ORDINANCE NO. 4847

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO ENACT SECTION 52-407 OF THE OFFICIAL HASTINGS CITY CODE PERTAINING TO ELECTRIC SERVICE; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND RELATED MATTERS.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

Section 1. That Section 52-407 of the Official City Code of the City of Hastings, Nebraska, is hereby enacted to read as follows:

52-407 Computational Load Rate

Part A: General

All Computational Loads (Customer,) as defined by the North American Electric Reliability Corporation (NERC), are subject to review and adjustment by City of Hastings, NE: dba Hastings Utilities (Hastings Utilities) as needed to ensure that Computational Load Rates cover all costs directly and indirectly attributed to serving them. All new and/or upgraded computational load services must have a system impact study paid by Customer prior to Hastings Utilities agreeing to service availability. All computational load rates are subject to the then % adder on their entire bill to cover the dividend payment remitted to the city. The dividend payment percentage applied to computational loads will be the then percentage assessed to all other customers. These rates are also subject to the Hastings Utilities' power factor rules and regulations. Monthly billing starts at the earlier of the actual service start date or the target contracted demand start date. Transmission voltage, sub-transmission voltage, and Distribution voltage serviced customers are assumed to pay for their transformer(s), substation(s), and all equipment necessary to connect customer to the electric system and contribute the assets back to Hastings Utilities. Sole-use customer equipment, including but not limited to transformers and substations, to customer connection will be direct billed for maintenance and replacement expenses by Hastings Utilities.

Part B: Service Connection Terms

1) All direct connection costs to extend and upgrade service shall be paid by Customer.
2) Allocated indirect costs as to additions or upgrades shall be paid by Customer.
3) Service shall be configured to have the ability to be completely de-energized as determined by Hastings Utilities.

Part C: Computational Load Types:

1) Interruptible/Non-Firm Power
2) Traditional/Firm Power
3) Each computational load type will have an individual Electric Service Agreement (ESA)

Part D: Contract Demand:

1) Interruptible/Non-Firm Power
    a. kW

or

2) Traditional/Firm Power
    a. kW

Part E: Rate components:

1) **Customer Charge**
2) **Energy Charge kWh**
3) **Distribution Demand Charge kW (NCP)**
4) **Transmission Charge**
5) **Capacity Demand Charge kW (CP)**
6) **Power Cost Adjustment**
7) **Customer Owned Generation**

1) Customer Charge

Fixed customer charge $ per month per meter (customer service, meter reading, billing, accounting, portion of system, etc.)

a. Transmission voltage
    $ per month per meter of: 5000.00
b. Sub-transmission voltage
    $ per month per meter of: 5000.00
c. Distribution voltage
    $ per month per meter of: 5000.00

2) Energy Charge kWh

Volumetric energy (kWh) $

Computational Load Rate

a. Market based:
    i. SPP LMP hourly pricing:
        1. Day ahead (DA): If customer provides Hastings Utilities with anticipated daily load volumes (MWh's) prior to Hastings Utilities load submittal to SPP. Any volume above committed volume will be billed the greater of the DA LMP or RT LMP.
        2. Real time (RT): If customer does not provide Hastings Utilities with anticipated daily load volumes (MWh's) prior to Hastings Utilities load submittal to SPP.
        3. Customer must commit to one SPP LMP hourly pricing method at per billing cycle.
    ii. Above SPP LMP hourly pricing to include a minimum adder that will also be the minimum hourly price if the greater of the day ahead and real time fall below the minimum adder.
        1. Minimum adder to be a fixed rate per kWh
        2. Minimum adder per
            kWh $ of: 0.0062
    iii. kWh Total = subtotal price from above 2) a.i. through 2) a.ii divided by 1 minus energy losses
        1. Transmission voltage, Sub-transmission voltage, and Distribution voltage total
            loss % of: 5%
        2. Total price = subtotal price from above / (1-.total loss%)

3) Distribution Demand Charge kW (NCP)

a. The distribution demand kW is the highest kW load of the Customer regardless of time (anytime peak, or non-coincident peak (NCP))
b. The Customer's billing demand kW shall be the greater of the current billing period NCP, the 18 months prior NCP, or the Customer's contract demand in kW
c. The monthly distribution demand rate per kW $ will vary by service level
    i. Transmission voltage per
        kW $ of: 6.08
    ii. Sub-transmission voltage per
        kW $ of: 6.12
    iii. Distribution voltage per
        kW $ of: 6.75

4) Transmission Charge

a. Transmission will be purchased for the Customer by Hastings Utilities on a monthly or annual basis. Transmission purchased for Customer will be the

greater of the Contract Demand, or the Customer's peak load capabilities. If purchased annually at the Customer's request, Customer is liable for the entire year's purchase, whether load materializes. Transmission purchased for customer will be billed by Hastings Utilities on a monthly basis.

1. Transmission voltage, Sub-transmission voltage, and Distribution voltage total
   loss % of:_____5%
   a. Total price = total price from above / (1-.total loss%)

5) Capacity Demand Charge kW (CP)

Traditional/Firm Power Customers are solely responsible for procuring sufficient capacity to satisfy all SPP Resource Adequacy requirements, including any planning reserve margins applicable to the Customer's contract demand. The SPP nameplate planning reserve margins are updated on a seasonal basis, and Customer must maintain sufficient capacity volumes to match. The Customer must demonstrate compliance with SPP capacity requirements to Hastings Utilities no later than (90) days prior to the start of the SPP obligation period. Interruptible/Non-Firm Power Customers are not responsible for capacity needs when curtailments are utilized to ensure no contribution to Hastings Utilities' peak load. Hastings Utilities' peak load demand is adjusted as required by SPP (currently summer and winter seasonal requirements).

Customer shall not contribute to the Hastings Utilities' seasonal peak load and will be assessed capacity demand charges per kW, if they do contribute, as outlined below.

a) Traditional/Firm Power Customer
   i. Customer's CP demand contributing to Hastings Utilities' peak load above secured capacity
      1. Customer to be charged on a coincident peak kW (CP) at the total greater of capacity monthly kW $ for the period of one year for the first contribution and a period of five years for a second contribution at the greater of the two contributions.
      2. Customer's peak load contribution to be the greater of the most recent peak load contribution or the prior 18 months of peak load contribution

b) Interruptible/Non-Firm Power Customer
   i. Customer's CP demand contributing to Hastings Utilities' peak load
      1. Customer to be charged for entire Contract Demand kW at the total greater of capacity monthly kW $ for the period of five years for the first contribution. A second contribution will require Customer to

move to Traditional/Firm Power Customer status and will be required to procure sufficient capacity starting the following season, in addition to paying any remaining charges from the first contribution.

c) Any capacity adders will be added as a pass through as necessary.

Greater of Capacity Monthly kW Price

d) Capacity monthly kW $ as updated by Hastings Utilities to be the greater of:
   i. Southwest Power Pool (SPP) cost of new entry (CONE) penalty for time of deficient period
   ii. Hastings Utilities' highest sale price of excess capacity converted to monthly
   iii. Hastings Utilities' highest purchase price of capacity converted to monthly
   iv. Greater of monthly (i. through iii. Above)
   v. Total Greater of monthly above with Capacity Percent Adders Below

kW $ of: Greater of price from above/.93 = Total price

Capacity Percent Adders

e) Capacity adders can vary based on voltage and assumed % adders under different scenarios. These may change based on each capacity change event. The greater of capacity monthly kW $ above shall be increased by a total adder percentage as applicable and as stated below (Greater of Capacity Monthly kW $ above divided by vii Below):
   i. Energy losses
      1. Transmission voltage, Sub-transmission voltage, and Distribution voltage total
         loss % of: 5%
   ii. SPP Reserve Margin
      1. Percent adder will be the current seasonal reserve margin percentage as provided by the Southwest Power Pool
   ii. Admin & General
         % of: 2%
   iii. Fixed & Ancillary
   iv. Reserve margin requirements as incurred
   v. Capacity penalty requirements as incurred
   vi. Total sum (add i. through v. above)
         % of: 7% (assumed 5% sub-transmission, 2% A&G)

vii. 1 minus total sum on line above to divide Greater of Capacity Monthly kW $

kW $ /:Total sum(1-.07) = .93

6) **Power Cost Adjustment**

Computational Load based rates shall not be subject to Hastings Utilities' power cost adjustment (PCA) since the varying power supply costs are directly paid by the customer.

7) **Customer Owned Generation**

Customer owned generation and/or storage

a. Current Hastings Utilities policy.

Consider

a. Emergency backup generation.
b. Secure capacity directly.

Section 2. 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.

Section 3. 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.

Section 4. 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 by the Mayor and City Council of the City of Hastings, Nebraska, this 23rd day of November, 2026.

George J.J. Beckby, Mayor

ATTEST:

Tyler Ficken, City Clerk

(SEAL)

Approved as to form:

Jesse Oswald, City Attorney