

**CITY OF GASTONIA
P. O. BOX 1748
GASTONIA, NORTH CAROLINA 28053-1748
(704) 866-6823**

**COINCIDENT PEAK RATE 08—11
(INDUSTRIAL CUSTOMER)**

AVAILABILITY:

AVAILABLE ONLY TO NEW INDUSTRIAL LOADS WHICH BEGIN RECEIVING SERVICE AFTER JULY 1, 1998. THE DEMAND OF THE NEW LOAD MUST EQUAL OR EXCEED 100 KW BUT BE LESS THAN 500 KW DURING AT LEAST THREE MONTHS OF A TWELVE-MONTH PERIOD.

SERVICE UNDER THIS SCHEDULE SHALL BE USED SOLELY BY THE CONTRACTING CUSTOMER IN A SINGLE ENTERPRISE, LOCATED ENTIRELY ON A SINGLE CONTIGUOUS SITE OR PREMISES.

THIS SCHEDULE IS NOT AVAILABLE FOR AUXILIARY OR BREAKDOWN SERVICE AND POWER DELIVERED HEREUNDER SHALL NOT BE USED FOR RESALE OR EXCHANGE OR IN PARALLEL WITH OTHER ELECTRIC POWER, OR AS A SUBSTITUTE FOR POWER CONTRACTED FOR OR WHICH MAY BE CONTRACTED FOR UNDER ANY OTHER SCHEDULE OF THE CITY, EXCEPT AT THE OPTION OF THE CITY, UNDER SPECIAL TERMS AND CONDITIONS EXPRESSED IN WRITING IN THE CONTRACT WITH THE CUSTOMER.

THE OBLIGATIONS OF THE CITY IN REGARD TO SUPPLYING POWER ARE DEPENDENT UPON ITS SECURING AND RETAINING ALL NECESSARY RIGHTS-OF-WAY, PRIVILEGES, FRANCHISES, AND PERMITS FOR THE DELIVERY OF SUCH POWER, AND THE CITY SHALL NOT BE LIABLE TO ANY CUSTOMER OR APPLICANT FOR POWER IN THE EVENT THE CITY IS DELAYED IN, OR IS PREVENTED FROM FURNISHING THE POWER BY ITS FAILURE TO SECURE AND RETAIN SUCH RIGHTS-OF-WAY, RIGHTS, PRIVILEGES, FRANCHISES, AND/OR PERMITS.

TYPE OF SERVICE:

THE CITY WILL FURNISH 60-HERTZ SERVICE THROUGH ONE METER, AT ONE DELIVERY POINT, AT ONE OF THE FOLLOWING APPROXIMATE VOLTAGES WHERE AVAILABLE:

SINGLE—PHASE, 120/240 VOLTS; OR 3 PHASE, 208Y/120 VOLTS, 480Y/277 VOLTS; OR 3 PHASE, 3 WIRE, 240, 480, 575, OR 2400 VOLTS; OR 3 PHASE 4160Y/2400, 12470Y/7200; OR 3 PHASE VOLTAGES OTHER THAN THE FOREGOING, BUT ONLY AT THE CITY'S OPTION, AND PROVIDED THAT THE SIZE OF THE CUSTOMER'S LOAD AND THE DURATION OF THE CUSTOMER'S CONTRACT WARRANTS A SUBSTATION SOLELY TO SERVE THAT CUSTOMER, AND FURTHER PROVIDED THAT THE CUSTOMER FURNISH SUITABLE OUTDOOR SPACE ON THE PREMISES TO ACCOMMODATE A GROUND-TYPE TRANSFORMER INSTALLATION, OR SUBSTATION, OR A TRANSFORMER VAULT BUILT IN ACCORDANCE WITH THE CITY'S SPECIFICATIONS.

THE TYPE OF SERVICE SUPPLIED WILL DEPEND UPON THE VOLTAGE AVAILABLE AT OR NEAR THE CUSTOMER'S LOCATION. PROSPECTIVE CUSTOMERS SHOULD ASCERTAIN THE AVAILABLE VOLTAGE BY INQUIRY AT THE OFFICE OF THE CITY BEFORE PURCHASING EQUIPMENT.

MOTORS OF LESS THAN 5 HP MAY BE SINGLE-PHASE. ALL MOTORS OF MORE THAN 5 HP MUST BE EQUIPPED WITH STARTING COMPENSATORS AND ALL MOTORS OF MORE THAN 25 HP MUST BE OF THE SLIP RING TYPE EXCEPT THAT THE CITY RESERVES THE RIGHT, WHEN IN ITS OPINION THE INSTALLATION WOULD NOT BE DETRIMENTAL TO THE SERVICE OF THE CITY, TO PERMIT OTHER TYPES OF MOTORS.

RATE:

MONTHLY CHARGES:

BASIC FACILITY CHARGE **\$ 75.00**

DEMAND CHARGE:

MONTHLY BILLING DEMAND:

ON-PEAK SUMMER (JUNE – SEPTEMBER) **\$ 18.15 PER KW**

ON-PEAK WINTER (OCTOBER – MAY) **\$ 6.00 PER KW**

EXCESS DEMAND (ALL MONTHS) **\$ 3.00 PER KW**

ENERGY CHARGE:

SUMMER (JUNE – SEPTEMBER)

ON-PEAK **\$ 0.05314 PER KWH**

OFF-PEAK **\$ 0.04930 PER KWH**

WINTER (OCTOBER – MAY)

ON-PEAK **\$ 0.04985 PER KWH**

OFF-PEAK **\$ 0.04711 PER KWH**

DEFINITION OF “MONTH”:

THE TERM “MONTH” AS USED IN THE SCHEDULE MEANS THE PERIOD INTERVENING BETWEEN METER READINGS FOR THE PURPOSE OF MONTHLY BILLING, SUCH READINGS BEING TAKEN ONCE A MONTH ON THE LAST DAY OF EACH CALENDAR MONTH.

BILLING DEMAND:

BILLING DEMAND SHALL BE THE AVERAGE OF THE INTEGRATED CLOCK HOUR KW DEMAND MEASURED DURING THE HOURS OF THE ON-PEAK PERIOD ON THE DAY IDENTIFIED AS THE PEAK MANAGEMENT DAY USED BY THE NORTH CAROLINA MUNICIPAL POWER AGENCY NUMBER 1 (NCMPA1) FOR WHOLESALE BILLING PURPOSES DURING THE CORRESPONDING MONTH OF CUSTOMER’S BILLING.

CONTRACT DEMAND:

THE CITY OF GASTONIA WILL REQUIRE CONTRACTS TO SPECIFY THE MAXIMUM DEMAND TO BE DELIVERED TO THE CUSTOMER, WHICH SHALL BE THE CONTRACT DEMAND. WHERE THE CUSTOMER CAN RESTRICT ON-PEAK DEMAND TO LEVELS CONSIDERABLY BELOW THAT OF THE CONTRACT DEMAND, THE CITY OF GASTONIA MAY ALSO CONTRACT FOR A LIMITED ON-PEAK CONTRACT DEMAND IN ADDITION TO THE CONTRACT DEMAND.

MINIMUM DEMAND:

MINIMUM DEMAND SHALL BE THE LARGEST OF THE FOLLOWING:

1. MAXIMUM INTEGRATED 60-MINUTE DEMAND MEASURED DURING THE MONTH THAT THE BILL WAS RENDERED.
2. 50% OF CONTRACT DEMAND.

ON-PEAK DEMAND PERIODS:

ON-PEAK DEMAND PERIODS ARE NON-HOLIDAY WEEKDAYS DURING THE FOLLOWING TIMES:

JUNE – SEPTEMBER	2PM – 6PM
DECEMBER – FEBRUARY	7AM – 9AM
ALL OTHER MONTHS	7AM – 9AM AND 2PM – 6PM

HISTORICAL DEMAND AUDIT:

AN ANNUAL AUDIT OF ALL COMMERCIAL AND INDUSTRIAL CUSTOMERS' MOST RECENT TWELVE-MONTH HISTORICAL BILLING DEMANDS SHALL BE CONDUCTED IN DECEMBER, AND ANY ADJUSTMENTS TO THE CUSTOMERS' APPLICABLE RATE WILL BE BASED ON THE MOST RECENT TWELVE-MONTH DEMAND HISTORY AND WILL BE MADE THE FOLLOWING JANUARY OF EACH YEAR.

HOLIDAYS:

THE FOLLOWING DAYS OF EACH CALENDAR YEAR ARE CONSIDERED HOLIDAYS: NEW YEARS DAY, GOOD FRIDAY, MEMORIAL DAY, INDEPENDENCE DAY, LABOR DAY, THANKSGIVING DAY, THE FRIDAY FOLLOWING THANKSGIVING DAY AND CHRISTMAS DAY. IN THE EVENT THAT ANY OF THE FOREGOING HOLIDAYS FALLS ON A SATURDAY, THE PRECEDING FRIDAY SHALL BE DEEMED TO BE THE HOLIDAY. IN THE EVENT ANY OF THE FOREGOING HOLIDAYS FALLS ON A SUNDAY, THE SUBSEQUENT MONDAY SHALL BE DEEMED TO BE THE HOLIDAY.

PEAK MANAGEMENT DAYS:

PEAK MANAGEMENT DAYS ARE THE DAYS ON WHICH NCMPA1 NOTIFIES ITS PARTICIPANTS TO ACTIVATE THEIR PEAK MANAGEMENT PROGRAMS DURING ON-PEAK PERIODS. THE PEAK MANAGEMENT DAY USED TO ESTABLISH THE CITY'S WHOLESALE BILLING DEMAND IS THE ONE PEAK MANAGEMENT DAY DURING THE MONTH ON WHICH NCMPA1 EXPERIENCED THE GREATEST AVERAGE LOAD (DETERMINED AS THE AVERAGE OF NCMPA1'S INTEGRATED HOURLY LOADS DURING THE HOURS OF THE ON-PEAK PERIOD).

EXCESS DEMAND:

EXCESS DEMAND SHALL BE THE DIFFERENCE BETWEEN THE MAXIMUM INTEGRATED CLOCK HOUR KW DEMAND RECORDED DURING THE CURRENT BILLING MONTH AND THE BILLING DEMAND FOR THE SAME BILLING MONTH.

NOTIFICATION BY CITY:

THE CITY WILL USE DILIGENT EFFORTS TO PROVIDE ADVANCE NOTICE TO THE CUSTOMER OF PEAK MANAGEMENT DAYS IF REQUESTED. HOWEVER, THE CITY DOES NOT GUARANTEE THAT ADVANCE NOTICE WILL BE PROVIDED. NOTIFICATION BY THE CITY WILL BE PROVIDED TO THE CUSTOMER BY DIRECT TELEPHONE COMMUNICATIONS OR AUTOMATIC SIGNAL, AS MUTUALLY AGREED. THE CUSTOMER WILL HOLD THE CITY HARMLESS IN CONNECTION WITH ITS RESPONSE TO NOTIFICATION.

DETERMINATION OF ENERGY:

THE KWH OF ENERGY SHALL BE THE SUM OF ALL ENERGY USED DURING THE CURRENT BILLING MONTH AS INDICATED BY WATT-HOUR METER READINGS.

ON-PEAK ENERGY:

FOR BILLING PURPOSES IN ANY MONTH, ON-PEAK ENERGY, IN KWH, SHALL BE THE METERED ENERGY DURING THE ON-PEAK ENERGY PERIOD, WHEREBY THE ON-PEAK ENERGY PERIOD IS DEFINED AS NON-HOLIDAY WEEKDAYS FROM 7:00 AM TO 11:00 PM.

OFF-PEAK ENERGY:

FOR BILLING PURPOSES IN ANY MONTH, OFF-PEAK ENERGY, IN KWH, SHALL BE THE METERED TOTAL MONTHLY ENERGY LESS THE AMOUNT OF ENERGY BILLED IN THAT MONTH UNDER ON-PEAK ENERGY.

POWER FACTOR CORRECTION:

WHEN THE AVERAGE MONTHLY POWER FACTOR OF THE CUSTOMER'S POWER REQUIREMENTS IS LESS THAN 90 PERCENT, THE CITY MAY CORRECT THE INTEGRATED DEMAND IN KILOWATTS FOR THAT MONTH BY MULTIPLYING BY 90 PERCENT AND DIVIDING BY THE AVERAGE POWER FACTOR IN PERCENT FOR THAT MONTH.

CONTRACT PERIOD:

EACH CUSTOMER SHALL ENTER INTO A CONTRACT TO PURCHASE ELECTRICITY FROM THE CITY FOR A MINIMUM ORIGINAL TERM OF ONE (1) YEAR, AND THEREAFTER FROM YEAR TO YEAR UPON THE CONDITION THAT EITHER PARTY CAN TERMINATE THE CONTRACT AT THE END OF THE ORIGINAL TERM, OR AT ANY TIME THEREAFTER, BY GIVING AT LEAST SIXTY (60) DAYS PRIOR NOTICE OF SUCH TERMINATION IN WRITING; BUT THE CITY MAY REQUIRE A CONTRACT FOR A LONGER ORIGINAL TERM OF YEARS WHERE THE REQUIREMENT IS JUSTIFIED BY THE CIRCUMSTANCES.

SALES TAX:

APPLICABLE NORTH CAROLINA SALES TAX SHALL BE ADDED TO THE CUSTOMER'S TOTAL CHARGES FOR EACH MONTH, DETERMINED IN ACCORDANCE WITH THE ABOVE ELECTRIC RATES.

EFFECTIVE ON ALL BILLS RENDERED REGISTERING ANY CONSUMPTION USED ON OR AFTER OCTOBER 1, 2016.

DEPOSITS:

A DEPOSIT MAY BE REQUIRED ON ALL SERVICES BASED ON A SCHEDULE OF DEPOSITS MAINTAINED BY THE BILLING DIVISION OF THE CITY OF GASTONIA. THIS DEPOSIT WILL BE REFUNDED AT THE TERMINATION OF SERVICE, PROVIDED ALL OUTSTANDING BILLS HAVE BEEN PAID. THE CITY PAYS THE STANDARD PASSBOOK RATE OF INTEREST ON ALL DEPOSITS.

AN ADDITIONAL DEPOSIT MAY BE REQUIRED IF A CUSTOMER'S ACCOUNT HAS BECOME INACTIVE BECAUSE OF NON-PAYMENT.

TERMS OF PAYMENT:

ALL BILLS ARE DUE AND PAYABLE UP TO TWENTY-ONE (21) DAYS FROM THE DATE OF THE BILL. IF NOT PAID WITHIN THIS PERIOD, THE CITY RESERVES THE RIGHT TO DISCONTINUE SERVICE AND HOLD ANY DEPOSIT UNTIL THE BILL IS PAID. SERVICES SCHEDULED FOR DISCONNECTION FOR NON-PAYMENT ARE SUBJECT TO ADMINISTRATIVE/DISCONNECTION CHARGES. IF SERVICE IS DISCONNECTED FOR NON-PAYMENT, THE CUSTOMER MUST PAY THE PAST DUE BILL, A RECONNECTION FEE AND A DEPOSIT AS OUTLINED ABOVE TO HAVE SERVICES RESTORED. IF RECONNECTION OF AN ACCOUNT THAT HAS BEEN DISCONNECTED FOR NON-PAYMENT IS REQUESTED AFTER 5:00 PM, AN ADDITIONAL CHARGE MAY BE ADDED TO THE CUSTOMER'S ACCOUNT IN ORDER TO HAVE SERVICE RESTORED. IF A CUSTOMER'S SERVICE HAS TO BE DISCONNECTED AT THE POLE, AN ADDITIONAL \$55.00 CHARGE WILL BE ADDED TO THE CUSTOMER'S ACCOUNT ALONG WITH A \$55.00 RECONNECTION CHARGE TO HAVE SERVICE RESTORED.

SERVICE AGREEMENT BETWEEN CITY AND ELECTRIC UTILITY CUSTOMER

“THE UNDERSIGNED HEREBY CERTIFIES THAT I HAVE READ AND UNDERSTAND THE PROVISIONS APPLICABLE TO COINCIDENT PEAK RATE 08-11 CUSTOMERS; AND THAT I UNDERSTAND THE AMOUNT OF MY ELECTRIC BILL WILL BE SIGNIFICANTLY AFFECTED BY THE EXTENT OF ELECTRICAL USAGE DURING THE TIME PERIODS INDICATED THEREIN, AND THAT A LARGE EXTENT OF ELECTRICAL USAGE DURING ANY INTEGRATED CLOCK HOUR DURING THE ON-PEAK PERIOD ON THE DAY IDENTIFIED AS THE PEAK MANAGEMENT DAY COULD SIGNIFICANTLY INCREASE THE AMOUNT OF MY ELECTRIC BILL(S).”

Customer Account Number

Signature

Date