIERCE UTILITIES AUTHORITY, FORT PIERCE, FLORIDA, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF FORT PIERCE, FLORIDA, ARTICLE XII, SUPERSEDING AND RESCINDING THOSE CHARGES FOR COMPRESSED NATURAL GAS ESTABLISHED IN THE SCHEDULE OF RATES AND CHARGES FOR DISTRIBUTION AND SERVICES OF THE NATURAL GAS DISTRIBUTION SYSTEM SET FORTH IN FORT PIERCE UTILITIES AUTHORITY RESOLUTION NO. U.A. 97-3 OF FORT PIERCE UTILITIES AUTHORITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

**WHEREAS**, Fort Pierce Utilities Authority (FPUA) was created and established by the City Commission of the City of Fort Pierce, Florida, through a referendum election held in said city on May 30, 1972; and

**WHEREAS**, the Charter of the City of Fort Pierce, Florida, Article XII, grants to said Fort Pierce Utilities Authority the power and duty to fix rates to be charged for gas, electric, water, sanitary sewer (wastewater), and other utility services sold and services rendered by said Fort Pierce Utilities Authority;

**Now, therefore, be it resolved by Fort Pierce Utilities Authority, Fort Pierce, Florida:**

**SECTION 1. INTERPRETATION OF CHAPTER:** This chapter shall not be construed to relieve or lessen the responsibility or liability of any party owning, operating, controlling, or making gas installation or gas distribution, for damages to person or property caused by any defect therein or the negligent installation thereof, nor shall FPUA be held as assuming any such liability by reason of the inspection or examination authorized herein, or the license or certificate of inspection issued as herein provided.

**SECTION 2. RATES FOR NATURAL GAS SERVICE:** Rates and charges for distribution and services of the natural gas distribution system.

**A. RATE FOR RESIDENTIAL AND GENERAL NATURAL GAS SERVICE**

- (1) Availability:** Service under the Residential and General Natural Gas Service rate schedule shall apply only to individual dwelling units and their appurtenances where natural gas is used exclusively for cooking and/or water heating and/or other residential purposes in addition to building heating. Each dwelling unit in multiple unit residential dwelling complexes shall be considered as a separate consumer and shall be separately metered and billed. This rate shall not be available for buildings equipped only with natural gas space heaters where no other use is made of natural gas, or for standby or auxiliary service. No natural gas purchased under this schedule shall be resold for any purpose.

- (2) **Character of Service:** Natural gas delivered at an average pressure of seven (7) inches water column and an average heating value of 1,025 BTU's per standard cubic foot.
- (3) **Monthly Rate:**

Customer Charge (No Gas Included; Based on Meter Size):

175 - 250 cfh .....	\$ 5.50
400 - 415 cfh .....	7.75
750 cfh.....	15.50
1000 cfh.....	19.40
3000 cfh.....	58.15
5000 cfh.....	96.90

The Customer Charge for meters not listed above, where consumption is greater than 1000 cfh, shall be computed by multiplying \$19.40 times every 1000 cfh.

Commodity Charge:

0 - 100 ccf.....	\$0.8450
101 - 500 ccf.....	0.6350
501 - 2000 ccf.....	0.5800
over 2000 ccf .....	0.5400

The minimum charge shall be the "Customer Charge."

- (4) **Purchased Gas Adjustment:** The amount computed at the above monthly rate shall be adjusted plus or minus by an amount calculated in accordance with the formula specified in FPUA's Purchased Gas Adjustment clause for service, which is incorporated in Section 6 of this rate schedule.
- (5) **Tax Adjustment:** The amount computed at the above monthly rates and charges, as adjusted by the application of the Purchased Gas Adjustment clause, shall be subject to taxes, assessments, and surcharges imposed by any governmental authority which are assessed on the basis of meters, customers, or the price of (or revenues from) natural gas purchases or sales.
- (6) **Interruption of Service:** FPUA will make reasonable provisions to insure satisfactory and continuous service but does not guarantee a continuous supply of gas and shall not be liable for damage occasioned by interruptions of service; or failure to commence delivery caused by an act of God, or the public enemy, or for any cause reasonably beyond its control, including, but not limited to, the failure or breakdown of FPUA's suppliers or its equipment or facilities; freezing of wells, lines, or pipes; depletion of gas supplies; floods; fire; strikes; action or order of any agency having jurisdiction in the premises; or for interruptions which are necessary for inspection, repair, or changes in the natural gas distribution system of FPUA.

The customer shall notify FPUA immediately of any defects, trouble, or accident which may in any way affect the delivery of gas by FPUA.

**B. RATE FOR HEAT ONLY SERVICE**

- (1) **Availability:** Service under the Heat Only Service rate schedule shall apply to all customers using natural gas for heating purposes only in homes, buildings, or structures, inside and outside corporate limits, where service is supplied at one location through one meter. No other rate schedule or schedules shall be applied in such cases. No natural gas purchases under this schedule shall be resold for any purpose.
- (2) **Character of Service:** Same as Section 2-A (2) above.
- (3) **Monthly Rate:**

Customer Charge (No Gas Included; Based on Meter Size):

175 - 250 cfh .....	\$ 8.80
400 - 415 cfh .....	12.40
750 cfh.....	24.80
1000 cfh.....	31.05
3000 cfh.....	93.05
5000 cfh.....	155.05

Commodity Charge:

0 - 100 ccf.....	\$1.3520
101 - 500 ccf.....	1.0160
501 - 2000 ccf.....	0.9280
over 2000 ccf .....	0.8640

The minimum charge shall be the "Customer Charge."

- (4) **Purchased Gas Adjustment:** Same as Section 2-A (4) above.
- (5) **Tax Adjustment:** Same as Section 2-A (5) above.
- (6) **Interruption of Service:** Same as Section 2-A (6) above.

**C. PRICE FOR CONTRACT GAS SERVICE**

**Availability:** Service under the Contract Gas Service rate schedule shall apply to any non-residential, commercial, or industrial customer, inside and outside corporate limits, who maintains adequate standby equipment and fuel supplies for operation with an alternate fuel and who uses a contract minimum of 500,000 ccf per year or more. No natural gas purchased under this price schedule shall be resold for any purpose. Specific customer requirements, character of service, and monthly rates shall be set forth in a service agreement between FPUA and the customer.

D. GAS COOLING RIDER

- (1) **Availability:** This rider is available to any natural gas customer throughout FPUA's service area, including both existing or new customers which take natural gas service and where gas is used for building cooling in addition to gas used for other domestic and/or commercial purposes.
- (2) **Applicability:** Service under this rider is applicable, at the request of the customer, to incremental consumption associated with new gas end use applications with summer intensive profiles such as gas-fired air conditioning (and space conditioning provided by the same appliance) and gas-fired desiccant cooling. The qualifying incremental gas cooling service shall be separately metered to ensure that the rates provided under this rider apply only to eligible gas loads.
- (3) **Character of Service:** The character of natural gas service under this rider shall be the same as that delivered to customers served under residential and general service rates.
- (4) **Monthly Rate:**  
Commodity Charge per ccf for all ccf consumed .....\$0.5000

The minimum charge under this rider shall be the volume of gas consumed times the commodity charge. In the event that no gas is consumed in a billing period, the minimum bill under this rider shall be zero.

- (5) **Purchased Gas Adjustment:** The amount computed at the above monthly rate shall be adjusted plus or minus by an amount calculated in accordance with the formula specified in FPUA's Purchased Gas Adjustment Clause for firm service which is incorporated in Section 6-A of this rate schedule.
- (6) **Tax Adjustment:** The amount computed at the above monthly rates and charges, as adjusted by the application of the Purchased Gas Adjustment Clause, shall be subject to taxes, assessments, and surcharges imposed by any governmental authority which are assessed on the basis of meters or customers or the price of, or revenues from, natural gas purchases or sales.
- (7) **Interruption of Service:** FPUA will make reasonable provisions to insure satisfactory and continuous service, but does not guarantee a continuous supply of gas and shall not be liable for damage occasioned by interruptions of service or failure to commence delivery caused by an act of God, or the public enemy, or for any cause reasonably beyond its control, including, but not limited to, the failure or breakdown of FPUA's suppliers or its equipment or facilities, freezing of wells and lines of pipe, depletion of gas supplies, floods, fire, strikes, or action or order of any agency having jurisdiction in the premises, or for interruptions which are necessary for inspection, repair, or changes in the natural gas distribution system of FPUA.

The customer shall notify FPUA immediately of defects, trouble, or accident which may in any way affect the delivery of gas by FPUA to the customer.

**E. RATE FOR COMPRESSED NATURAL GAS SERVICE**

(1) **Availability:** Compressed Natural Gas (“CNG”) Service is available at FPUA’s Energy Services Center for use in vehicles properly equipped to use CNG as a fuel source. To receive service under this rate schedule, customers must use appropriate cards to activate the self-service dispenser. Cards identify the customer account for billing purposes and, in some cases, the vehicle being fueled. The cards must be approved by FPUA, are transferable upon proper notice to FPUA, and are available from FPUA subject to a security deposit. No natural gas purchased under this schedule shall be resold for any purpose.

(2) **Character of Service:** Compressed natural gas at an average pressure of 3,000 psi at 70° F at an average rate of approximately one (1) gallon per minute (“fast fill”) to the extent sufficient gas is available in storage.

(3) **Monthly Rate:**

Commodity Charge .....\$1.00 per gallon

Commodity Charge applies to all CNG delivered to the customer during the month, where one gallon of CNG at 70° F and 3,000 psi equals approximately 107 standard cubic feet of natural gas.

(4) **Price Adjustment:** The Director of Utilities has the authority to increase the price for CNG to enable FPUA to recover its cost and maintain its profit margin.

(5) **Tax Adjustment:** Same as Section 2-A (5) above.

(6) **Interruption of Service:** Same as Section 2-A (6) above.

**SECTION 3. SPECIAL CLASSIFICATION AUTHORIZED:** Whenever it is determined by FPUA to be necessary to classify any commercial institutions or industries by reason of the unusual purpose for which natural gas is used, or whenever the established schedule of rates and charges for any reason is not applicable, then special rates may be established by FPUA. Any person, firm, or corporation being dissatisfied with the established schedule of rates by reason of peculiar or unusual use or occupancy of any premises and consequently alleging peculiar or unusual uses of gas services, may file application with FPUA for special classification. In making any such determination as to special classification, FPUA may have the advice of a consulting engineer of national reputation and shall obtain the written recommendation of such consulting engineer in connection with the establishment of such special classification.

**SECTION 4. PURCHASED GAS ADJUSTMENT CLAUSE:** The Purchased Gas Adjustment clause is applicable to and becomes a part of all of FPUA's monthly rates for natural gas service and is applicable to all sales thereunder.

- A. The monthly bill computed under the appropriate rate schedule for firm gas service will be increased or decreased by an amount equal to the result of multiplying the measured or used volume of gas in ccf by the Purchased Gas Adjustment factor ("PGA") in effect at the time and determined as follows:

$$PGA = [(A + B)/C - \$0.33000] \times 1/(1 - T)$$

Where:

1. **PGA** = Estimated Purchased Gas Adjustment factor in dollars per ccf rounded to nearest one thousandth of a cent applicable to bills rendered during the current six-month billing cycle defined as either: i) the billing months of October, November, December, January, February, and March; or ii) the billing months of April, May, June, July, August, and September.
2. **A** = Total applicable purchased gas costs for the six-month period including, but not limited to, demand charges, commodity charges, administrative charges, charges for heating content, and other charges and adjustments necessary to compensate for temperature, losses, and pressure associated with natural gas purchases.
3. **B** = An amount to correct for the overrecovery or underrecovery of the actual applicable purchased cost of gas (True-Up Adjustment) during the latest six-month period of: i) August, September, October, November, December, and January; or ii) February, March, April, May, June, and July, determined as the difference between the actual applicable purchased cost of gas and the purchased cost of gas actually billed during the same period; plus any previous overrecovery or underrecovery of actual applicable purchased gas costs as defined above associated with prior period adjustments, if any.
4. **C** = Estimated firm gas sales in ccf for the current six-month billing cycle.
5. **T** = Appropriate tax rate for any applicable taxes.

**SECTION 5. TAX INCREASE:** Bills, including minimum bills, for billing periods commencing on or after thirty (30) days following the effective date of any additional or increased tax, fee, or assessment applicable to the production of or sale of gas, shall be increased by their proportionate share of the additional amount of such tax, fee, or assessment.

**SECTION 6. CHARGES FOR INSTALLATION OF NATURAL GAS SERVICE LINES:** The following charges shall be made by FPUA to customers for the installation of natural gas service lines:

FPUA shall extend up to one hundred (100) feet of service line without cost to the customer. The cost to the customer, if any, for service lines extending beyond one hundred (100) feet will be determined by FPUA based on factors associated with each individual service request.

## SECTION 7. RESERVED

**SECTION 8. EXTENSION OF GAS MAINS TO BE AMORTIZED:** Under normal circumstances, FPUA shall extend mains without cost to the customer whenever it is determined that the cost of the extension can be amortized within a four-year period from revenues to be derived or received from customers inside the general area requesting such an extension. However, every extension shall be analyzed based on the cost of extension versus revenues derived (both short-term and long-term), potential for future growth, benefits to FPUA to install facilities from an operational and/or future service capability standpoint, and other factors related specifically to each individual extension.

## SECTION 9. MISCELLANEOUS SERVICE CHARGES:

**A. SERVICE CHARGES FOR MAINTENANCE AND REPAIR WORK BY FPUA ON CUSTOMER'S PREMISES:** Labor charges for maintenance and repair work performed on a gas customer's premises during normal business hours shall be:

- Service performed by one (1) person: \$35.00 for one-half ( $\frac{1}{2}$ ) hour or fraction thereof, and \$10.00 for each succeeding one-half ( $\frac{1}{2}$ ) hour or fraction thereof;
- Services performed by two (2) persons shall be one and one-half ( $1\frac{1}{2}$ ) the amount of charges for the services by one (1) person;
- The minimum charge for the service by one (1) person shall be \$35.00;
- The minimum charge for the services by two (2) persons shall be \$52.50;
- Charges for work performed at times other than normal FPUA working hours shall be one and one-half ( $1\frac{1}{2}$ ) times the amounts stated above;
- No charge will be made for services which are in the public interest. Public interest shall include, but not necessarily be limited to, investigation of leaks, calls from the Fire or Police Departments, and calls of any nature, which, in the opinion of FPUA's Natural Gas Department Superintendent, should be services rendered without charge.

The above amounts for service do not include the costs of parts or materials. To the extent parts or materials are provided by FPUA or its service representative, the cost of such parts or materials shall be added to the amounts for service labor. The Director of Utilities has the authority at the recommendation of the staff to run specials to maximize staff utilization and enhance revenues.

**B. INITIATION OF SERVICES:** The service charge for the connection of an initial gas service account to premises where no service previously existed will be forty dollars (\$40.00) for a connection made during regular working hours and fifty dollars (\$50.00) for a connection made after normal working hours, as determined by FPUA. If the gas customer is also an electric customer of FPUA at the same service location, and both accounts are established concurrently, the customer shall be required to pay one half ( $\frac{1}{2}$ ) of the charge described above for initiation of the gas service account. Under normal circumstances, these service charges shall be paid in full before the establishment of gas service.

- C. RECONNECTION CHARGE AND CHARGE FOR ACCOUNT TRANSFERS:** The service charge for the subsequent re-establishment of gas service to premises where such service was previously disconnected (without cause) will be fifteen dollars (\$15.00) for next day connection; thirty dollars (\$30.00) for same day connection. These service charges shall be paid in full before the re-establishment of gas service or before the account is transferred.
- D. RETURNED CHECKS OR DRAFTS:** A service charge of twenty dollars (\$20.00) or five percent (5%) of the check amount, whichever is greater, shall be added to the customer's bill for the making, drawing, or delivery of a check, draft, or order to FPUA which is refused by the drawee because of lack of funds or credit.
- E. RECONNECTION CHARGE AFTER DISCONNECTION FOR NON-PAYMENT ON ACCOUNT:** When service is disconnected or ordered disconnected for cause or because of non-payment of amounts due, there shall be a service charge of thirty-five dollars (\$35.00) for the re-establishment of gas service at the customer's meter during normal working hours.
- When service has been ordered disconnected for cause or because of non-payment of amounts due, there shall be a service charge of fifteen dollars (\$15.00) if a service representative of FPUA has been sent to the field to disconnect the service.
- F. DELINQUENCY PENALTY FOR LATE PAYMENT:** All accounts or bills for firm gas services shall be due and payable to FPUA by customers thereof when rendered. One month from the date such accounts or bills are billed, and to the amount of all such accounts or bills which are not paid before or on the due date stated on the bills, there shall be an additional penalty of 1.5% of the delinquent balance greater than \$50.00, which shall be applied monthly for late payment.
- G. TAMPERING WITH METERS:** FPUA retains title and ownership of all meters and metering equipment. The resolution establishing U.A. meter tampering policy in effect at this time is U.A. Resolution No. 97-2, and is subject to change.
- H. FRANCHISE FEES:** A franchise fee is applied to the charges for utility services (exclusive of any municipal tax) provided to customers within the jurisdictional limits of each municipal or other governmental body requiring the payment of a fee from FPUA pursuant to a franchise ordinance. The franchise fee shall be determined in a manner which reflects FPUA's payments to each governmental body based on the provisions of the franchise ordinance.
- I. MANDATORY DISCONNECTION:** FPUA will render utility billings for the services of the system to the users thereof on a monthly basis. Upon failure of any user to pay for services rendered by the system within sixty (60) days of when the service is first used, FPUA shall disconnect the connection of such user and shall not furnish the customer or permit the customer to receive from the system further service until all past due amounts owed by the customer to FPUA on account of services shall have been paid in full. FPUA will diligently enforce and collect the rates, fees, and other charges for the services of the system and will take all steps, actions, and proceedings for the enforcement and collection of such rates, charges, and fees as shall become delinquent to the accurate records with respect thereof.

- J. **METER TEST CHARGE:** The first meter test requested by the customer during any twelve-month period shall be at no charge to the customer. If a customer requests a meter test more than once during a consecutive twelve-month period and the meter is determined to be accurate, the customer shall pay a fee which reflects FPUA's actual cost for each additional test beyond the first test.

**SECTION 10.** This resolution shall be and become effective October 1, 2001.

This the 18th day of September, A.D. 2001.

ATTEST:

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Secretary

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Chairman

Approved for form and correctness:

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Fort Pierce Utilities Authority Attorney