



SEATTLE CITY COUNCIL

Legislative Summary

CB 119633

Record No.: CB 119633

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125958

In Control: City Clerk

File Created: 08/20/2019

Final Action: 10/11/2019

Title: AN ORDINANCE relating to the rates, terms, and conditions for the use and sale of electricity supplied by the City Light Department for 2020; amending Seattle Municipal Code (SMC) Sections 21.49.030, 21.49.052, 21.49.055, 21.49.057, and 21.49.081; adding a new Section 21.49.070 to the SMC; and ratifying and confirming certain prior acts.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Mosqueda

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: kirsty.grainger@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	08/27/2019	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	08/27/2019	sent for review	Council President's Office			
Action Text: The Council Bill (CB) was sent for review. to the Council President's Office							
1	Council President's Office	09/05/2019	sent for review	Housing, Health, Energy, and Workers' Rights Committee			
Action Text: The Council Bill (CB) was sent for review. to the Housing, Health, Energy, and Workers' Rights Committee							

Legislative Summary Continued (CB 119633)

1	City Council	09/09/2019	referred	Housing, Health, Energy, and Workers' Rights Committee		
1	Housing, Health, Energy, and Workers' Rights Committee	09/24/2019	pass		09/30/2019	Pass
	Action Text: The Committee recommends that City Council pass the Council Bill (CB). In Favor: 3 Chair Mosqueda, Vice Chair Juarez, Member Bagshaw Opposed: 0					
1	City Council	09/30/2019	passed			Pass
	Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill: In Favor: 8 Councilmember Bagshaw, Council President Harrell, Councilmember Herbold, Councilmember Juarez, Councilmember Mosqueda, Councilmember O'Brien, Councilmember Pacheco, Councilmember Sawant Opposed: 0					
1	City Clerk	10/03/2019	submitted for Mayor's signature	Mayor		
1	Mayor	10/04/2019	Signed			
	Action Text: The Council Bill (CB) was Signed.					
1	Mayor	10/11/2019	returned	City Clerk		
	Action Text: The Council Bill (CB) was returned. to the City Clerk					
1	City Clerk	10/11/2019	attested by City Clerk			
	Action Text: The Ordinance (Ord) was attested by City Clerk.					

CITY OF SEATTLE

ORDINANCE 125958

COUNCIL BILL 119633

AN ORDINANCE relating to the rates, terms, and conditions for the use and sale of electricity supplied by the City Light Department for 2020; amending Seattle Municipal Code (SMC) Sections 21.49.030, 21.49.052, 21.49.055, 21.49.057, and 21.49.081; adding a new Section 21.49.070 to the SMC; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 125709, adopted by the City Council on November 19, 2018, established retail electric rates effective January 1, 2020; and

WHEREAS, circumstances have occurred that require technical changes to certain rates and provisions; and

WHEREAS, the City Light Department (Department) serves customers in the City of Burien under the terms of a franchise agreement adopted by City Council via Ordinance 124572 on September 15, 2014; and

WHEREAS, the City of Burien, in a letter dated December 28, 2018, exercised an option in its franchise agreement that has the effect of increasing rates approximately 2 percent for customers located within Burien city limits, effective January 1, 2020; and

WHEREAS, the BPA pass through mechanism passes through in rates any cost impacts of changes in the Bonneville Power Administration power purchase contract, which is typically updated biennially; and

WHEREAS, changes in BPA contract costs may be sufficiently small that implementing a standalone rate adjustment in the timeframe set forth by the BPA pass through is not useful to customers or the Department; and

WHEREAS, customer behavior has indicated the need for the Department to have flexibility in the manner it structures its fees associated with electric charging stations; and

WHEREAS, the City Council has reviewed the terms, rates, and conditions set forth within this ordinance and has determined that the supporting reasoning is sound and prudent; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection 21.49.030.A of the Seattle Municipal Code, which section was last amended by Ordinance 125709, is amended as follows:

21.49.030 Residential rates (Schedules RSC, RST, RSS, RSH, RSB, RSE, and RSL)

A. Schedules RSC, RST, RSS, RSH, RSB, RSE, and RSL are for all separately metered residential services. For all residential rate schedules, summer billing is defined as April 1 through September 30, and winter billing is defined as all other days. For all residential rate schedules, the First Block energy charge shall apply to the first 10 kWh per day for summer billing, and the first 16 kWh per day for winter billing. The End Block energy charge shall be applied to all additional kWh.

* * *

Schedule RSB (Residential: Burien)

RSB	Effective January 1, 2018	Effective January 1, 2019	Effective January 1, 2020
Base Service Charge cents per meter per day	17.61	18.57	((19.05)) <u>19.41</u>
First Block Energy Charge cents per kWh	7.96	9.34	((10.63)) <u>10.83</u>
End Block Energy Charge cents per kWh	13.70	13.70	((13.70)) <u>13.96</u>
First Avenue South 1 Undergrounding Charge cents per kWh	0.37	0.37	0.37

RSB	Effective January 1, 2018	Effective January 1, 2019	Effective January 1, 2020
First Avenue South 2 Undergrounding Charge cents per kWh	0.13	0.13	0.13

* * *

Section 2. Subsection 21.49.052.A of the Seattle Municipal Code, which section was last amended by Ordinance 125709, is amended as follows:

21.49.052 Small general service (Schedules SMC, SMT, SMS, SMH, SMB, SMD, SME, and SML)

A. Small general service is general service provided to customers who are not demand metered or, if demand metered, have had in the previous calendar year more than half of their normal billings at less than 50 kW of maximum demand. Classification of new customers as small general service customers will be based on the Department's estimate of maximum demand in the current year. Customers who are assigned flat rate bills shall be charged according to small general service rates.

* * *

Schedule SMB (Small General Service: Burien)

SMB	Effective January 1, 2018	Effective January 1, 2019	Effective January 1, 2020
Energy Charge cents per kWh	9.74	10.18	((10.71)) <u>10.92</u>
Minimum Charge dollars per meter per day	\$0.33	\$0.40	((0.41)) <u>\$0.42</u>
First Avenue South 1 Undergrounding Charge cents per kWh	0.37	0.37	0.37

SMB	Effective January 1, 2018	Effective January 1, 2019	Effective January 1, 2020
First Avenue South 2 Undergrounding Charge cents per kWh	0.13	0.13	0.13
Power Factor Charge cents per kVarh	\$0.15	\$0.15	\$0.15
Transformer investment credit per kW of monthly maximum demand	\$0.27	\$0.26	\$0.26
Transformer losses discount in kWh	$.53285 \times kW + .00002 \times kW^2 + .00527 \times kWh$		

* * *

Section 3. Subsection 21.49.055.A of the Seattle Municipal Code, which section was last amended by Ordinance 125709, is amended as follows:

21.49.055 Medium general services (Schedules MDC, MDT, MDS, MDH, MDB, MDD, MDE, and MDL)

A. Medium general service is general service provided to customers who have in the previous calendar year half or more than half of their normal billings at 50 kW of maximum demand or greater and have more than half of their normal billings at less than 1,000 kW of maximum demand. Classification of new customers will be based on the Department's estimate of maximum demand in the current year.

* * *

Schedule MDB (Medium Standard General Service: Burien)

MDB	Effective January 1, 2018	Effective January 1, 2019	Effective January 1, 2020
Energy Charge cents per kWh	7.70	8.01	((8.47)) <u>8.62</u>

MDB	Effective January 1, 2018	Effective January 1, 2019	Effective January 1, 2020
Demand Charge dollars per kW	\$3.65	\$4.03	(((\$4.12)) <u>\$4.20</u>)
Minimum Charge dollars per meter per day	\$0.85	\$1.29	(((\$1.32)) <u>\$1.34</u>)
First Avenue South 1 Undergrounding Charge cents per kWh	0.37	0.37	0.37
First Avenue South 2 Undergrounding Charge cents per kWh	0.13	0.13	0.13
Power Factor Charge cents per kVarh	\$0.15	\$0.15	\$0.15
Transformer Investment Credit per kW of monthly maximum demand	\$0.27	\$0.26	\$0.26
Transformer losses discount in kWh	$.53285 \times kW + .00002 \times kW^2 + .00527 \times kWh$		

* * *

Section 4. Subsection 21.49.057.A of the Seattle Municipal Code, which section was last amended by Ordinance 125709, is amended as follows:

21.49.057 Large general service (Schedules LGC, LGT, LGS, LGH, LGD, LGB, LGE, and LGL)

A. Large general service is network general service provided to customers who have in the previous calendar year half or more than half of their normal billings at 1,000 kW of maximum demand or greater, and also standard general service provided to customers who have in the previous calendar year half or more than half of their normal billings at 1,000 kW of maximum demand or greater and have more than half of their normal billings at less than 10,000

kW of maximum demand. Classification of new customers will be based on the Department's estimate of maximum demand in the current year.

* * *

Schedule LGB (Large Standard General Service: Burien)

LGB	Effective January 1, 2018	Effective January 1, 2019	Effective January 1, 2020
Energy Charge – Peak cents per kWh	8.85	9.07	((9.59)) <u>9.77</u>
Energy Charge – Off-Peak cents per kWh	5.85	6.04	((6.39)) <u>6.51</u>
Demand Charge – Peak dollars per kW	\$3.31	\$3.88	(((\$3.97)) <u>\$4.04</u>
Demand Charge – Off-Peak dollars per kW	\$0.29	\$0.28	\$0.28
Minimum Charge dollars per meter per day	\$30.07	\$30.40	(((\$31.17)) <u>\$31.76</u>
First Avenue South 1 Undergrounding Charge cents per kWh	0.37	0.37	0.37
First Avenue South 2 Undergrounding Charge cents per kWh	0.13	0.13	0.13
Power Factor Charge cents per kVarh	\$0.15	\$0.15	\$0.15
Transformer investment credit per kW of monthly maximum demand	\$0.27	\$0.26	\$0.26
Transformer losses discount in kWh	$.53285 \times kW + .00002 \times kW^2 + .00527 \times kWh$		

* * *

Section 6. A new Section 21.49.070 is added to the Seattle Municipal Code as follows:

21.49.070 Public charging

1 Electric charging facilities operated by the Department under authority granted by subsection
2 21.49.130.G may be used by any member of the public. Fees for use of charging facilities shall
3 be designed to recoup the capital and operating cost of the charging equipment, plus the cost of
4 electricity as determined by the relevant retail rate, plus appropriate taxes and overhead cost.
5 Rental fees may be structured in any way that reflects cost of service including per kWh, per
6 minute, or a flat fee. Precise terms and conditions for use, exact fees, and derivation of such fees
7 shall be documented and filed in accordance with the provisions of Chapter 3.02.

8 Section 6. Section 21.49.081 of the Seattle Municipal Code, last amended by Ordinance
9 125171, is amended as follows:

10 **21.49.081 Automatic BPA cost adjustment**

11 ~~((In the event that))~~ If BPA implements new rates for power and/or transmission services, the
12 updated BPA contract cost under the new rates for the subsequent 12-month period shall be
13 compared with the Department's ~~((adopted budget for these services))~~ cost assumption used in
14 the adopted revenue requirement for the same time period. ~~((As soon as practical))~~ If the
15 calculated difference is more than \$1.5 million, then it will be deemed material and passed
16 through in rates. Within three months after the BPA rate implementation, energy charges in all
17 rate schedules will be adjusted upwards or downwards by a consistent fixed per-kWh amount
18 such that the identified material cost difference, including taxes, is collected from or credited to
19 customers over the subsequent 12-month period from the onset of the rate adjustment.

20 Section 7. Any act consistent with the authority of this ordinance taken prior to its
21 effective date is ratified and confirmed.

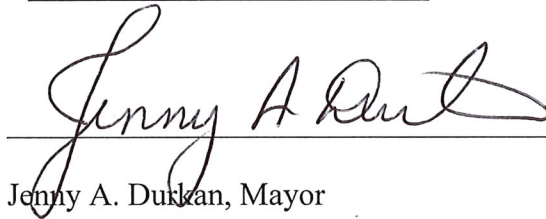
Section 8. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 30th day of September, 2019,
and signed by me in open session in authentication of its passage this 30th day of
September, 2019.



President _____ of the City Council

Approved by me this 4th day of October, 2019.


Jenny A. Durkan, Mayor

Filed by me this 11th day of OCTOBER, 2019.



Monica Martinez Simmons, City Clerk

(Seal)



STATE OF WASHINGTON -- KING COUNTY

--SS.

379066

No. TITLE ONLY

CITY OF SEATTLE, CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

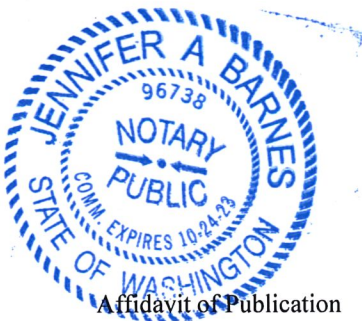
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:125949-961.865219

was published on

10/30/19

The amount of the fee charged for the foregoing publication is the sum of \$250.13.



Subscribed and sworn to before me on

10/30/2019

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on September 30, 2019, and published below by title only, will be mailed upon request, or can be accessed at <http://seattle.legistar.com>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Ordinance 125949

Council Bill 119660

AN ORDINANCE appropriating money to pay certain audited claims for the week of September 16, 2019 through September 20, 2019 and ordering the payment thereof.

Ordinance 125950

Council Bill 119606

AN ORDINANCE relating to rental properties; restricting a landlord's ability to limit the number of persons residing in a rental unit; prohibiting the use of conditions that are applied to persons residing in a rental unit who are not tenants; and amending Sections 7.24.020 and 7.24.030 of, and adding new Sections 7.24.031 and 7.24.032 to, the Seattle Municipal Code.

Ordinance 125951

Council Bill 119658

AN ORDINANCE relating to rental agreements; relieving a tenant experiencing domestic violence, sexual assault, unlawful harassment, or stalking from liability for damage to the landlord's property caused by a perpetrator of domestic violence, sexual assault, unlawful harassment, or stalking; creating a landlord mitigation program; and amending Sections 7.24.020, 7.24.030, and 22.206.170 of, and adding new Section 7.24.033 to, the Seattle Municipal Code.

Ordinance 125952

Council Bill 119619

AN ORDINANCE relating to notices to residential rental tenants; requiring certain notices to contain a reference to City landlord-tenant information and resources; and amending Section 22.206.180 of the Seattle Municipal Code.

Ordinance 125953

Council Bill 119620

AN ORDINANCE relating to residential rent payments; requiring receipts and non-electronic payment options; and amending Section 7.24.030 of the Seattle Municipal Code.

Ordinance 125954

Council Bill 119621

AN ORDINANCE relating to termination of residential rental tenancies; requiring compliance with the Rental Registration and Inspection Ordinance before issuing notices to terminate a tenancy; and amending Sections 22.206.160 and 22.214.075 of the Seattle Municipal Code.

Ordinance 125955

Council Bill 119639

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights to be surplus to the needs of Seattle Public Utilities; and authorizing the General Manager/CEO of Seattle Public Utilities to execute an easement agreement with Little Green Valley, LLC, a Washington limited liability company; Nancy J. Gleason; Ron L. Nickell aka Ronald L. Nickell and Sandra Flint Nickell, Husband and Wife; William H. Flint, The Heirs of Charles Eugene Flint; and Joan H. Zimmerman, allowing the use of certain City of Seattle property in the north half of the southwest quarter of Section 5, Township 22 North, Range 6 East, W.M., in King County Washington for access purposes.

Ordinance 125956

Council Bill 119631

AN ORDINANCE relating to the City Light Department; authorizing the General Manager and Chief Executive Officer of City Light to execute the NorthernGrid Funding Agreement; authorizing the execution of supplements, extensions, and amendments to such agreement subject to appropriated budget authority; and ratifying and confirming certain prior acts.

Ordinance 125957

Council Bill 119632

AN ORDINANCE relating to the City Light Department; granting authority for the Department to offer term-limited pilot programs to study demand response and low-income assistance programs.

Ordinance 125958

Council Bill 119633

AN ORDINANCE relating to the rates, terms, and conditions for the use and sale of electricity supplied by the City Light Department for 2020; amending Seattle Municipal Code (SMC) Sections 21.49.030, 21.49.052, 21.49.055, 21.49.057, and 21.49.081; adding a new Section 21.49.070 to the SMC; and ratifying and confirming certain prior acts.

Ordinance 125959

Council Bill 119659

AN ORDINANCE relating to emergency assistance for low-income City Light Department and Seattle Public Utilities Department customers; amending Sections 21.49.042 and 21.76.065 of the Seattle Municipal Code to expand and align eligibility and assistance guidelines for emergency assistance programs.

Ordinance 125960

Council Bill 119635

AN ORDINANCE relating to the City Light Department and the Office of Housing; transferring jurisdiction of the former Loyal Heights and Phinney Substation properties from the City Light Department to the Office of Housing for the purpose of developing permanently affordable home ownership.

Ordinance 125961

Council Bill 119614

AN ORDINANCE vacating Carr Place North between North 34th Street and North 35th Street, on the petition of Seattle Public Utilities (Clerk File 312535).

Ordinance 865219

Council Bill None

AN ORDINANCE for testing our passed legislation process

Date of publication in the Seattle Daily Journal of Commerce, October 30, 2019.

10/30(379066)