

ORDINANCE NO. 4837

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA ESTABLISHING A NATURAL GAS RATE SCHEDULE FOR SALES TO LARGE VOLUME INDUSTRIAL CUSTOMERS

WHEREAS, the City of Hastings, Nebraska ("Hastings" or the "City") is undertaking a marketing program for sales to large volume industrial users of natural gas located in its service area;

NOW, THEREFORE, BE IT ORDAINED by the City of Hastings, Nebraska that a new rate schedule, entitled the Large Volume Industrial User Rate Schedule (the "Rate Schedule"), shall be adopted, to be effective upon approval by the City, as follows:

1. The City may enter into natural gas sales contracts with Large Volume Industrial Users, as defined in this Ordinance, on the following terms:
 - (a) The term shall not be less than two (2) years, taking into consideration renewal provisions.
 - (b) The contracts shall be requirements contracts, providing for the sale of gas to serve an eligible customer's requirements for gas up to stated maximum quantities.
 - (c) The facilities of the industrial customer must be located in the City's service area or in an area contiguous to such area where gas distribution service is not otherwise being provided.
2. Large Volume Industrial Users eligible for service under this Rate Schedule shall be those that
 - (i) will purchase a monthly average of not less than [1,000] MMBtu per day from the City and
 - (ii) elect to enter into a contract with the City for the purchase of gas under this Rate Schedule.
3. Any contract between the City and a Large Volume Industrial User pursuant to this Rate Schedule shall be in the form of a North American Energy Standards Board ("NAESB") Base Contract for the Sale and Purchase of Natural Gas, with such Special Conditions and commercial terms set forth in a Transaction Confirmation thereto, as shall be established by the Utilities Manager, or designee.
4. The commodity price per MMBtu for service under this Rate Schedule shall be based on a market index price agreed to in a contract between the City and the Large Volume Industrial User, less, in certain circumstances, a discount of not greater than 50% of the net discount available to the City for the gas acquired by the City for sale to the Large Volume Industrial Customer.
5. The City may sell gas to the eligible customer under this Rate Schedule at the plant gate or into a transportation contract held by the eligible customer. The City may combine sales service of commodity gas supply under this Rate Schedule with transportation service to the City's gate

station and then across the City's system so as to provide a delivered service at the Large Volume Industrial Customer's premises. In such circumstances, the delivered price to the customer shall include a transportation service component or components in addition to the price, as described in paragraph 4 above, for the commodity gas supply under this Rate Schedule.

6. The City shall serve customers under this Rate Schedule from prepaid gas supplies acquired by the City for this purpose. The City shall not be obligated to supply any new eligible customer under this Rate Schedule, or supply any portion of such quantity requested by such customer, if it does not have sufficient long-term, firm prepaid gas supplies available to it for sale and delivery to such new customer.

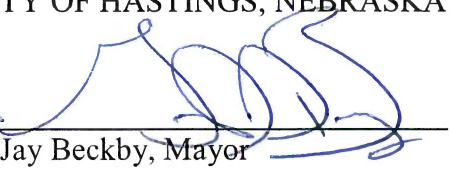
Any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is repealed.

This Ordinance shall be published in the manner and form provided by law and shall take effect and be in full force from and after its due passage, approval, and publication in electronic form.

The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

PASSED AND APPROVED this 27th day of July, 2026.

CITY OF HASTINGS, NEBRASKA

By: 
Jay Beckby, Mayor

ATTEST:


Tyler Ficken, City Clerk



APPROVED AS TO FORM AND LEGALITY:


Jessee Oswald, City Attorney