

**AGENDA**  
**CITY OF DAYTON, MINNESOTA**  
**12260 So. Diamond Lake Road, Dayton, MN 55327**  
**Thursday, September 26, 2019**  
**PUBLIC HEARING ON FRANCHISE FEE ORDINANCE - 6:30 P.M.**

6:30       **CALL TO ORDER**  
6:30       **PLEDGE OF ALLEGIANCE**  
6:35       **APPROVAL OF AGENDA**

**Public Hearing on Franchise Fee Ordinances**

- A. Approval of Ordinance 2019-17: Anoka Muncipal Utility
- Approval of Ordinance 2019-18: Connexus Energy
- Approval of Ordinance 2019-19: Elk River Municipal Utilities
- Approval of Ordinance 2019-20 Centerpoint Energy
- Approval of Ordinance 2019-21 Northern States Power Company

**IIX    ADJOURNMENT**

The City of Dayton's mission is to promote a thriving community and to provide residents with a safe and pleasant place to live while preserving our rural character, creating connections to our natural resources, and providing customer service that is efficient, fiscally responsible, and responsive.

**ITEM:**

Public Hearing:

Franchise Fee Ordinances for Utility Providers:

2019-17: Anoka Municipal Utility

2019-18: Connexus Energy

2019-19 Elk River Municipal Utilities

2019-20 Centerpoint Energy

2019-21 Northern States Power Company

**PREPARED BY:**

Tina Goodroad, City Administrator/Development Director

**POLICY DECISION / ACTION TO BE CONSIDERED:**

Consideration of Franchise Fee Ordinances

**BACKGROUND:**

The City Council has been preparing for the consideration of adopting a franchise fee on gas and electric companies for use of city right-of-way. These fees will pass through to customers. The purpose of the franchise fees will be to fund Dayton's increasing need for investment in its transportation system. The immediate goal for the fee will be to fund the interchange debt service; while short term goals will be to supplement the pavement management needs; and ultimately, fully fund the pavement management needs and eliminate this portion of future levies. Franchise fee revenue will be dedicated to these purposes.

Two community informational meetings were held in July. The fee is implemented through the adoption of ordinances for each specific utility company to be considered after the public hearing.

**CRITICAL ISSUES:**

There are no outstanding issues.

**RELATIONSHIP TO COUNCIL GOALS:**

The implementation of a franchise fee meets the city's goal to "Develop comprehensive transportation plan and finance mechanisms" with the action item to adopt a "franchise fee ordinance for transportation improvements and pavement management."

**RECOMMENDATION:**

Staff recommends adoption of franchise fee ordinances.

**ATTACHMENT(S):**

- 2019-17: Anoka Municipal Utility
- 2019-18: Connexus Energy
- 2019-19 Elk River Municipal Utilities
- 2019-20 Centerpoint Energy
- 2019-21 Northern States Power Company

# ELECTRIC SERVICE FRANCHISE FEE ORDINANCE

## ORDINANCE NO. 2019-17

### CITY OF DAYTON, HENNEPIN AND WRIGHT COUNTIES, MINNESOTA

**AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON ANOKA MUNICIPAL UTILITY, A MINNESOTA MUNICIPAL POWER AGENCY, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF DAYTON.**

#### **THE CITY COUNCIL OF THE CITY OF DAYTON, MINNESOTA, ORDAINS:**

**Section 1. Purpose.** The Dayton City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Dayton. Pursuant to City Ordinance No. 2019-13 a Franchise Agreement between the City of Dayton and Anoka Municipal Utility, a Minnesota municipal power agency, and its successors and assigns (“Company”), the City has the right to impose a franchise fee on the Company.

**Section 2. Terms.** A franchise fee is hereby imposed on the Company under its electric franchise in accordance with the amount and fee design set forth in the fee schedule attached as Exhibit A to this Ordinance. This franchise fee will commence with Company’s January 2020 billing month. This franchise fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company’s manner of billing for energy used at all similar premises in the city will control.

**Section 3. Payment and Fee Modification.** The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City by imposing a surcharge equivalent to such fee in its rates for electric service. The franchise fee may be increased or decreased by ordinance from time to time, however any such change may not occur more often than annually. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company’s applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction

of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers that is non-public by law.

**Section 4. Surcharge.** The City recognizes that state law may allow Company to add a surcharge to the customer rates of the City's residents to reimburse the Company for the cost of the franchise fee. The Company agrees that it is prohibited from adding an administrative fee of any kind on to the franchise fee.

**Section 5. Enforcement.** Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

**Section 6. Effective Date of Franchise Fee.** The effective date of this Ordinance and fee collection shall be January 1, 2020, or 10 days after the City sends written notice enclosing a copy of this adopted Ordinance to the Company by certified mail, whichever date is later.

Passed and adopted by the City Council of the City of Dayton, Hennepin and Wright Counties, Minnesota, this 26<sup>th</sup> day of September, 2019.

CITY OF DAYTON

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Date Published: \_\_\_\_\_

**EXHIBIT A**

**ANOKA MUNICIPAL UTILITY  
ELECTRIC FRANCHISE FEE SCHEDULE**

<b><u>Class</u></b>	<b><u>Monthly Fee per Customer*</u></b>
Residential	\$4.00
Sm C & I – Non-Dem	\$12.00
Sm C & I – Demand	\$45.00
Large C & I	\$200.00
Public	\$16.00

\*Franchise fees are to be collected monthly by the Company in the amounts set forth in the above schedule, and remitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

**ORDINANCE NO. 2019-18**

**CITY OF DAYTON, HENNEPIN AND WRIGHT COUNTIES, MINNESOTA**

**AN ORDINANCE ADOPTING AN ELECTRIC FRANCHISE FEE ON CONNEXUS ENERGY, A MINNESOTA COOPERATIVE CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF DAYTON.**

**THE CITY COUNCIL OF THE CITY OF DAYTON, HENNEPIN AND WRIGHT COUNTIES, MINNESOTA, ORDAINS:**

**SECTION 1.** The City of Dayton Code of Ordinances is hereby amended as follows:

**Subd. 1. Purpose.** The Dayton City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas and electric services within the City of Dayton.

(a) Pursuant to City Ordinance No. 2019-16, a Franchise Agreement between the City and Connexus Energy (“Franchise Agreement”), the City has the right to impose a franchise fee on Connexus Energy in amount and fee design as authorized in Section 9 of the Franchise Agreement.

(b) Pursuant to City Ordinance No. 2019-16, the City exercised its right to impose a franchise fee on Connexus Energy.

**Subd. 2. Franchise Fee Statement.** Pursuant to Ordinance No. 2019-16, the franchise fee imposed on Connexus Energy under its Franchise Agreement is hereby adopted. The adopted fee schedule is attached hereto and made a part of this Ordinance, commencing with the Connexus Energy’s January 2020 billing month.

**Subd. 3. Payment and Fee Design.** The franchise fee shall be payable to the City in accordance with the terms set forth in Section 9.4 of the Franchise Agreement. The franchise fee shall be applied and collected as follows:

(a) This fee is an account based fee and not a meter based fee. An account includes all electric meters located on a single property or premises that have the same address and property owner;

(b) Properties with a single address and owner shall pay the largest fee that applies to any one of their meters; and

(c) Separately metered space rented to tenants other than the owner shall pay a fee for each tenant meter.

**Subd. 4. Record Support for Payment.** Connexus Energy shall make each payment when due and, if requested by the City, shall provide at the time of each payment a statement summarizing how the franchise fee payment was determined, including information showing any adjustments to the total surcharge billed in the period for which the payment is being made to account for any uncollectibles, refunds or error corrections.

**Subd. 5. Enforcement.** Any dispute, including enforcement of a default regarding this ordinance, will be resolved in accordance with Section 2.5 of the Franchise Agreement.

**Subd. 6. Effective Date of Franchise Fee.** The effective date of this Ordinance and fee collection shall be January 1, 2020, or 10 days after the City sends written notice enclosing a copy of this adopted Ordinance to Connexus Energy by certified mail, whichever date is later.

**Subd. 7. Fee Review.** The City Council shall begin a review of this Ordinance by September 1, 2024, to determine whether to continue, terminate or modify the fee. If the Council deems it to be in the City's best interest to continue the fee in its current form, no Council action is necessary. If the Council deems it to be in the City's best interest to terminate or modify the fee, the Council shall give Connexus Energy at least sixty (60) days written notice prior to the proposed change. Subject to the City's and Connexus Energy's rights under Minnesota law, the City shall obtain the consent of Connexus Energy to any proposed increase in the fee but may unilaterally decrease or terminate the fee.

**Subd. 8. Surcharge.** The City recognizes that Connexus Energy will surcharge its customers in the City the amount of the fee.

**SECTION 2.** This ordinance takes effect as provided herein.

Passed and adopted by the City Council of the City of Dayton, Hennepin and Wright Counties, Minnesota, this 26<sup>th</sup> day of September, 2019.

CITY OF DAYTON

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Date Published: \_\_\_\_\_



## EXHIBIT A

### CONNEXUS ENERGY ELECTRIC FRANCHISE FEE SCHEDULE

<u>Class</u>	<u>Fee Per Month</u>
Residential	\$4.00
Small Commercial/Industrial (Non Demand)	\$12.00
General Commercial/Industrial (Demand)	\$45.00
Large Commercial/Industrial (> 1 MW Demand)	\$200.00
Public	\$16.00

FRANCHISE FEES ARE TO BE COLLECTED BY THE UTILITY IN THE AMOUNTS SET FORTH IN THE ABOVE SCHEDULE, AND SUBMITTED TO THE CITY ON A QUARTERLY BASIS AS FOLLOWS:

January through March collections due by April 30.

April through June collections due by July 31.

July through September collections due by October 31.

October through December collections due by January 31.

# ELECTRIC SERVICE FRANCHISE FEE ORDINANCE

## ORDINANCE NO. 2019-19

### CITY OF DAYTON, HENNEPIN AND WRIGHT COUNTIES, MINNESOTA

**AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON ELK RIVER MUNICIPAL UTILITIES, A MINNESOTA MUNICIPAL POWER AGENCY, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF DAYTON.**

#### **THE CITY COUNCIL OF THE CITY OF DAYTON, MINNESOTA, ORDAINS:**

**Section 1. Purpose.** The Dayton City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Dayton. Pursuant to City Ordinance No. 2019-14 a Franchise Agreement between the City of Dayton and Elk River Municipal Utilities, a Minnesota municipal power agency, and its successor and assigns (“Company”), the City has the right to impose a franchise fee on the Company.

**Section 2. Terms.** A franchise fee is hereby imposed on Company under its electric franchise in accordance with the amount and fee design set forth in the fee schedule attached as Exhibit A to this Ordinance. This franchise fee will commence with Company’s January 2020 billing month. The franchise fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company’s manner of billing for energy used at all similar premises in the city will control.

**Section 3. Payment and Fee Modification.** The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City by imposing a surcharge equivalent to such fee in its rates for electric service. The franchise fee may be increased or decreased by ordinance from time to time, however any such change may not occur more often than annually. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company’s applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction

of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers that is non-public by law.

**Section 4. Surcharge.** The City recognizes that state law may allow Company to add a surcharge to the customer rates of the City's residents to reimburse the Company for the cost of the franchise fee. The Company agrees that it is prohibited from adding an administrative fee of any kind on to the franchise fee.

**Section 5. Enforcement.** Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

**Section 6. Effective Date of Franchise Fee.** The effective date of this Ordinance and fee collection shall be January 1, 2020, or 10 days after the City sends written notice enclosing a copy of this adopted Ordinance to the Company by certified mail, whichever date is later.

Passed and adopted by the City Council of the City of Dayton, Hennepin and Wright Counties, Minnesota, this 26<sup>th</sup> day of September, 2019.

CITY OF DAYTON

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Date Published: \_\_\_\_\_

**EXHIBIT A**

**ELK RIVER MUNICIPAL UTILITIES  
ELECTRIC FRANCHISE FEE SCHEDULE**

<b><u>Class</u></b>	<b><u>Monthly Fee per Customer*</u></b>
Residential	\$4.00
Sm C & I – Non-Dem	\$12.00
Sm C & I – Demand	\$45.00
Large C & I	\$200.00
Public	\$16.00

\*Franchise fees are to be collected monthly by the Company in the amounts set forth in the above schedule, and remitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

**ORDINANCE NO. 2019-20**

**CITY OF DAYTON, HENNEPIN AND WRIGHT COUNTY, MINNESOTA**

**AN ORDINANCE IMPLEMENTING A GAS ENERGY FRANCHISE FEE ON CENTERPOINT ENERGY MINNESOTA GAS (“CENTERPOINT ENERGY”) FOR PROVIDING GAS ENERGY SERVICE WITHIN THE CITY OF DAYTON**

**THE CITY COUNCIL OF THE CITY OF DAYTON, HENNEPIN AND WRIGHT COUNTY, MINNESOTA, ORDAINS:**

**Gas Franchise Fee**

(a) *Definitions.* For the purposes of this Ordinance, the following terms shall have the following meanings:

- (1) City. The City of Dayton, Counties of Hennepin and Wright, State of Minnesota.
- (2) Company. CenterPoint Energy Minnesota Gas (“CenterPoint Energy”), its successors and assigns.
- (3) Franchise Agreement. The franchise agreement between the City and Company pursuant to City Ordinance 2015-06.
- (4) Notice. “Notice” means a writing served by any party or parties on any other party or parties. Notice to Company shall be mailed to CenterPoint Energy, Vice President Regional Operations, 505 Nicollet Mall, Minneapolis, MN 55402. Notice to City shall be mailed to the City Clerk at 12260 S. Diamond Lake Road, Dayton, MN 55327.

(b) *Purpose.* The Dayton City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas and electric services within the City. Pursuant to the Franchise Agreement the City has the right to impose a franchise fee on Company.

(c) *Franchise Fee Statement and Schedule.* A franchise fee is hereby imposed on Company commencing with the January billing month, and in accordance with the following fee schedule:

Customer Classification

Amount per Account per Month (\$)

Residential	\$4.00 per month
Firm A (commercial)	\$7.00 per month
Firm B (commercial)	\$20.00 per month
Firm C (commercial)	\$65.00 per month
Small Volume, Dual Fuel A (“SVDF A”)	\$152.00 per month
Small Volume, Dual Fuel B (“SVDF B”)	\$155.00 per month
Large Volume, Dual Fuel (“LVDF”)	\$200.00 per month

(d) *Account Fee.* This fee is an account based fee and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter, but only one account, only one fee shall be assessed to that account. In the event any entities covered by this ordinance have more than one account, each account shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any account, the highest possible fee amount shall apply.

(e) *Payment.* Franchise fees are to be collected by the Company, consistent with the Minnesota Public Utility Commission’s March 23, 2011 Order establishing franchise fee filing requirements in Docket No. E,G999/CI-09-970, and submitted to the City as follows:

January – March collections due by April 30.

April – June collections due by July 31.

July – September collections due by October 31.

October – December collections due by January 31.

(f) *Record Support for Payment.* The Company shall make each payment when due and, if requested by the City, shall provide a statement summarizing how the franchise fee payment was determined, including information showing any adjustments to the total made to account for any non-collectible accounts, refunds or error corrections. The Company shall permit the City, and its representatives, access to the Company’s records for the purpose of verifying such statements.

(g) *Payment Adjustments.* Payment to the City will be adjusted where the Company is unable to collect the franchise fee. This includes non-collectible accounts

(h) *Surcharge.* The City recognizes that the Minnesota Public Utilities Commission may allow the Company to add a surcharge to customer rates of city residents to reimburse the Company for the cost of the fee, consistent with the Minnesota Public Utility Commission’s March 23, 2011 Order establishing franchise fee filing requirements in Docket No. E,G999/CI-09-970.

(i) *Dispute Resolution.* If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall notify the other party of the default and the desired remedy. The notification shall be written. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected

mediator, either party may commence an action in District Court to interpret and enforce this ordinance or for such other relief permitted by law.

(j) *Effective Date of Franchise Fee.* The effective date of this Ordinance shall be after its publication and ninety (90) days or more after sending written notice enclosing a copy of this adopted Ordinance to Company by certified mail. Collection of the fee shall commence as provided above.

(k) *Relation to Franchise Agreement.* This ordinance is enacted in compliance with the Franchise Agreement and shall be interpreted as such.

(l) *Periodic Review.* The City Council shall review this ordinance every two years in whatever manner the City Administrator determines to be appropriate, including, but not limited to, review by the City Council in either a work session or a regular session. Failure to review this ordinance shall not in any way invalidate or limit it.

(m) *Permit Fees.* The Company will administer the collection and payment of franchise fees to the City in lieu of permit fees, or other fees that may otherwise be imposed on the Company in relation to its operations as a public utility in the City so long as the following requirements are met:

- (1) The Company applies for any and all permits, licenses and similar documentation as though this provision did not exist.
- (2) The Company requests the fee to be waived at the time of application.

**Section 2: Effective Date.** This ordinance takes effect as provided herein.

PASSED AND ADOPTED BY THE CITY COUNCIL THIS 26<sup>th</sup> DAY OF SEPTEMBER 2019.

City of Dayton

\_\_\_\_\_, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(Published in the \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ )

**ORDINANCE NO. 2019-21**

**AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF DAYTON**

**THE CITY COUNCIL OF THE CITY OF DAYTON DOES ORDAIN:**

**SECTION 1.** The City of Dayton Municipal Code is hereby amended to include reference to the following Special Ordinance.

**Subd. 1. Purpose.** The Dayton City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Dayton.

- (a) Pursuant to City Ordinance 2019-15, a Franchise Agreement between the City of Dayton and Northern States Power Company, a Minnesota corporation, its successors and assigns, the City has the right to impose a franchise fee on Northern States Power Company, a Minnesota corporation, its successors and assigns, in an amount and fee design as set forth in Section 9 of the Northern States Power Company Franchise and in the fee schedule attached hereto as Schedule A.

**Subd. 2. Franchise Fee Statement.** A franchise fee is hereby imposed on Northern States Power Company, a Minnesota Corporation, its successors and assigns, under its electric franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the NSPM January, 2020 billing month.

This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

**Subd. 3. Payment.** The said franchise fee shall be payable to the City in accordance with the terms set forth in Section 9 of the Franchise.

**Subd. 4. Surcharge.** The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of city residents to reimburse Company for the cost of the fee.

**Subd. 5. Enforcement.** Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.



**Subd. 6. Effective Date of Franchise Fee.** The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to NSPM by certified mail. Collection of the fee shall commence as provided above.

Passed and approved: September 26, 2019.

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*Mayor*

Attest:

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*City Clerk*

SEAL

SCHEDULE A

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**Franchise Fee Rates:**

Electric Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

<u>Class</u>	<u>Amount per month</u>
Residential	\$ 4.00
Sm C & I – Non-Dem	\$ 12.00
Sm C & I – Demand	\$ 45.00
Large C & I	\$ 200.00
Public Street Ltg	\$ 16.00
Muni Pumping –N/D	\$16.00
Muni Pumping – Dem	\$16.00

Franchise fees are submitted to the City on a quarterly basis as follows:

January – March collections due by April 30.

April – June collections due by July 31.

July – September collections due by October 31.

October – December collections due by January 31.