

CITY COUNCIL MEETING
APRIL 3, 1985

CC5/a
Pg 398

ORDINANCE
INTRODUCED
AMENDING LODI
CITY CODE
ARTICLE V CITY
SERVICE AND
UTILITY RATES
AND CHAPTER 9
ELECTRICITY

Following an introduction and explanation of the matter by Utility Director Henry Rice and Council discussion, Council on motion of Council Member Pinkerton, Olson second, introduced Ordinance No. 1351 - An Ordinance Amending Lodi City Code Article V City Service and Utility Rates and Chapter 9 Electricity. The motion carried by unanimous vote.

ORD. NO. 1351
INTRODUCED

ORDINANCE NO. 1350

AN ORDINANCE REPEALING SECTION 6 OF ORDINANCE NO. 1348
THEREBY ADJUSTING THE MOBILE HOME PARK UTILITY DISCOUNT

The City Council of the City of Lodi does ordain as follows:

- Section 1. Section 6 of Ordinance No. 1348, entitled - "An Ordinance Repealing Ordinance No. 1321 of the City of Lodi and enacting a new ordinance establishing rates for the sale of electric energy by the City of Lodi" is hereby repealed as of the effective date of this ordinance.
- Section 2. The sale of electric energy by the City of Lodi under Schedule EM - Domestic Service - Mobile Home Parks shall be as shown under Exhibit "A" attached hereto and thereby made a part hereof.
- Section 3. The foregoing Ordinance No. 1350 was introduced and adopted as an Urgency Ordinance by a unanimous vote of the City Council in a Regular Meeting of the City

Council of the City of Lodi held the 3rd day of April, 1985 and shall be in force and take effect as of the date of its passage.

Section 4. All Ordinances and parts of Ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This Ordinance shall be published one time in the Lodi News Sentinel, a daily newspaper of general circulation printed and published in the City of Lodi.

Approved this 3rd day of April, 1985

John R. Snider

Mayor

Alice M. Reimche

Attest: Alice M. Reimche
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1350 was introduced at a regular meeting of the City Council of the City of Lodi held April 3, 1985 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held April 3, 1985 by the following vote:

Ayes: Council Members - Hinchman, Pinkerton, Olson, Reid, and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

I further certify that Ordinance No. 1350 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

Alice M. Reimche
Alice M. Reimche
City Clerk

Approved as to form

Ronald M. Stein
City Attorney

SCHEDULE EM

DOMESTIC SERVICE - MOBILE HOME PARKS

APPLICABILITY:

Mobile home parks domestic service is applicable to domestic lighting, heating, cooking and power supplied to mobile home parks through a master-meter and sub-metered to all individual mobile home units.

RELIABILITY:

The City will endeavor at all times to provide a regular and uninterrupted supply of service, but in case the supply of service shall be interrupted or irregular or defective or fail from causes beyond its control or through ordinary negligence of employees, servants or agents, the City will not be liable.

RATES:

	Per Meter Per Month
Customer Charge:	\$1.65
Energy Charge (to be added to Customer Charge):	
First 440 kwhr per mobile home space wired for service, per kwhr.04864
Over 440 kwhr per mobile home space wired for service, per kwhr.07677
Service Discount (from above charges): \$7.34 per mobile home space wired for service, per month.	

Fuel Cost Adjustment:

A fuel cost adjustment will be included in each bill for service. The adjustment amount shall be the product of the total kilowatt hours for which the bill is rendered times the adjustment amount per kilowatt hour. The adjustment amount per kilowatt hour will be calculated to recover fuel cost amounts charged the City by the Pacific Gas and Electric Co., Northern California Power Agency and other suppliers of bulk power.

SPECIAL CONDITION:

It is the responsibility of the customer to notify the City Finance Department within 15 days following any change in the number of mobile home spaces wired for service.

Effective April 3, 1985

Ordinance No. 1350
Urgency Ordinance

§ 739.2

PUBLIC UTILITIES CODE

and they shall not be provided with more than one single party line if any family member residing at the principal place of residence receives universal telephone service.

(g) As used in this section, "residential" means residential use and excludes industrial, commercial, and every other category of end use.

(h) The Universal Telephone Service Fund shall be created and administered pursuant to Part 22 (commencing with Section 44000) of Division 2 of the Revenue and Taxation Code.

(i) This section shall become inoperative on July 1, 1988, and, as of January 1, 1989, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 1989, deletes or extends the dates on which it becomes inoperative and is repealed.

(Added by Stats.1983, c. 1143, p. —, § 2, imd. eff. Sept. 28, 1983.)

Operative Effect and Repeal

Section 739.2, by its own terms, becomes inoperative on July 1, 1988, and is repealed on Jan. 1, 1989.

§ 739.5. Residential gas or electric service; provision by master meter customer through submeter service system; rates; rebates; customer services; maintenance; itemized billing; notice

(a) The commission shall require that, whenever * * * gas or * * * electric service, or both, is provided by a master-meter customer to users who are tenants of a mobilehome park, apartment building, or similar residential complex, the master-meter customer * * * shall charge each user of the service at the same rate which would be applicable if the user were receiving * * * gas or electricity, or both, directly from the gas or electrical corporation. The commission shall require the corporation furnishing service to the master-meter customer to establish uniform rates for * * * master-meter service at a level which will provide a sufficient differential to cover the reasonable average costs to master-meter customers of providing * * * submeter service, except that these costs shall not exceed the average cost that the corporation would have incurred in providing comparable services directly to the users of the service.

(b) Every master-meter customer of a gas or electrical corporation subject to subdivision (a) who on or after January 1, 1978, receives any rebate from the corporation shall distribute to, or credit to the account of, each current user served by the master-meter customer that portion of the rebate which the amount of gas or electricity, or both, consumed by the user during the last billing period bears to the total amount furnished by the corporation to the master-meter customer during that period.

...

(c) An electrical or gas corporation furnishing service to a master-meter customer shall furnish to each user of the service within a submetered system every public safety customer service which it provides beyond the meter to its other residential customers. The corporation shall furnish a list of those services to the master-meter customer who shall post the list in a conspicuous place accessible to all users. Every corporation shall provide these public safety customer services to each user of electrical or gas service under a submetered system without additional charge unless the corporation has included the average cost of these services in the rate differential provided to the master-meter customer on January 1, 1984, in which case the commission shall deduct the average cost of providing these public safety customer services when approving rate differentials for master-meter customers.

(d) Every master-meter customer is responsible for maintenance and repair of its submeter facilities beyond the master meter, and nothing in this section requires an electrical or gas corporation to make repairs to or perform maintenance on the submeter system.

(e) Every master-meter customer shall provide an itemized billing of charges for electricity or gas, or both, to each individual user generally in accordance with the form and content of bills of the corporation to its residential customers, including, but not limited to, the opening and closing readings for the meter, and the identification of all rates and quantities attributable to each block in the applicable rate structure. The master-meter customer shall also post, in a conspicuous place, the applicable prevailing residential gas or electrical rate schedule, as published by the corporation.

Underline indicates changes or additions by amendment

PUBLIC UTILITIES CODE

§ 740.1

(f) The commission shall require that every electrical and gas corporation shall notify each master-meter customer of its responsibilities to its users under this section.

(Added by Stats.1976, c. 922, p. 2109, § 3, urgency, eff. Sept. 14, 1976. Amended by Stats.1977, c. 194, p. 713, § 1; Stats.1983, c. 622, p. —, § 1.)

1976 Legislation.

Legislative findings and declarations of Stats.1976, c. 922, p. 2109, see note under Civil Code § 789.7b.

1977 Amendment. Added subs. (b) and (c).

1983 Amendment. Rewrote the section which had read:

(a) The commission shall require that, whenever domestic gas or domestic electric service, or both, is provided by a master-meter customer to users through a submeter service system, the master-meter customer providing such submeter service, whether such customer is a mobilehome park, an apartment house, or a similar establishment, shall charge each user at the same rate which would be applicable if the user were receiving such gas or electricity or both, directly from the serving utility. The commission shall require the serving utility to establish uniform rates for each service schedule area for master-meter service at a level which will provide a sufficient differential to cover the reasonable average costs to master-meter customers of providing such submeter service provided, however, that such costs shall not exceed the average cost that the serving utility would have incurred in providing comparable services beyond the master-meter to the submeter tenants.

(b) Every master-meter customer subject to subdivision (a) who, on or after January 1, 1978, receives any rebate from the serving utility shall distribute to, or credit to the account of, each current user served by the master-meter customer that portion of the rebate which the amount of gas or electricity, or both, consigned by the user during the last billing period bears to the total amount used by the master-meter customer during such period.

(c) Serving utilities shall notify each master-meter customer subject to subdivision (b) of the master-meter customers' responsibilities under that subdivision."

Library References

- Electricity § 11.3(1).
Gas § 14.1(1).
C.J.S. Electricity § 30.
C.J.S. Gas § 31 et seq.

Notes of Decisions

In general 1
Rates and charges 2

1. In general

In view of emphasis of this section upon "average costs" and costs for "comparable services", this section requires that apartment houses and mobile-home parks be considered separately in establishing rate differentials. Master Meter Gas and Electric Utility Customers (1979) 1 Cal.P.U.C.2d 172.

This section provides that a master meter customer providing submeter service shall charge each user the applicable gas or electric utility rate. App. of SDG&E Co. (1977) 82 Cal.P.U.C. 291.

2. Rates and charges

Pursuant to this section, the utility rate established for master meter service must be at a level to cover the reasonable average cost to provide submeter service provided such costs do not exceed the average cost the meter would have incurred to provide comparable service beyond the master meter. Maintenance of such differential will benefit tenants of mobile home parks by enabling them to have the full benefit of lifeline rates. App. of SDG & E Co. (1977) 82 Cal.P.U.C. 291.

§ 740.1. Guidelines for evaluating research, development and demonstration programs

The commission shall consider the following guidelines in evaluating the research, development, and demonstration programs proposed by electrical and gas corporations:

- (a) Projects should offer a reasonable probability of providing benefits to ratepayers.
(b) Expenditures on projects which have a low probability for success should be minimized.
(c) Projects should be consistent with the corporation's resource plan.
(d) Projects should not unnecessarily duplicate research currently, previously, or imminently undertaken by other electrical or gas corporations or research organizations.
(e) Each project should also support one or more of the following objectives:
(1) Environmental improvement.
(2) Public and employee safety.
(3) Conservation by efficient resource use or by reducing or shifting system load.
(4) Development of new resources and processes, particularly renewable resources and processes which further supply technologies.
(5) Improve operating efficiency and reliability or otherwise reduce operating costs.

(Added by Stats.1984, c. 1713, p. —, § 2.)

Asterisks * * * indicate deletions by amendment

ALJ/rr/jt

*mailed back to
1/2/84
Hess
Decision*

Decision 83-12-068 December 22, 1983

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS AND)
ELECTRIC COMPANY for authority, among)
other things, to increase its rates)
and charges for electric and gas)
service.)

Application 82-12-48
(Filed December 20, 1982)

(Electric and Gas)

(For appearances see Appendix C.)

PG&E should propose at least one TOU rate structure along the lines of those presented by LGC in this proceeding. PG&E should also consider changing the winter on-peak period and/or implementing a summer-winter pricing differential. Alternatively, a variation in the on-peak and off-peak periods by climate zones may be desirable to target the on-peak pricing incentives to the periods when customers have the largest discretionary electric loads.

4. Master Meter Discounts

Public Utilities (PU) Code Section 739.5 states that a master meter customer (mobile home park owner) be given an allowance to allow recovery of the reasonable average costs for providing a submetered service to individual mobile home residents. The recoverable cost may not exceed the average cost the serving utility (PG&E) would have incurred in providing comparable services beyond the master meter. The two schedules involved are DT for electric service and GT for gas service.

The ultimate issues in this continuing controversy are 1) the size of the discount, and 2) what form it should take.

PG&E testifies and Western Mobilehome Association (WMA) concurs that the comparable cost for providing gas submetered service in 1984 would be \$6.44 per month per mobilehome space.

The major issue in calculating the average electric cost is the weighting factor used to account for overhead versus underground service. PG&E shows that the cost for overhead service will be \$7.41 per month per space and \$9.60 for underground service. PG&E shows that it serves approximately 93% of the mobilehome parks with overhead service (from PG&E to master meter). WMA shows that about 94% of the individual mobilehome spaces (master meter to mobilehome) have underground service. Thus the issue is how the average cost should be determined.

We adopt the PG&E method. Since PG&E provides the majority of secondary distribution service to the master meter in overhead fashion, it is reasonable to assume that if PG&E extended the service beyond the master meter it would also use overhead service. Therefore, we adopt the figure of \$7.57 per space per month for the electric master meter allowance.

The next issue is what form the allowance should take. Presently it is a percentage discount of lifeline sales. PG&E proposes to maintain this form of the discount. Its chief attribute is that it prevents overpaying mobilehome parks due to vacant spaces. Its major drawback is that the percentage discount needs to be recalculated at every rate change and this presents an additional issue subject to contest during each offset proceeding.

The WMA proposes that the flat rate discount be adopted, noting that it is much less controversial and is then easily applied. It also notes that there are special conditions in both the DT and GT schedules that require the mobile home park owner to notify PG&E when the number of customers change. ~~We will adopt the proposed flat rate discount and encourage PG&E to strengthen its reporting requirements and penalty provisions for failure to report changes in number of customers by advice letter filing.~~

The other "master meter" schedule D.S. should be resolved similarly with the discount provided on a flat rate basis using PG&E's computation of the discount.

B. Light and Power Rate Design

Light and power customers comprise approximately 59% of PG&E's sales but only about 10% of its customers. Approximately 90% of the light and power customers are classified as small light and power and have demand levels below 500 kW. The medium light and power class consists of about 9.4% of light and power customers who have demand

ORDINANCE NO. _____

AN ORDINANCE AMENDING LODI CITY CODE ARTICLE V
CITY SERVICE AND UTILITY RATES AND CHAPTER 9 ELECTRICITY

BE IT ORDAINED BY THE LODI CITY COUNCIL.

SECTION 1. Lodi City Code Article V City Service and Utility Rates, and Lodi City Code Section 9 Electricity are hereby amended as follows:

Sec. 2-41.1. Resale of Electrical Energy.

A. A customer shall not furnish or use electricity received from the City upon premises, or for purposes other than those specified in his application for service.

B. A customer shall not furnish or resell electricity received from the City to any person, except:

Residential single-phase service supplied to multi-family accommodations through one meter on a single premise for:

- (1) Mobile home parks, when submetered to all individual tenants.
- (2) Residential hotels.

C. As a condition of service for submetering, where electric energy is resold in accordance with B.1 and B.2 above, customers using submeters as a basis for charges for electricity shall submit to the City certification by a meter testing laboratory, satisfactory to the City, as to the accuracy of the submeters upon initial installation of such submeters, or for existing submeters upon request by the City. Billing of

submetered energy shall be at the same rate as the City's existing EA rate (Domestic Service), as if the City was serving the customer directly. As a further condition of service for submetering, the customer shall agree that the City may inspect and examine the customer's billing procedures from time to time to determine that resale is made in accordance with this rule.

D. In the event such energy is furnished or resold otherwise than as provided above, the City may discontinue service to the customer.

Sec. 9-30. General Rules and Regulations.

All meter installations shall comply with the minimum requirements of the ELECTRIC UTILITY SERVICE EQUIPMENT REQUIREMENTS COMMITTEE (EUSERC), as accepted by the City of Lodi, and with rules and regulations of the inspecting authority having jurisdiction.

Metering equipment complying with these service rules and regulations shall be required whenever any electrical wiring of the Class I type (defined in the City Electrical Code) is installed, except when there is existing metering equipment which, in the opinion of the building official, is satisfactory and adequate to register all electric current to be supplied.

When a property owner is permitted to do his own wiring, he will be considered the electrical contractor for the purpose of this article.

Sec. 9-33. Type of Metering Installation.

Provision shall be made for the installation of a self-contained meter (no instrument transformers) for services with capacity less than two hundred amps.

In all other cases, provision shall be made for the installation of instrument transformers and a transformer-type meter. For large installations, the Utility Department should be consulted to determine if provision is necessary for installation of a varhour meter to measure power factor.

Exception: The four hundred amp, single-phase 'bolt-in' type meter is acceptable only for single-family residential use.

Socket-type meters shall be used on all installations.

Sec. 9-34. Meter Sockets.

The contractor shall provide meter sockets in accordance with EUSERC requirements for the type of service being installed.

Sec. 9-35. Instrument Transformer Installations.

An instrument transformer installation consists of metering current or potential transformers, or both, mounted in a metal cabinet and a watt-hour meter with its accompanying test facilities. For large loads, a varhour meter is required in addition to the watt-hour meter.

The Utility Department will furnish and install the secondary wiring from the instrument transformers to the meter

in conduit or raceways furnished and installed by the contractor. Provision shall be made for the installation of meter test blocks or test switches, which will also be furnished by the Utility Department.

The contractor shall furnish and install a metal cabinet for housing the metering instrument transformers in accordance with EUSERC specifications for the type of service being installed.

All covers which must be lifted into place should be equipped with two handles or similar lifting devices. All covers shall have a small caution sign on the front reading, "Do not break seals. No fuses inside."

Sec. 9-36. Multiple Meter Installations.

A. When a building has more than one customer or more than one type of service, it is necessary to use a multiple meter installation. Nonswitchboard multiple-occupancy installations can usually best be arranged by utilizing a meter trough. Standardized meter troughs using ring-type sockets or individual sockets in combination with standardized wire gutters or their equivalent are recommended. Troughs and wire gutters containing unmetered wiring shall always be provided with two studs having one-sixteenth-inch holes for sealing, in addition to the screws normally used to hold the cover in place. Unmetered service wires and metered load wires shall not be run in the same conduit, raceway or wiring gutter.

B. The rules for spacing of multiple meter installations using socket-type meters shall be in accordance with EUSERC requirements.

C. In multiple-occupancy buildings, meters shall be mounted at a common location. Where one or more meters are added to an existing installation, they shall either conform to the existing plan, or the existing meters shall be rearranged to conform to a new plan.

D. Each meter position in multiple meter installations shall be clearly and prominently marked in a permanent manner by the contractor to indicate the particular location supplied by it. Meters will not be installed until the marking is complete.

In case of multiple dwellings, each meter switch shall be marked by letter or numeral to correspond to the apartment it serves.

Sec. 9-37. Meter Locations.

Electric meter installations shall be located so as to be accessible to any authorized representative of the Utility Department at all reasonable times for reading, testing and inspection. Outdoor meter locations are preferred.

Electric meter installations shall not be located in any of the following places:

- (1) On any floor higher than the ground floor.
- (2) In any place where moisture, fumes or dust may interfere with its operation or materially damage the meter.

- (3) In any elevator or hatchway.
- (4) In any hazardous location.
- (5) In any place not in general use.
- (6) Directly over any stairway, ramp or steps.
- (7) On any surface subject to excessive vibration, as determined by the Utility Department.
- (8) In any doorway.
- (9) On or recessed in the external surface of any wall or any building that is built within three feet of any property line or on the line of any walk, alley or driveway giving access to commercial or industrial property, except when permitted by the Utility Department.
- (10) On any portion of a building which might at a later date be enclosed and thus make the meter inaccessible, such as carports, breezeways, covered porches and similar places.

Residential meter installations, when electric utilities are installed in the street, shall be located outdoors and shall be located within six feet of the front corner of the building or structure. No electric meter shall be enclosed by any fence, gate, shrub or any other type of structure or enclosure, and shall be accessible from the front of the building or structure.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this day of

Name _____
MAYOR

Attest:

ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. was introduced at a regular meeting of the City Council of the City of Lodi held and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held by the following vote:

Ayes: Council Members -
Noes: Council Members -
Absent: Council Members -
Abstain: Council Members -

I further certify that Ordinance No. _____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE
City Clerk

Approved as to form

RONALD M. STEIN
City Attorney