

# Ordinance No. 957-2024

By Council Members Kazy and Griffin  
(by departmental request)

## AN ORDINANCE

To amend various sections of Chapter 523, as amended by various ordinances; to repeal Section 523.021; and to enact new Sections 523.0491, 523.066, 523.067, 523.28 and 523.29, all relating to rules and rates for electricity charges for the Division of Cleveland Public Power.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That rates, rules, and regulations of the Division of Cleveland Public Power, Department of Public Utilities, fixed by the Board of Control by Resolution No. \_\_\_\_\_, adopted \_\_\_\_\_, as set forth in Sections 523.02, 523.03, 523.04, 523.043, 523.047, 523.049, 523.05, 523.06, 523.065, 523.12, 523.16, 523.21, and 523.23 of the Codified Ordinances of Cleveland, Ohio, 1976, for electrical service as amended in this ordinance, are approved.

Section 2. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 523.02, 523.03, 523.04, 523.043, and 523.047, as amended by Ordinance No. 472-2022, passed May 23, 2022,

Section 523.049, as amended by Ordinance No. 65-08, passed March 31, 2008; and

Sections 523.05, 523.06, 523.065, 523.08, 523.11, and 523.12, as amended by Ordinance No. 472-2022, passed May 23, 2022,

Section 523.16, as amended by Ordinance No. 726-57, passed April 8, 1957, and

Sections 523.21, and 523.23, as amended by Ordinance No. 472-2022, passed May 23, 2022,

are amended to read as follows:

### Section 523.02      Residential Rate Schedule

Effective January 1 of each applicable year, the following schedule is applicable to private single residences or to any individually metered family accommodation when service is used primarily for domestic and household purposes, as distinguished from commercial, professional or industrial purposes. Usage charges are not prorated. The charge used will correspond with the bill period end date.

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(a) *Kilowatt Hour Charge.*

<b>KWH Per Month</b>	<b>Summer Rate (per KWH)</b>	<b>Winter Rate (per KWH)</b>
First 1,000	\$0.0774	\$0.0655
All over 1,000	\$0.0752	\$0.0353

<b>KWH Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
First 1,000	\$0.0774	\$0.0888	\$0.0970	\$0.0655	\$0.0752	\$0.0821
All over 1,000	\$0.0752	\$0.0863	\$0.0943	\$0.0353	\$0.0405	\$0.0443

(b) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(c) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division of Cleveland Public Power. ~~Energy Adjustment Charge.~~ In accordance with Section 523.21, an incremental charge or credit for energy may be determined and applied on a monthly basis by the Division of Cleveland Public Power. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated by using the formula established in Section 523.21.

(d) *Environmental and Ecological Adjustment.* An adjustment to the ~~Energy Adjustment Charge~~ Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

## Section 523.03 Small Commercial Rate Schedule

Effective January 1 of each applicable year, the The following schedule is applicable to all commercial installations during any month in which such installation has a demand of less than thirty (30) kilowatts (KWD). Usage charges are not prorated. The charge used will correspond with the bill period end date.

(a) *Kilowatt Hour Charge.*

<b>KWH Per Month</b>	<b>Summer Rate (per KWH)</b>	<b>Winter Rate (per KWH)</b>
First 7,500	\$0.0679	\$0.0588
All over 7,500	\$0.0398	\$0.0309

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<u>KWH Per Month</u>	<u>Summer</u>			<u>Winter</u>		
	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>First 7,500</u>	<u>\$0.0679</u>	<u>\$0.0779</u>	<u>\$0.0851</u>	<u>\$0.0588</u>	<u>\$0.0675</u>	<u>\$0.0737</u>
<u>All over 7,500</u>	<u>\$0.0398</u>	<u>\$0.0457</u>	<u>\$0.0499</u>	<u>\$0.0309</u>	<u>\$0.0355</u>	<u>\$0.0387</u>

(b) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(c) *Special Service.* Standby, temporary, special, welding, intermittent or extremely low load factor service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.

Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

(d) *Combined Billing.* At the option of the Division, commercial installations on the same premises may be combined on one (1) meter and billed under this schedule with the number of kilowatt hours in each block of the rate and the minimum charge multiplied by the number of commercial installations.

(e) *Plural Service Connections.* Where plural service connections supply a customer on the same premises, meter readings on one (1) commercial light service connection and on one (1) commercial power service connection may, at the option of the Division, be added for billing purposes, and meter readings on two (2) or more commercial connections supplying a customer on the same premises may be added for billing purposes at the option of the Division.

(f) *Environmental and Ecological Adjustment.* An adjustment to the ~~Energy Adjustment Charge~~ Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(g) *Power Supply Recovery.* ~~In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division. Energy Adjustment Charge. In accordance with Section 523.21, an incremental charge or credit for excess energy costs shall be determined and applied on a monthly basis by the Division. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated using the formula established in Section 523.21~~

(h) *Flat Rate Billing.* This rate schedule may be used for billing installations where the consumption is constant, and the installation of a meter is not economic or practical, as determined by the Commissioner of the Division of Cleveland Public Power, or designee. The kilowatt hours used for billing shall be calculated based on the consumption characteristic of the device being billed. At the option of the Commissioner of the Division of Cleveland Public Power, the summer and winter kilowatt hour rates may be combined on a weighted basis to provide one rate.

(h)(i) *Determination of Applicable Schedule.* In any month that the kilowatt demand (KWD) equals or exceeds thirty (30), the billing for that month shall be

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calculated using the Large Commercial Rate ~~Schedule~~ Schedules set forth in Section 523.04.

## Section 523.04 Large Commercial Rate ~~Schedule~~ Schedules

Effective January 1 of each applicable year, the ~~following are~~ applicable to all commercial installations during any month in which such installation has a demand equal to or greater than thirty (30) kilowatts (KWD) and less than ten thousand (10,000) kilowatts (KWD) and a kilowatt hour consumption of less than or equal to five hundred thousand (500,000). Usage charges are not prorated. The charge used will correspond with the bill period end date.

### (a) Demand Charge.

<b>Kilowatt Per Month</b>	<b>Summer Rate KWD</b>	<b>Winter Rate KWD</b>
First 50	\$7.99	\$7.28
All over 50	\$6.92	\$6.33

<b>Kilowatt Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
First 50	\$ 7.99	\$ 9.17	\$ 10.02	\$ 7.28	\$ 8.35	\$ 9.13
All over 50	\$ 6.92	\$ 7.94	\$ 8.68	\$ 6.33	\$ 7.26	\$ 7.94

### (b) Reactive Charge.

<b>Kilovar Per Month</b>	<b>KVAR</b>	<b>KVAR</b>
For KVAR in excess of 30	\$0.20	\$0.20

<b>Kilovar Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
In excess of 30	\$ 0.20	\$ 0.23	\$ 0.25	\$ 0.20	\$ 0.23	\$ 0.25

### (c) Kilowatt Hour Charge.

<b>Kilowatt Per Month</b>	<b>KWH</b>	<b>KWH</b>
First 40,000	\$0.0331	\$0.0288
Next 60,000	\$0.0207	\$0.0173
All over 100,000	\$0.0166	\$0.0140

<b>Kilowatt Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
First 40,000	\$ 0.0331	\$ 0.0380	\$ 0.0415	\$ 0.0288	\$ 0.0330	\$ 0.0361
Next 60,000	\$ 0.0207	\$ 0.0238	\$ 0.0260	\$ 0.0173	\$ 0.0199	\$ 0.0217
All over 100,000	\$ 0.0166	\$ 0.0190	\$ 0.0208	\$ 0.0140	\$ 0.0161	\$ 0.0176

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(d) *Minimum Charge.* The monthly minimum charge shall be ~~twelve dollars and twenty five cents (\$12.25)~~ fifteen dollars and thirty-five cents (\$15.35), plus the energy adjustment charge Power Supply Recovery.

(e) *Maximum Charge.* The monthly maximum charge shall be ~~sixteen and one half cents (\$0.165)/KWH~~ twenty and one half cents (\$0.205)/KWH, plus the energy adjustment charge Power Supply Recovery.

(f) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(g) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements and shall be the maximum thirty (30) minute kilowatt demand during the month.

(h) *Determination of Reactive Demand.* For all three (3) phase installations where the kilowatt demand is sixty-five (65) or greater, and all single-phase installations where the kilowatt demand is seventy-five (75) or greater, the reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours.

For all three (3) phase installations where the kilowatt demand is less than sixty-five (65), and all single-phase installations where the kilowatt demand is less than seventy-five (75), the reactive billing demand shall be zero.

(i) *Discount for Primary Metering.* Where the electric energy is metered on the primary (2,300 volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.

(j) *Voltage Supply Discount.* Where the electric energy is provided entirely from an eleven thousand (11,000) volt circuit, a discount of five cents (\$0.05) per kilowatt of demand billed may be allowed.

(k) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus, thereby relieving the Division of Cleveland Public Power of these costs.

(l) *Off-Peak Demand Allowance.* At the option of the Division, the billing demand may be the greater of the regularly incurred demand or eighty-five percent (85%) of the maximum demand incurred during off-peak periods.

The cost of special metering to determine such demand shall be charged to the customer.

Off-peak periods shall be from 12:00 a.m. until 8:00 a.m., Tuesday through Saturday, and from 4:00 p.m. Saturday through 8:00 a.m. Monday.

(m) *Special Service.* Direct current, standby, temporary, special, welding, intermittent or extremely low load and extremely low load factor service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.

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Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

The monthly minimum charge shall be applied in the case of all special services.

(n) *Combined Billing.* Where plural service connections supply a customer on the same premises, meter readings may, at the option of the Division, be added for billing purposes. The combined demand shall be the sum of the undiversified demands computed as for separate billing.

(o) *Environmental and Ecological Adjustment.* An adjustment to the ~~Energy Adjustment Charge~~ *Power Supply Recovery* shall be applied to this rate as set forth and described in Section 523.17.

(p) *Power Supply Recovery.* ~~In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division. Energy Adjustment Charge. In accordance with Section 523.21, an incremental charge or credit for excess energy costs shall be determined and applied on a monthly basis by the Division. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated using the formula established in Section 523.21~~

(q) *Determination of Applicable Schedule.* In any month that the kilowatt demand (KWD) is less than ten thousand (10,000) and the kilowatt hour consumption exceeds five hundred thousand (500,000), the billing for that month shall be calculated using the ~~Small Industrial Rate Schedule Schedules~~ set forth in Section 523.043.

In any month that the kilowatt demand (KWD) is less than thirty (30), the billing for that month shall be calculated using the Small Commercial Rate Schedule set forth in Section 523.03

## Section 523.043 Small Industrial Rate Schedule Schedules

Effective January 1 of each applicable year, ~~the~~ The following ~~schedule is~~ schedules are applicable to all commercial installations during any month in which such installation uses more than five hundred thousand (500,000) kilowatt hours during the current month and has a demand of less than ten thousand (10,000) kilowatts. Usage charges are not prorated. The charge used will correspond with the bill period end date.

(a) *Demand Charge.*

<b>Kilowatt Per Month</b>	<b>Summer Rate KWD</b>	<b>Winter Rate KWD</b>
First 50	\$7.99	\$7.28
All over 50	\$6.92	\$6.33

<b>Kilowatt Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
First 50	\$ 7.99	\$ 9.17	\$ 10.02	\$ 7.28	\$ 8.35	\$ 9.13
All over 50	\$ 6.92	\$ 7.94	\$ 8.68	\$ 6.33	\$ 7.26	\$ 7.94



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(b) *Reactive Charge.*

<b>Kilovar Per Month</b>	<b>KVAR</b>	<b>KVAR</b>
For KVAR in excess of 30	\$0.20	\$0.20

	<b>Summer</b>			<b>Winter</b>		
<b>Kilovar Per Month</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
For KVAR in excess of 30	\$ 0.20	\$ 0.23	\$ 0.25	\$ 0.20	\$ 0.23	\$ 0.25

(c) *Kilowatt Hour Charge.*

<b>Kilowatt Per Month</b>	<b>KWH</b>	<b>KWH</b>
First 40,000	\$0.0331	\$0.0288
Next 60,000	\$0.0207	\$0.0173
Next 200 KWH/KWD but not less than 400,000 KWH	\$0.0166	\$0.0140
Next 200 KWH/KWD	\$0.0105	\$0.0084
All excess KWH	\$0.0056	\$0.0056

	<b>Summer</b>			<b>Winter</b>		
<b>Kilowatt Per Month</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
First 40,000	\$ 0.0331	\$ 0.0380	\$ 0.0415	\$ 0.0288	\$ 0.0330	\$ 0.0361
Next 60,000	\$ 0.0207	\$ 0.0238	\$ 0.0260	\$ 0.0173	\$ 0.0199	\$ 0.0217
Next 200 KWH/KWD but not less than 400,000 KWH	\$ 0.0166	\$ 0.0190	\$ 0.0208	\$ 0.0140	\$ 0.0161	\$ 0.0176
Next 200 KWH/KWD	\$ 0.0105	\$ 0.0120	\$ 0.0132	\$ 0.0084	\$ 0.0096	\$ 0.0105
All excess KWH	\$ 0.0056	\$ 0.0064	\$ 0.0070	\$ 0.0056	\$ 0.0064	\$ 0.0070

(d) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements and shall be the maximum thirty (30) minute kilowatt demand during the month.

(e) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(f) *Determination of Reactive Demand.* The reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours.

(g) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.

(h) *Voltage Supply Discount.* Where the electric energy is provided entirely from an eleven thousand (11,000) volt circuit, a discount of five cents (\$0.05) per kilowatt of demand billed may be allowed.

(i) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus, thereby relieving the Division of these costs.

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(j) *Off-Peak Demand Allowance.* At the option of the Division, the billing demand may be the greater of the regularly incurred demand or eighty-five percent (85%) of the maximum demand incurred during off- peak periods.

The cost of special metering to determine such demand shall be charged to the customer.

Off-peak periods shall be from 12:00 a.m. until 8:00 a.m., Tuesday through Saturday, and from 4:00 p.m. Saturday through 8:00 a.m. Monday.

(k) *Special Service.* Direct current, standby, temporary, special, welding, intermittent or extremely low load and extremely low load factor service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.

Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

The monthly minimum charge shall be applied in the case of all special services.

(l) *Combined Billings.* Where plural service connections supply a customer on the same premises, meter readings may, at the option of the Division, be added for billing purposes. The combined demand shall be the sum of the undiversified demands computed as for separate billing.

(m) *Environmental and Ecological Adjustment.* An adjustment to the ~~Energy Adjustment Charge~~ Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(n) *Power Supply Recovery.* ~~In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division. Energy Adjustment Charge. In accordance with Section 523.21, an incremental charge or credit for excess energy costs shall be determined and applied on a monthly basis by the Division. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated using the formula established in Section 523.21.~~

(o) *Determination of Applicable Schedule.* In any month that the kilowatt demand (KWD) equals or exceeds ten thousand (10,000), the billing for that month shall be calculated using the Large Industrial Rate ~~Schedule~~ Schedules set forth in Section 523.047.

In any month that the kilowatt hour consumption is less than or equal to five hundred thousand (500,000), and the kilowatt demand (KWD) is less than ten thousand (10,000), the billing for that month shall be calculated using the Large Commercial Rate ~~Schedule~~ Schedules set forth in Section 523.04.

## Section 523.047    Large Industrial Rate Schedule Schedules

Effective January 1 of each applicable year, the following schedule is applicable to all commercial installations during any month in which such installation has a demand of greater than ten thousand (10,000) kilowatts. Usage charges are not prorated. The charge used will correspond with the bill period end date.



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(a) *Demand Charge.*

<b>Kilowatt Hour PerMonth</b>	<b>Summer Rate KWD</b>	<b>Winter Rate KWD</b>
First 5,000	\$8.43	\$7.68
All over 5,000	\$7.85	\$7.09

<b>Kilowatt Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
First 5,000	\$8.43	\$9.67	\$10.57	\$7.68	\$8.81	\$9.63
All over 5,000	\$7.85	\$9.01	\$9.84	\$7.09	\$8.14	\$8.89

(b) *Reactive Charge.*

<b>Kilovar Per Month</b>	<b>KVAR</b>	<b>KVAR</b>
For KVAR in excess of 10% of kilowatt demand	\$0.20	\$0.20

<b>Kilovar Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
For KVAR in excess of 10% of kilowatt demand	\$0.20	\$0.23	\$0.25	\$0.20	\$0.23	\$0.25

(c) *Kilowatt Hour Charge.*

<b>Kilowatt Per Month</b>	<b>KWH</b>	<b>KWH</b>
First 115 KWH/ KWD	Charges are included in the demand charge	
Next 305 KWH/ KWD	\$0.0115	\$0.0092
All excess KWH	\$0.0050	\$0.0053

<b>Kilowatt Per Month</b>	<b>Summer</b>			<b>Winter</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
First 115 KWH/ KWD	Charges are included in the demand charge					
Next 305 KWH/ KWD	\$ 0.0115	\$ 0.0132	\$ 0.0144	\$ 0.0092	\$ 0.0106	\$ 0.0115
All excess KWH	\$ 0.0050	\$ 0.0057	\$ 0.0063	\$ 0.0053	\$ 0.0061	\$ 0.0066

(d) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements and shall be the maximum thirty (30) minute kilowatt demand during the month.

(e) *Determination of Reactive Demand.* The reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours.

(f) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and

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October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.

(g) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.

(h) *Voltage Supply Discount.* Where the electric energy is provided entirely from an eleven thousand (11,000) volt circuit, a discount of five cents (\$0.05) per kilowatt of demand billed may be allowed.

(i) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus, thereby relieving the Division of these costs.

(j) *Off-Peak Demand Allowance.* At the option of the Division, the billing demand may be the greater of the regularly incurred demand or eighty-five percent (85%) of the maximum demand incurred during off- peak periods.

The cost of special metering to determine such demand shall be charged to the customer.

Off-peak periods shall be from 12:00 a.m. until 8:00 a.m., Tuesday through Saturday, and from 4:00 p.m. Saturday through 8:00 a.m. Monday.

(k) *Special Service.* Direct current, standby, temporary, special, welding, intermittent or extremely low load and extremely low load factor service is not included in this schedule and shall be subject to special rates based upon cost as computed by the Division of Cleveland Public Power.

Applicants for these services may be charged with the cost of installing and furnishing such services as well as the cost of removal of such services at the discretion of the Division.

The monthly minimum charge shall be applied in the case of all special services.

(l) *Combined Billings.* Where plural service connections supply a customer on the same premises, meter readings may, at the option of the Division, be added for billing purposes. The combined demand shall be the sum of the undiversified demands computed as for separate billing.

(m) *Environmental and Ecological Adjustment.* An adjustment to the ~~Energy Adjustment Charge~~ Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(n) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division. ~~Energy Adjustment Charge. In accordance with Section 523.21, an incremental charge or credit for excess energy costs shall be determined and applied on a monthly basis by the Division. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated using the formula established in Section 523.21.~~

(o) *Determination of Applicable Schedule.* In any month that the demand is less than ten thousand (10,000) kilowatts, the billing for that month shall be calculated using the Small Industrial Rate Schedule Schedules set forth in Section 523.043.

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## Section 523.049 Capacity Enhancement Incentive Rate ~~Schedule~~ Schedules

The following ~~schedule is~~ schedules are applicable to all new commercial customers who have not received Cleveland Public Power service at their present location in the preceding two (2) years, who enter into a written ten (10) year contract for service anticipated to commence in 2010, who will be served by distribution capacity created as part of Cleveland Public Power’s “Capacity Enhancement Program,” and whose peak demand is equal to or in excess of one hundred fifty (150) kilowatts. The availability of this rate schedule shall be limited to the first one hundred thousand (100,000) kilowatts of peak demand contracted under this rate schedule, or such lower total as may be determined by the Division.

The rates and charges contained in paragraphs (a) through (h) of this schedule shall be fixed for the duration of the initial contract term. For all commercial installations during any month in which such installation has a demand of less than one hundred fifty (150) kilowatts, the appropriate standard rate schedule shall apply.

For all commercial installations during any month in which such installation has a demand of at least one hundred fifty (150) kilowatts and less than six hundred fifty (650) kilowatts:

(a) *Customer Charge per Month:* Ninety dollars and fifty-eight cents (\$90.58).

(b) *Demand Charge.*

<b>Kilowatt Per Month</b>	<b>Summer</b>	<b>Winter</b>
For the first 200 KWD	\$14.269/ KWD	\$13.326/ KWD
For all excess KWD	\$12.631/ KWD	\$11.750/ KWD

(c) *Reactive Charge.*

<b>Kilovar Demand Per Month</b>	<b>Summer</b>	<b>Winter</b>
For all KVAR in excess of 30	\$0.456/ KVAR	\$0.456/ KVAR

(d) *Kilowatt Hour Charge.*

<b>Kilowatt Per Month</b>	<b>Summer</b>	<b>Winter</b>
For the first 200 KWH/KWD	\$0.06709/ KWH	\$0.06365/ KWH
For the next 200 KWH/KWD	\$0.05115/ KWH	\$0.04790/ KWH
For all excess KWH	\$0.04197/ KWH	\$0.04017/ KWH

For all commercial installations during any month in which such installation has a demand equal to or greater than six hundred fifty (650) kilowatts:

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(e) *Customer Charge Per Month*: Two hundred twenty-six dollars and thirty-two cents (\$226.32)

(f) *Demand Charge.*

<b>Kilowatt Per Month</b>	<b>Summer</b>	<b>Winter</b>
For the first 500 KWD	\$14.994/ KWD	\$14.994/ KWD
For the next 500 KWD	\$13.905/ KWD	\$13.905/ KWD
For all excess KWD	\$11.723/ KWD	\$11.723/ KWD

(g) *Reactive Charge.*

<b>Kilovar Demand Per Month</b>	<b>Summer</b>	<b>Winter</b>
For all KVAR in excess of 30	\$0.456/ KVAR	\$0.456/ KVAR

(h) *Kilowatt Hour Charge.*

<b>Kilowatt Per Month</b>	<b>Summer</b>	<b>Winter</b>
For the first 150 KWH/KWD	\$0.06480/ KWH	\$0.06480/ KWH
For the next 150 KWH/KWD	\$0.05100/ KWH	\$0.05100/ KWH
For the next 150 KWH/KWD	\$0.03552/ KWH	\$0.03552/ KWH
For all excess KWH	\$0.01362/ KWH	\$0.01362/ KWH

(i) *Applicability.* This rate schedule shall be in effect for capacity enhancement contracts entered into with new commercial customers before December 31, 2024 and will remain in effect for the duration of the contract. Usage charges are not prorated. The charge used will correspond with the bill period end date. This rate schedule will no longer be available for new commercial customers who enter into new service contracts on or after January 1, 2025. After January 1, 2025, the commercial contract rates for new commercial customers shall be determined under Sections 523.03, 523.04, 523.043 or 523.0491.

~~(j)~~(j) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements, and shall be the maximum thirty (30) minute kilowatt demand during the month.

~~(k)~~(k) *Determination of Reactive Demand.* The reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours. At the Division's option, the reactive billing demand may be the metered reactive demand.

~~(l)~~(l) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect for bills rendered during the months of June, July,

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August, and September. The winter rate shall be in effect for bills rendered during the months of October, November, December, January, February, March, April, and May.

~~(m)~~(m) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.

~~(n)~~(n) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus, thereby relieving the Division of these costs.

~~(o)~~(o) *Combined Billing.* At the option of the Division, where plural connections supply the same customer in the same general location, meter readings may be added for billing purposes and the combined demand shall be the coincident demand or the sum of the undiversified demands.

~~(p)~~(p) *Transmission, Taxes, and Other Charges.* Customers under this schedule shall be charged for increases incurred after the adoption of this schedule for transmission service, costs or charges imposed by federal or state law, regulatory authorities, regional transmission operators, or reliability authorities/organizations, and taxes of any kind, however measured, paid directly or indirectly by the City. The kWh tax prescribed by RC Chapter 5727, or any successor tax, shall be charged to the same extent as such tax is applied to customers under the standard CPP rate schedules.

## Section 523.05 Street Lighting Schedule Schedules

Effective January 1 of each applicable year, the following schedule is applicable to all electric street lighting service provided by the Division of Cleveland Public Power to governmental entities. Such service shall include installation and full maintenance. Usage charges are not prorated. The charge used will correspond with the bill period end date.

Any fixtures not identified in division (f) of this section, LED Street Lights will require express written approval from the Commissioner of the Division of Cleveland Public Power prior to installation.

### (a) *Non-ornamental Lighting Service.*

<del>Mercurey Vapor (Watt)</del>	<del>KWH/Lamp</del>	<del>Monthly Rate/Lamp</del>
<del>175</del>	<del>75</del>	<del>\$5.55</del>
<del>250</del>	<del>105</del>	<del>\$6.46</del>
<del>400</del>	<del>165</del>	<del>\$8.40</del>
<del>1000</del>	<del>395</del>	<del>\$14.00</del>
<del>High Pressure Sodium (Watt)</del>	<del>KWH/Lamp</del>	<del>Monthly Rate/Lamp</del>
<del>100</del>	<del>52</del>	<del>\$6.20</del>
<del>150</del>	<del>71</del>	<del>\$7.66</del>
<del>250</del>	<del>112</del>	<del>\$9.94</del>
<del>400</del>	<del>174</del>	<del>\$11.28</del>

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High Pressure Sodium (Watt)	KWH/Lamp	Monthly Rate/Lamp		
		2024	2025	2026
100	52	\$6.20	\$ 8.25	\$ 8.25
150	71	\$7.66	\$ 10.19	\$ 10.19
250	112	\$9.94	\$ 13.22	\$ 13.22
400	174	\$11.28	\$ 15.00	\$ 15.00

(b) *Ornamental Lighting Service – Type I (thirty (30) ft. Steel Pole).*

Mercury Vapor (Watt)	KWH/Lamp	Monthly Rate/Lamp
<del>100 (E &amp; M only)</del>	<del>46</del>	<del>\$6.00</del>
<del>175</del>	<del>75</del>	<del>\$14.10</del>
<del>175 (E &amp; M only)</del>	<del>75</del>	<del>\$4.57</del>
<del>250</del>	<del>105</del>	<del>\$14.75</del>
<del>250 (E &amp; M only)</del>	<del>105</del>	<del>\$5.15</del>
<del>400</del>	<del>165</del>	<del>\$16.50</del>
<del>400 (E &amp; M only)</del>	<del>165</del>	<del>\$6.55</del>
<del>700</del>	<del>280</del>	<del>\$17.50</del>
<del>700 (E &amp; M only)</del>	<del>280</del>	<del>\$8.00</del>
<del>1000</del>	<del>395</del>	<del>\$22.45</del>
<del>1000 (E &amp; M only)</del>	<del>395</del>	<del>\$9.95</del>
High Pressure Sodium (Watt)	KWH/Lamp	Monthly Rate/Lamp
<del>100</del>	<del>52</del>	<del>\$10.58</del>
<del>100 (E &amp; M only)</del>	<del>52</del>	<del>\$6.15</del>
<del>150</del>	<del>71</del>	<del>\$12.04</del>
<del>150 (E &amp; M only)</del>	<del>71</del>	<del>\$7.55</del>
<del>250</del>	<del>112</del>	<del>\$14.62</del>
<del>250 (E &amp; M only)</del>	<del>112</del>	<del>\$9.25</del>
<del>400</del>	<del>174</del>	<del>\$18.00</del>
<del>400 (E &amp; M only)</del>	<del>174</del>	<del>\$12.25</del>
Fluorescent (Watt*)	KWH/Lamp	Monthly Rate/Lamp
<del>200</del>	<del>101</del>	<del>\$10.45</del>



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<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>100</u>	<u>52</u>	\$10.58	\$14.07	\$14.07
<u>100 (E &amp; M only)</u>	<u>52</u>	\$6.15	\$8.18	\$8.18
<u>150</u>	<u>71</u>	\$12.04	\$16.01	\$16.01
<u>150 (E &amp; M only)</u>	<u>71</u>	\$7.55	\$10.04	\$10.04
<u>250</u>	<u>112</u>	\$14.62	\$19.44	\$19.44
<u>250 (E &amp; M only)</u>	<u>112</u>	\$9.25	\$10.61	\$10.61
<u>400</u>	<u>174</u>	\$18.00	\$23.94	\$23.94
<u>400 (E &amp; M only)</u>	<u>174</u>	\$12.25	\$14.06	\$14.06

<u>Fluorescent (Watt*)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
<u>200</u>	<u>101</u>	\$10.45	\$11.99	\$11.99

\* Not available for new installation

(c) *Ornamental Lighting Service – Type II (thirty (30) ft. Concrete Pole).*

<del>400</del>	<del>165</del>	<del>\$22.99</del>
<b>High Pressure Sodium (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
<del>250</del>	<del>112</del>	<del>\$21.21</del>
<del>400</del>	<del>174</del>	<del>\$24.59</del>

<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>250</u>	<u>112</u>	\$21.21	\$28.21	\$28.21
<u>400</u>	<u>174</u>	\$24.59	\$32.70	\$32.70

(d) *Ornamental Lighting Service – Type III (forty-one (41) ft. Steel Pole w/Breakaway Base).*

<del>1000</del>	<del>395</del>	<del>\$34.45</del>
<b>High Pressure Sodium (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
<del>400</del>	<del>174</del>	<del>\$30.00</del>

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<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>400</u>	<u>174</u>	<u>\$30.00</u>	<u>\$34.43</u>	<u>\$34.43</u>

(e) *Street and Highway Lighting Service – Energy Only.*

<b>Mercury (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
<b>Merecury (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
100 (Controlled)	40	\$1.15
100 (Continuous)	96	\$2.40
175 (Controlled)	75	\$1.88
175 (Continuous)	158	\$3.95
250 (Controlled)	105	\$2.63
<b>Merecury (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
250 (Continuous)	220	\$5.50
400 (Controlled)	165	\$4.13
400 (Continuous)	346	\$8.65
700 (Controlled)	280	\$7.00
1000 (Controlled)	395	\$9.88
<b>High Pressure Sodium (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
100 (Controlled)	52	\$1.30
100 (Continuous)	110	\$2.75
150 (Controlled)	71	\$1.78
150 (Continuous)	150	\$3.75
200 (Controlled)	88	\$2.20
200 (Continuous)	185	\$4.63
<b>High Pressure Sodium (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
250 (Controlled)	112	\$2.80
250 (Continuous)	236	\$5.90
400 (Controlled)	174	\$4.35
400 (Continuous)	366	\$9.15
1000 (Controlled)	396	\$9.90
<b>Metal Halide (Watt)</b>	<b>KWH/Lamp</b>	<b>Monthly Rate/Lamp</b>
1000 (Controlled)	391	\$9.78

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<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>100 (Controlled)</u>	<u>52</u>	<u>\$1.30</u>	<u>\$1.73</u>	<u>\$1.73</u>
<u>100 (Continuous)</u>	<u>110</u>	<u>\$2.75</u>	<u>\$3.66</u>	<u>\$3.66</u>
<u>150 (Controlled)</u>	<u>71</u>	<u>\$1.78</u>	<u>\$2.04</u>	<u>\$2.04</u>
<u>150 (Continuous)</u>	<u>150</u>	<u>\$3.75</u>	<u>\$4.30</u>	<u>\$4.30</u>
<u>200 (Controlled)</u>	<u>88</u>	<u>\$2.20</u>	<u>\$2.93</u>	<u>\$2.93</u>
<u>200 (Continuous)</u>	<u>185</u>	<u>\$4.63</u>	<u>\$5.29</u>	<u>\$5.29</u>

<u>High Pressure Sodium (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>250 (Controlled)</u>	<u>112</u>	<u>\$2.80</u>	<u>\$3.72</u>	<u>\$3.72</u>
<u>250 (Continuous)</u>	<u>236</u>	<u>\$5.90</u>	<u>\$6.77</u>	<u>\$6.77</u>
<u>400 (Controlled)</u>	<u>174</u>	<u>\$4.35</u>	<u>\$5.79</u>	<u>\$5.79</u>
<u>400 (Continuous)</u>	<u>366</u>	<u>\$9.15</u>	<u>\$10.50</u>	<u>\$10.50</u>
<u>1000 (Controlled)</u>	<u>396</u>	<u>\$9.90</u>	<u>\$13.17</u>	<u>\$13.17</u>

<u>Metal Halide (Watt)</u>	<u>KWH/Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>1000 (Controlled)</u>	<u>391</u>	<u>\$9.78</u>	<u>\$11.22</u>	<u>\$11.22</u>

(f) LED Street Lights

<u>LED Type</u>	<u>Existing HID Wattage</u>	<u>Equivalent LED Wattage</u>	<u>Monthly Rate/Lamp</u>	
			<u>2025</u>	<u>2026</u>
<u>Cobra Head</u>	<u>150</u>	<u>47</u>	<u>\$5.56</u>	<u>\$5.56</u>
<u>Cobra Head - 480 V</u>	<u>150</u>	<u>47</u>	<u>\$5.56</u>	<u>\$5.56</u>
<u>Cobra Head</u>	<u>250</u>	<u>111</u>	<u>\$7.65</u>	<u>\$7.65</u>
<u>Cobra Head - 480 V</u>	<u>250</u>	<u>111</u>	<u>\$7.65</u>	<u>\$7.65</u>
<u>Cobra Head</u>	<u>400</u>	<u>194</u>	<u>\$32.34</u>	<u>\$32.34</u>
<u>Cobra Head - 480 V</u>	<u>400</u>	<u>196</u>	<u>\$32.34</u>	<u>\$32.34</u>
<u>Ornamental Epic - Bell</u>	<u>175</u>	<u>80</u>	<u>\$71.49</u>	<u>\$71.49</u>
<u>Ornamental Epic - Bell</u>	<u>400</u>	<u>150</u>	<u>\$71.53</u>	<u>\$71.53</u>
<u>Ornamental Acorn w/Cage</u>	<u>71</u>	<u>71</u>	<u>\$44.50</u>	<u>\$44.50</u>

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<u>Ornamental Acorn w/o Cage</u>	<u>104</u>	<u>71</u>	<u>\$44.50</u>	<u>\$44.50</u>
<u>Ornamental Round</u>	<u>150</u>	<u>75</u>	<u>\$41.76</u>	<u>\$41.76</u>
<u>Ornamental Octogonal</u>	<u>150</u>	<u>60</u>	<u>\$44.50</u>	<u>\$44.50</u>
<u>Ornamental Octogonal</u>	<u>250</u>	<u>80</u>	<u>\$44.50</u>	<u>\$44.50</u>
<u>Ornamental Icon (Small)</u>	<u>175</u>	<u>75</u>	<u>\$30.93</u>	<u>\$30.93</u>
<u>Ornamental Icon</u>	<u>400</u>	<u>150</u>	<u>\$50.82</u>	<u>\$50.82</u>
<u>Ornamental Tear Drops</u>	<u>400</u>	<u>200</u>	<u>\$54.61</u>	<u>\$54.61</u>
<u>Ornamental Tear Drops - 480V</u>	<u>400</u>	<u>200</u>	<u>\$54.61</u>	<u>\$54.61</u>
<u>Shoebox Classic</u>	<u>150</u>	<u>87</u>	<u>\$5.56</u>	<u>\$5.56</u>
<u>Shoebox Classic - 480 V</u>	<u>150</u>	<u>87</u>	<u>\$5.56</u>	<u>\$5.56</u>
<u>Shoebox Classic</u>	<u>250</u>	<u>143</u>	<u>\$7.65</u>	<u>\$7.65</u>
<u>Shoebox Classic - 480 V</u>	<u>250</u>	<u>143</u>	<u>\$7.65</u>	<u>\$7.65</u>
<u>Shoebox Classic</u>	<u>400</u>	<u>163</u>	<u>\$32.34</u>	<u>\$32.34</u>
<u>Shoebox Classic - 480 V</u>	<u>400</u>	<u>163</u>	<u>\$32.34</u>	<u>\$32.34</u>
<u>Shoebox Deluxe/E Cobra</u>	<u>400</u>	<u>262</u>	<u>\$32.34</u>	<u>\$32.34</u>
<u>Wallpack</u>	<u>150</u>	<u>40</u>	<u>\$16.23</u>	<u>\$16.23</u>
<u>Wallpack</u>	<u>250</u>	<u>55</u>	<u>\$16.23</u>	<u>\$16.23</u>
<u>Wallpack</u>	<u>400</u>	<u>70</u>	<u>\$29.15</u>	<u>\$29.15</u>
<u>Wallpack-480V</u>	<u>400</u>	<u>70</u>	<u>\$29.15</u>	<u>\$29.15</u>

(f)(g) *Terms and Conditions.*

(1) Street lights will be operated by time clock, ~~or by~~ photoelectric control, or similar technology, to provide illumination from dusk to dawn, unless illumination is specified as continuous.

(2) The Division of Cleveland Public Power pays for the entire installation of the fixture and amortizes the costs through the monthly rate.

If the installation is paid for by an outside party (Federal, State, County or private) and the Division maintains the installation, the Division shall charge the appropriate “energy and maintenance only” (E & M only) rate.

If the installation is paid for and maintained by an outside party (Federal, State, County or private), the Division shall charge the appropriate “energy only” rate.

If the installation is paid for by governmental entities and the Division maintains the installation:

i. If Non-LED lights, the Division shall charge the appropriate “energy and maintenance only” (E & M only) rate;

ii. If LED lights, the Division shall provide a thirty percent (30%) discount off the appropriate rate found in the division (f) of this section.

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If the installation is paid for and maintained by governmental entities:

i. If Non-LED lights, the Division shall charge the appropriate “energy only” rate;

ii. If LED lights, the Division shall provide a sixty percent (60%) discount off the appropriate rate found in the division (f) of this section.

(3) The Division may, at its discretion, meter “energy only” installations. If such an installation is metered, the energy shall be billed at ~~two and one-half cents (\$0.025) per kilowatt hour~~ the same rate as the traffic signal service rate schedules in division (a) of Section 523.065.

(4) “Non-ornamental lighting service” means lights of an overhead-type construction where the supply circuits are overhead wires and the lights are attached or suspended from wooden poles, trolley poles or are wall-mounted.

(5) “Ornamental lighting service” means all lights other than non-ornamental including lights of an underground-type construction where the supply circuits are underground cables and lights are attached to ornamental standards; lights of an overhead construction where the supply circuits are overhead and the lights are attached to ornamental ~~steel or concrete~~ poles; and the lights that are wall-mounted in which the supply circuit is enclosed in conduit.

~~(g)~~(h) *Environmental and Ecological Adjustment.* An adjustment to the ~~Energy Adjustment Charge~~ Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

~~(h)~~(i) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division. ~~Energy Adjustment Charge.~~ ~~In accordance with Section 523.21, an incremental charge or credit for excess energy costs shall be determined and applied on a monthly basis by the Division. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated using the formula established in Section 523.21.~~

(j) For any street light fixtures not listed above, the Division of Cleveland Public Power shall select the rate that most closely resembles the type of fixture from the above schedules and shall base energy charges on the rated consumption of the fixture.

(k) For any Street Lights powered by other utilities, the Division shall charge each governmental entity the applicable fixture charge in divisions (a), (b), (c), (d), (e) or (f) of this section and the energy cost charged to the Division of Cleveland Public Power by the applicable entity, but not the Power Supply Recovery in division (i) of this section.

## Section 523.06 Protective Lighting Schedule Schedules

(a) Effective January 1 of each applicable year, the ~~The following schedule is~~ schedules are applicable to all protective lighting service provided by the Division of Cleveland Public Power. Such service shall include installation and full maintenance.

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Usage charges are not prorated. The charge used will correspond with the bill period end date.

Rates are not available for new installation without written pre-approval from CPP.

<b>Area Lighting</b>	<b>KWH/ Lamp</b>	<b>Monthly Rate/Lamp</b>	
<b>Area Lighting</b>	<b>KWH/ Lamp</b>	<b>Monthly Rate/Lamp</b>	
<del>100 Watt High Pressure Sodium</del>	<del>52</del>	<del>\$12.67</del>	
<del>175 Watt Mercury Vapor</del>	<del>75</del>	<del>\$8.32</del>	
<del>250 Watt Mercury Vapor</del>	<del>105</del>	<del>\$9.41</del>	
<del>250 Watt High Pressure Sodium</del>	<del>112</del>	<del>\$15.16</del>	
<del>400 Watt Mercury Vapor</del>	<del>165</del>	<del>\$13.39</del>	
<del>400 Watt High Pressure Sodium</del>	<del>174</del>	<del>\$19.14</del>	
<del>1000 Watt Mercury</del>	<del>395</del>	<del>\$20.40</del>	
<del>1000 Watt Metal Halide</del>	<del>391</del>	<del>\$27.85</del>	
<b>Flood Lighting</b>	<b>KWH/ Lamp</b>	<b>Monthly Rate/Lamp</b>	
<b>Flood Lighting</b>	<b>KWH/ Lamp</b>	<b>Monthly Rate/Lamp</b>	
<del>250 Watt Mercury Vapor</del>	<del>105</del>	<del>\$10.61</del>	
<del>250 Watt High Pressure Sodium</del>	<del>112</del>	<del>\$14.41</del>	
<del>400 Watt Mercury Vapor</del>	<del>165</del>	<del>\$16.69</del>	
<del>400 Watt High Pressure</del>	<del>174</del>	<del>\$20.45</del>	
<del>1000 Watt Mercury Vapor</del>	<del>395</del>	<del>\$22.03</del>	
<del>1000 Watt Metal Halide</del>	<del>391</del>	<del>\$29.05</del>	
<del>1000 Watt Quartz</del>	<del>348</del>	<del>\$23.70</del>	
<del>1500 Watt Quartz</del>	<del>522</del>	<del>\$25.27</del>	

<b><u>Area Lighting</u></b>	<b><u>KWH/ Lamp</u></b>	<b><u>Monthly Rate/Lamp</u></b>		
		<b><u>2024</u></b>	<b><u>2025</u></b>	<b><u>2026</u></b>
<u>100 Watt High Pressure Sodium</u>	<u>52</u>	<u>\$12.67</u>	<u>\$14.54</u>	<u>\$15.88</u>
<u>250 Watt High Pressure Sodium</u>	<u>112</u>	<u>\$15.16</u>	<u>\$17.40</u>	<u>\$19.01</u>
<u>400 Watt High Pressure Sodium</u>	<u>174</u>	<u>\$19.14</u>	<u>\$21.96</u>	<u>\$23.99</u>
<u>1000 Watt Metal Halide</u>	<u>391</u>	<u>\$27.85</u>	<u>\$31.96</u>	<u>\$34.91</u>



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<u>Flood Lighting</u>	<u>KWH/ Lamp</u>	<u>Monthly Rate/Lamp</u>		
		<u>2024</u>	<u>2025</u>	<u>2026</u>
<u>250 Watt High Pressure Sodium</u>	<u>112</u>	<u>\$14.41</u>	<u>\$16.54</u>	<u>\$18.07</u>
<u>400 Watt High Pressure</u>	<u>174</u>	<u>\$20.45</u>	<u>\$23.47</u>	<u>\$25.64</u>
<u>1000 Watt Metal Halide</u>	<u>391</u>	<u>\$29.05</u>	<u>\$33.33</u>	<u>\$36.42</u>

(b) LED Protective Lighting:

<u>LED Type</u>	<u>Existing HID Wattage</u>	<u>Equivalent LED Wattage</u>	<u>Monthly Rate/Lamp</u>	
			<u>2025</u>	<u>2026</u>
<u>Cobra Head</u>	<u>150</u>	<u>47</u>	<u>\$8.34</u>	<u>\$8.34</u>
<u>Cobra Head - 480 V</u>	<u>150</u>	<u>47</u>	<u>\$8.34</u>	<u>\$8.34</u>
<u>Cobra Head</u>	<u>250</u>	<u>111</u>	<u>\$11.48</u>	<u>\$11.48</u>
<u>Cobra Head - 480 V</u>	<u>250</u>	<u>111</u>	<u>\$11.48</u>	<u>\$11.48</u>
<u>Cobra Head</u>	<u>400</u>	<u>194</u>	<u>\$48.51</u>	<u>\$48.51</u>
<u>Cobra Head - 480 V</u>	<u>400</u>	<u>196</u>	<u>\$48.51</u>	<u>\$48.51</u>
<u>Cobra Head</u>	<u>1000</u>	<u>280</u>	<u>\$55.22</u>	<u>\$55.22</u>

(c) LED Flood Lighting

<u>LED Flood Lighting</u>	<u>LED Wattage</u>	<u>Monthly Rate/Lamp</u>	
		<u>2025</u>	<u>2026</u>
<u>180 Watt LED</u>	<u>180</u>	<u>\$34.50</u>	<u>\$34.50</u>
<u>270 Watt LED</u>	<u>270</u>	<u>\$48.12</u>	<u>\$48.12</u>
<u>270 Watt LED (2,200 K)</u>	<u>270</u>	<u>\$53.37</u>	<u>\$53.37</u>
<u>390 Watt LED</u>	<u>390</u>	<u>\$51.83</u>	<u>\$51.83</u>

(d) Protective lighting and flood lighting shall be operated by time clock, photoelectric control or similar technology, to provide illumination from dusk.

~~(b)~~(e) Environmental and Ecological Adjustment. An adjustment to the ~~Energy Adjustment Charge~~ Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

~~(e)~~(f) Power Supply Recovery. In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

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~~Energy Adjustment Charge. In accordance with Section 523.21, an incremental charge or credit for excess energy costs shall be determined and applied on a monthly basis by the Division. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated using the formula established in Section 523.21.~~

(g) For any powered bulbs not listed above, the Division shall base charges on the wattage rating used per bulb. For protective lighting and flood lighting that do not have a wattage rating, the Division of Cleveland Public Power shall select the rate that most closely resembles the type of fixture from the above schedules.

## Section 523.065 Traffic Signal Service Rate Schedule Schedules

Effective January 1 of each applicable year, the following schedule is applicable to all energy sold to governmental entities for the purpose of traffic signal service. Usage charges are not prorated. The charge used will correspond with the bill period end date.

(a) *Kilowatt Hour Charge.*

<b>Summer Rate</b>	<b>Winter Rate</b>
\$0.023	\$0.023

	<b>Rates</b>		
	<b>2024</b>	<b>2025</b>	<b>2026</b>
Traffic Signal Service Rate	\$ 0.023	\$ 0.026	\$ 0.029

(b) ~~Definition of Seasonal Rates. For the purpose of this rate schedule, the summer rate shall be in effect during the months of June, July, August, September and October. The winter rate shall be in effect during the months of November, December, January, February, March, April and May.~~

(e)(b) ~~Environmental and Ecological Adjustment. An adjustment to the Energy Adjustment Charge Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.~~

(d)(c) ~~Power Supply Recovery. In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division. Energy Adjustment Charge. In accordance with Section 523.21, an incremental charge or credit for excess energy costs shall be determined and applied on a monthly basis by the Division. Such incremental charge may be made in addition to the rates established in this section, but in no case shall such charge exceed the amount calculated using the formula established in Section 523.21.~~

## Section 523.08 Provisions Governing Advance Deposits

(a) A cash deposit equal to ~~one (1) month's~~ one hundred thirty percent (130%) of the estimated average bill may be required as security for the payment of services rendered. The applicant and/or consumer may, however, file a satisfactory guarantee with the Division of Cleveland Public Power that will serve to insure payment of bills. All such guarantees, written or otherwise, shall be subject to the approval of the Division. If a deposit is required, it shall be billed at the time of application for service.

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(b) A cash deposit may be required to cover the entire cost of line extensions or service connections which do not form a part of the permanent distribution system or in such cases where the revenue received by the Division will not be sufficient to cover the carrying charges thereof.

(c) Failure of the consumer to give advance notice of termination of service may result in forfeiture of the security deposit.

(d) No cash or guaranteed deposit shall be refunded or released until termination of service is complete and after all unpaid bills or other indebtedness to the Division have been paid in full. A cash deposit may be refunded, however, if the consumer files a satisfactory guarantee with the Division in lieu thereof.

(e) No cash deposit will be refunded except where sufficient revenue either has been collected or is anticipated to cover carrying charges for line extensions and service connections, as hereinbefore described.

## Section 523.11      Delinquent Accounts

(a) If a statement rendered to a consumer is not paid on or before the due date stated thereon, the consumer's account shall be termed "delinquent" and shall be subject to discontinuation of service.

(b) The Division of Cleveland Public Power shall give notice to the consumer prior to termination of service. The first notice shall be sent by first class mail at least ten (10) calendar days prior to the date after which termination could occur. If the Division receives no response from the consumer within five (5) days after the date of mailing of the first notice, then a second notice shall be sent by first class mail, or personal contact shall be made with an adult on the premises (telephone or physical visitation). All notices shall be provided to the account name and address and, if different, to the address where service is provided, as well as any other party previously designated by a residential customer to receive a copy of a termination notice. The termination notice shall be provided to residential customers in alternate languages where appropriate.

(c) When terminating service to elderly or handicapped residential customers, the Division's final notice shall be by personal contact with an adult on the premises (telephone or physical visitation). If personal contact cannot be made, the notice of termination shall be posted in a conspicuous location at the service address at least forty-eight (48) hours (two (2) working days) before the date after which termination could occur.

For the purpose of this section, "elderly" means any residential customer, sixty-two (62) years of age or older, who resides at the service address and who has notified the Division of his or her status. For the purpose of this section, "handicapped" means any residential customer who resides at the service address and has any physical or mental impairment which substantially limits one (1) or more of such person's life activities, and such person:

- (1) Is certified as being physically disabled by a licensed physician; or
- (2) Is certified as being mentally disabled by a licensed psychiatrist, registered psychologist, Veterans Administration, Social Security Administration or local board of health; and
- (3) Has notified the Division of his or her status.

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(d) Tenants who pay for electric service as part of their rent in master-metered buildings, shall be individually notified, when practical, of any proposed termination. Tenants shall be collectively notified by posting a termination notice in a conspicuous location, such as near mailboxes, building entrances and exits or other areas of common usage. Tenants may collectively pay the delinquent amount in order to avoid termination of service.

(e) A notice of termination of service shall include the following information:

(1) The name, address and account number of the customer to be terminated;

(2) A statement of the reasons for termination;

(3) The date after which the termination could occur;

(4) The charge for service reconnection;

(5) A statement that the consumer has the right to appear before a Arbitration Panel to present objections and to examine all data related to his or her account; and

(6) In cases where termination is based on failure to pay, the amount owed, the time period over which the amount was incurred and whether the amount was based on actual meter readings or on an estimated consumption.

(f) The Division shall determine when termination of service to a customer would be especially dangerous to health because of extreme environmental conditions or because a residential customer or party residing at the customer's address has provided the Division with certification by a licensed physician that he or she is likely to become seriously ill or more seriously ill if such service is terminated. The Division shall not terminate service during the time any such condition exists, provided that the customer furnishes sufficient information to the Division's customer service representative to establish, to the satisfaction of the Division, that:

(1) He or she is unable to pay for such service; or

(2) He or she is able to pay for such service but only in installments.

Upon establishment of the customer's eligibility for relief under this section, the Division shall refrain from terminating service so long as the conditions established prevail. The Division may, from time to time, require recertification of serious illness, if applicable. The Division shall make arrangements with the customer for the payment of delinquent bills in installments, taking into consideration the amount of money owed, the customer's ability to pay, the customer's payment history, the time that the debt has been outstanding, the reasons why the debt has been outstanding and any other relevant factor. If a customer does not meet the requirements of such installment plan, service shall be subject to termination upon notice given after such failure to pay, in accordance with divisions (a) through (c) hereof.

(g) All disputes regarding any of the provisions of Chapter 523 or rates charged thereunder shall be arbitrated before a Cleveland Public Power Arbitration Panel as set forth in Section 523.115.

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## Section 523.12 Special Charges

The following service charges may be charged by the Division of Cleveland Public Power:

<b>Service</b>	<b>Charge</b>
<b>Service</b>	<b>Charge</b>
<b>Temporary Construction</b>	
Power-50 amp	Actual cost (\$45.00 min.)
Power-100 amp	Actual cost (\$60.00 min.)
Loosen service pipe for construction	\$20.00
Refasten service pipe after construction	\$20.00
<b>Service</b>	<b>Charge</b>
Reconnection after disconnection for nonpayment	\$8.00
Pick up delinquent payment	\$5.00
Relocate service	Actual Cost (\$30.00 min.)
Standby service	\$1.75/KVA of transformer capacity
Relocation of pole or other facilities	Actual cost
Penalty for late payment of large commercial, industrial, large industrial, street lighting and traffic signal invoices	1% per month on unpaid balance

(a) Penalty for Late Payments

<u>Service</u>	<u>Charge</u>
<u>Penalty for late payment of large commercial, small industrial, large industrial, street lighting and traffic signal invoices</u>	<u>1.5% per month on unpaid balance</u>

(b) Disconnect/Reconnect at Meter or Pole/Service Fee

<u>Service</u>	<u>Charge</u>
<u>Reconnect at Meter Fee - First Trip within a rolling 12 month period</u>	<u>\$8.00</u>
<u>Reconnect at Meter Fee - Second trip within a rolling 12 month period and trips thereafter</u>	<u>\$35.00</u>
<u>Reconnect at Meter Fee - Customer Reconnection-Faulty Meter Investigation</u>	<u>\$35.00</u>
<u>Disconnect/Reconnect at Pole Fee - Per Trip</u>	<u>\$232.00</u>
<u>Disconnect/Reconnect at Pole Fee - Per Trip after working hours</u>	<u>\$310.00</u>

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(c) *Temporary Service*

<u>Service</u>	<u>Charge</u>
Temporary Electric Service	Actual cost (\$120.00 min.)

(d) *Refasten/Relocate Facilities*

<u>Service</u>	<u>Charge</u>
Loosen/Refasten Service Pipe After Construction	Actual cost (\$80.00 min.)

(e) *Meter Test*

<u>Service</u>	<u>Charge</u>
Meter Test At Customer Request	\$84.00

(f) *Repeat Trip/Broken Appointment*

<u>Service</u>	<u>Charge</u>
Repeat Trip / Broken Appointment (within 24 hours of appointment time)	\$80.00

(g) *Special Service Calls*

<u>Service</u>	<u>Charge</u>
Special Service Calls	\$80.00

(h) *Investigation Fee – Charge \$175.00*

<u>Service</u>	<u>Charge</u>
Investigation Fee	\$175

(i) For purposes not named in the foregoing sections, or for the use of power under special circumstances, special rates shall be established by the Commissioner of the Division of Cleveland Public Power.

Section 523.16      Faulty Meters

Whenever a meter has failed to register correctly, the bill for such period shall be adjusted on the basis of the estimated amount of electricity used. In the event that a meter should be found to be registering incorrectly due to any illegal device attached thereto, electrical service will be discontinued immediately without notice and the consumer will be billed for the estimated amount of electricity used, plus a reconnecting charge as stated in Section 523.12.

Whenever a meter has failed to register correctly, the bill for such period shall be adjusted on the basis of the estimated amount of electricity used. In the event that a meter should be found to be registering incorrectly due to tampering or any illegal device attached thereto, electrical service will be discontinued immediately without notice. In the event the customer commits or is the beneficiary of any tampering or fraudulent practice in obtaining electric service, the Division of Cleveland Public Power



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shall assess the customer an investigation charge as stated in Section 523.12. The charge shall also be assessed where any connection or device is found on the service entrance equipment or premises of the customer or consumer which prevents the meter from accurately registering total consumption used or to be used, or where the service entrance equipment or other property used to supply electric service has been altered to avoid accurate metering or has been damaged.

The Division of Cleveland Public Power shall also assess the customer an estimated or actual bill representing the electric service fraudulently or falsely obtained and the actual costs to repair or replace any damaged or missing service entrance equipment or other property used to supply electric service. The customer shall also be assessed any additional charges for all costs of disconnection and reconnection as stated in Section 523.12.

## Section 523.21      Energy Adjustment Charge Power Supply Recovery

(a) An additional ~~incremental~~ charge for excess fuel, and power production, and purchase power costs shall be applied to the rates prescribed in Sections 523.02 to 523.065 and any other rate ~~schedule~~ schedules as may be adopted by the City.

(b) ~~This incremental~~ The charge shall be based on the fuel and purchase power cost, per kilowatt hour delivered calculated under divisions (c)(1) and (c)(2) of this section.

(c) (1) ~~The fuel and purchase power supply cost~~ costs per kilowatt hour ~~sold to~~ for residential ratepayers shall be determined by dividing the sum of the cost of the kilowatt hours purchased from the Power Authority of the State of New York (PASNY) and the average cost of kilowatt hours purchased or produced from other sources needed to supply the residential customers by the total kilowatt hours distributed to residential customers. ~~The incremental~~ charge calculated herein shall be adjusted by subtracting fifteen (15) mils per kilowatt hour for residential customers who provide the Division of Cleveland Public Power with a certificate of reduction of taxes obtained pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code, and nine and three-quarters (9.75) mils per kilowatt hour for all other residential customers.

(2) Except as provided in Section 523.048, ~~the fuel and purchase power cost~~ supply costs per kilowatt hour ~~sold for to~~ all other ratepayers, ~~other than residential ratepayers, during the twelve (12) months of the year,~~ shall be determined by dividing the sum of the ~~total cost of coal, oil, gas and purchase~~ total power supply costs by the total kilowatt hours distributed, except that the computation shall exclude the cost of PASNY power and the amount of PASNY power allocable to kilowatt hours distributed, ~~and shall exclude the costs of all purchase power and kilowatt hours from a specific source or sources purchased by the Division for distribution to ratepayers pursuant to Sections 523.048 and 523.049.~~ The ~~incremental~~ charge calculated herein shall be adjusted by subtracting three (3.0) mils per kilowatt hour.

(d) At the end of each month, the Division of Cleveland Public Power shall determine the actual ~~fuel and~~ power supply costs during such month as herein provided and may adjust ~~the additional incremental~~ this charge for future months to defer or over-recover the total ~~cost of power~~ supply costs in order to stabilize customer bills.

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## Section 523.23 Pole and Anchor Attachments; Fee

The following schedule is applicable to any attachment of communication facilities to poles owned by the Division of Cleveland Public Power ("attachments") by any person or entity ("permittee") other than a joint owner of such pole or a party to any joint use agreement.

(a) *Application for Attachment.* Any person or entity desiring to install attachments shall make a written request for permission to install attachments on any pole owned by the Division of Cleveland Public Power. The request shall specify the location of each pole, the identifying number of each pole, the nature of the proposed attachment and the amount and location of space desired. Within thirty (30) days after receipt of a written request, the Division shall notify the applicant whether or not it will permit the attachment and under what conditions. The Division shall have the sole right to determine whether an attachment would adversely affect its electric utility services and its ability to provide such services in an economic and safe manner, including considerations for the future needs of its customers.

(b) *Conditions of Attachment.* All attachments shall be placed on Division's poles in a manner satisfactory to the Division and shall not interfere with the present or future use of the pole by the Division. All attachments shall be installed and at all times maintained by the permittee so as to comply with the requirements of the National Electrical Safety Code and other applicable Federal, State, County, or Municipal codes, as well as operating procedures of the Division of Cleveland Public Power. The permittee shall be responsible for obtaining any right, license or permit from any governmental body, authority, or other person or persons which may be required for the construction and maintenance of the attachments of the permittee, including easements, rights-of-way, or rights of entry upon premises.

If the Division desires to replace an existing pole, or add facilities to an existing pole, to which the permittee has made attachments, the permittee shall, where required by the Division, relocate its facilities at its own expense.

In the event that a permittee fails to make or maintain any attachments in conformance to all applicable codes and procedures, the Division, after fifteen (15) days' written notice, shall have the right to make, or cause to be made, the necessary corrections or shall have the right to remove such attachments, without liability, at the entire expense of the permittee.

In the event of any emergency which, in the opinion of the Division, affects or threatens to affect the operations of the Division, the Division shall have the right to perform such detachment, disconnection, relocation or alteration, at the permittee's expense, of such attachments as may be necessary to meet such emergency.

(c) *Attachment Rental Fee.*

~~\$0.25 per month for each pole attachment~~  
~~\$0.50 per month for each anchor attachment~~

<u>Service</u>	<u>Charge</u>
<u>Pole Attachment per Month</u>	<u>\$0.36</u>
<u>Each Anchor Attachment per Month</u>	<u>\$0.58</u>

Attachment rental fees shall be billed monthly and shall be due and payable on or before twenty-one (21) calendar days following the date on which the bill is issued.

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Payments received after the due date shall be subject to the same penalty as prescribed in Section 523.12. The bill for attachment rental fees will reflect the total number of attachments in place during the previous month.

Within five (5) days following the end of each calendar month, the permittee shall notify the Division, in writing, of the completion of all attachments, or removal thereof, during the preceding month.

The Commissioner of the Division of Cleveland Public Power may waive the monthly pole attachment fee, and as an alternative to the monthly pole attachment fee, the Commissioner of the Division of Cleveland Public Power, at his or her discretion, may charge the per pole attachment rental fees on an annual basis. Any payments for authorized annual rental fees shall be made in advance on the 31<sup>st</sup> day of January of each year.

(d) *Reimbursement of Costs.* If attachment to the Division's poles imposes on the Division costs which would not otherwise be incurred, the party requesting attachment shall reimburse the Division for all such costs. Such costs may include, but are not necessarily limited to any change in or strengthening of poles, any rearrangement, alteration or addition, or other changes in existing facilities, which in the opinion of the Division are necessary to accommodate the attachments of the party or entity requesting an attachment. Such costs may also include billing, engineering, and any necessary evaluation of the applicant's request for attachments. The Division reserves the right to require the permittee to have all necessary work performed at the permittee's expense by a contractor engaged by the permittee and approved by the Division, performing work in construction standards of the Division.

(e) *Multiple Applicants for Attachment.* When the Division receives application from more than one (1) applicant for permission to attach to any pole and, because of such multiple attachments, either the pole must be replaced or the facilities thereon must be rearranged to provide additional space for the attachments, the Division may apportion the additional total costs resulting from the pole replacement or rearrangement among all permittees. Such apportioned costs shall include common engineering, material and other expenses which result from the multiple applications and the multiple attachments. The permittee shall be bound by the Division's determination as to any such apportionment of costs.

(f) *Power Supplies and Amplifiers.* Power supplies and amplifiers may be mounted on the Division's poles at the sole discretion of the Division. Permittee shall request permission to mount such facilities in writing to the Division. The location and design shall be approved by the Division prior to installation.

Any electric service for power supplies and amplifiers shall be paid for by the permittee at the Division's applicable electric rate. The meter, if required, will be furnished by the Division. The meter base will be furnished by the Division and installed by the permittee according to standards set forth by the Division. The permittee's service conductors, if required, shall be furnished and installed by the permittee with weatherhead included. Sufficient conductor shall be left to reach the Division's secondary circuit. The permittee shall ensure that all equipment is effectively grounded to an earth ground, separate and apart from any ground wire belonging to the Division, and shall observe the National Electrical Safety Code and all other applicable codes in the installation of these facilities.

Power supplies and amplifiers will not be permitted on poles which have transformers, reclosers, cut-outs, oil switches, capacitors, or other equipment of a size or type which would impair climbing or working space if an additional pole-mounted facility were installed. Power supplies and amplifiers may be prohibited in situations

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deemed sensitive from the standpoint of pole line appearance. The permittee shall install all of its attachments so as to not interfere with climbing space as defined by the National Electrical Safety Code or specifically defined by the Division.

(g) *Inspection of Facilities.* The Division shall have the right to inspect each installation of the permittee upon its poles and thereafter to make periodic inspections. The permittee shall reimburse the Division for the expense of such inspection, which reimbursement for any pole subject hereto, shall not exceed in any year the expense of one (1) inspection.

The right to make such inspections and any inspection made shall not impose any obligation or liability on the Division nor shall it relieve the permittee of any responsibility, obligation, or liability.

(h) *Indemnification.* The permittee shall indemnify, hold harmless, and defend the Division from and against any and all actions or causes of actions, claims, demands, liabilities, loss, damage, or expense whatsoever, including attorney's fees, which the Division may suffer or incur by reason of the failure of the permittee to secure any right, license, permit, or easement required for the construction or maintenance of permittee's attachments to the Division's poles, by reason of interruption of permittee's service to permittee's subscribers, by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including the loss of use thereof, arising out of or in any manner connected with the facilities of the permittee to be installed hereunder, or the installation, maintenance, removal, rearrangement or alteration of such facilities by the Division or permittee, or which the Division may sustain or incur in connection with any litigation, investigation, or other expenditures incident thereto including any suit instituted to enforce contractual obligations whether or not due in whole or part to any act, omission, or negligence of the Division, or any of its representatives or employees.

(i) *Right of Termination.* If the permittee fails to comply with any of the provisions of this section or defaults in the performance of any of its obligations under this section and fails to correct such default or non-compliance, the Division may, at its option, remove the permittee's facilities from the Division's poles and no liability shall be incurred by the Division because of such action. The permittee shall be liable for the entire cost of removing its attachments from the Division's poles.

(j) *Unauthorized Attachments.* If equipment or facilities are attached to the Division's poles for which no attachment is authorized, the Division may require the owner of the attached facilities to remove the attachments immediately at the owner's cost, or the Division may remove the facilities at the expense of the owner of the attachments without liability to the Division.

Section 3. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 523.02, 523.03, 523.04, 523.043, and 523.047, as amended by Ordinance No. 472-2022, passed May 23, 2022,

Section 523.049, as amended by Ordinance No. 65-08, passed March 31, 2008; and

Sections 523.05, 523.06, 523.065, 523.08, 523.11, and 523.12, as amended by Ordinance No. 472-2022, passed May 23, 2022,

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Section 523.16, as amended by Ordinance No. 726-57, passed April 8, 1957, and

Sections 523.21, and 523.23, as amended by Ordinance No. 472-2022, passed May 23, 2022,

are repealed.

Section 4. That Section 523.021 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 472-2022, passed May 23, 2022, relating to Residential Incentive Rate Schedule, is repealed.

Section 5. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by adding new Sections 523.0491, 523.066, 523.067, 523.28 and 523.29, to read as follows:

Section 523.0491 Commercially Contracted Alternative Rate Schedules

Effective January 1 of each applicable year, the following schedules are applicable to all new commercial customers who have not received Cleveland Public Power service at their present location in the preceding two (2) years, and enter into, at minimum, a written ten (10) year contract for service anticipated to commence on or after January 1, 2025. This rate shall also apply to existing Cleveland Public Power customers who enter into, at minimum, a new written five (5) year contract for service commencing on or after January 1, 2025. Commercially Contracted Alternative Rate – Small Capacity rates shall apply to commercial contract customers with a peak demand between 150 kwd and 650 kwd. Commercially Contracted Alternative Rate – Large Capacity rates shall apply to commercial contract customers with a peak demand greater than 650 kwd.

The rates and charges contained in this section shall be fixed for four (4) years starting January 1, 2025 and shall be adjusted effective January 1, 2029 for five (5) additional years. For all commercial installations during any month in which such installation has a demand of less than one hundred fifty (150) kilowatts, the appropriate standard rate schedule shall apply. Usage charges are not prorated. The charge used will correspond with the bill period end date.

For all commercial installations during any month in which such installation has a demand of at least one hundred fifty (150) kilowatts and less than six hundred fifty (650) kilowatts, the schedules in divisions (a) to (d) of this section shall apply:

(a) *Customer Charge per Month – Small Capacity:*

	Commercially Contracted Alternative Rate - Small Capacity			
	Winter		Summer	
Fixed Fee	2025-2028	2029-2034	2025-2028	2029-2034
Each Account	\$ 112.32	\$ 129.17	\$ 112.32	\$ 129.17



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(b) *Demand Charge – Small Capacity.*

Commercially Contracted Alternative Rate - Small Capacity				
	Winter		Summer	
Demand Charges	2025-2028	2029-2034	2025-2028	2029-2034
Tier 1 (up to 200 kwd)	\$ 16.524	\$ 19.003	\$ 17.694	\$ 20.348
Tier 2 (All excess kwd)	\$ 14.570	\$ 16.756	\$ 15.662	\$ 18.012

(c) *Reactive Charge – Small Capacity.*

Commercially Contracted Alternative Rate - Small Capacity				
	Winter		Summer	
Reactive Charges (\$/kvar)	2025-2028	2029-2034	2025-2028	2029-2034
All kvar over 30	\$ 0.57	\$ 0.65	\$ 0.57	\$ 0.65

(d) *Kilowatt Hour Charge – Small Capacity.*

Commercially Contracted Alternative Rate - Small Capacity				
	Winter		Summer	
kwh Usage	2025-2028	2029-2034	2025-2028	2029-2034
First 200 kwh/kwd	\$ 0.07893	\$ 0.09076	\$ 0.08319	\$ 0.09567
Second 200 kwh/kwd	\$ 0.05940	\$ 0.06831	\$ 0.06343	\$ 0.07294
All Excess kwh	\$ 0.04981	\$ 0.05728	\$ 0.05204	\$ 0.05985

For all commercial installations during any month in which such installation has a demand equal to or greater than six hundred fifty (650) kilowatts rate the schedules in divisions (e) to (h) of this section shall apply:

(e) *Customer Charge per Month – Large Capacity.*

Commercially Contracted Alternative Rate - Large Capacity				
	Winter		Summer	
Fixed Fee	2025-2028	2029-2034	2025-2028	2029-2034
Each Account	\$ 271.58	\$ 312.32	\$ 271.58	\$ 312.32

(f) *Demand Charge– Large Capacity.*

Commercially Contracted Alternative Rate - Large Capacity				
	Winter		Summer	
Demand Charges	2025-2028	2029-2034	2025-2028	2029-2034
Tier 1 (up to 500 kwd)	\$ 17.993	\$ 20.692	\$ 17.993	\$ 20.692
Tier 2 (501-1000 kwd)	\$ 16.686	\$ 19.189	\$ 16.686	\$ 19.189
Tier 3 (All excess kwd)	\$ 14.068	\$ 16.178	\$ 14.068	\$ 16.178

(g) *Reactive Charge– Large Capacity.*

Commercially Contracted Alternative Rate - Large Capacity				
	Winter		Summer	
Reactive Charges (\$/kvar)	2025-2028	2029-2034	2025-2028	2029-2034
All kvar over 30	\$0.55	\$0.63	\$0.55	\$0.63

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(h) *Kilowatt Hour Charge– Large Capacity.*

kwh Usage	Commercially Contracted Alternative Rate- Large Capacity			
	Winter		Summer	
	2025-2028	2029-2034	2025-2028	2029-2034
First 150 kwh/kwd	\$ 0.07776	\$ 0.08942	\$ 0.07776	\$ 0.08942
Second 150 kwh/kwd	\$ 0.06120	\$ 0.07038	\$ 0.06120	\$ 0.07038
Third 150 kwh/kwd	\$ 0.04262	\$ 0.04902	\$ 0.04262	\$ 0.04902
All Excess kwh	\$ 0.01634	\$ 0.01880	\$ 0.01634	\$ 0.01880

(i) *Determination of Demand.* The kilowatt demand shall be determined monthly by demand measurements, and shall be the maximum thirty (30) minute kilowatt demand during the month.

(j) *Determination of Reactive Demand.* The reactive billing demand shall be determined by multiplying the monthly kilowatt demand by the ratio of the monthly lagging reactive kilovolt ampere hours to the monthly kilowatt hours. At the option of the Commissioner of the Division of Cleveland Public Power, the reactive billing demand may be the metered reactive demand.

(k) *Definition of Seasonal Rate.* For the purpose of this rate schedule, the summer rate shall be in effect for bills rendered during the months of June, July, August, and September. The winter rate shall be in effect for bills rendered during the months of October, November, December, January, February, March, April, and May.

(l) *Discount for Primary Metering.* Where the electric energy is metered on the primary (two thousand three hundred (2,300) volts or higher) side of the service transformers, a discount of two percent (2%) of the gross primary metered kilowatt hours may be allowed.

(m) *Substation Ownership Discount.* A discount of thirty cents (\$0.30) per kilowatt of demand billed may be allowed when a customer owns, installs and maintains transformation and substation apparatus, thereby relieving the Division of these costs.

(n) *Combined Billing.* At the option of the Commissioner of the Division of Cleveland Public Power, where plural connections supply the same customer in the same general location, meter readings may be added for billing purposes and the combined demand shall be the coincident demand or the sum of the undiversified demands.

(o) *Transmission, Taxes, and Other Charges.* Customers under this schedule shall be charged for transmission service, costs or charges imposed by federal or state law, regulatory authorities, regional transmission operators, or reliability authorities/organizations, and taxes of any kind, however measured, paid directly or indirectly by the City. The kWh tax prescribed by RC Chapter 5727, or any successor tax, shall be charged to the same extent as such tax is applied to customers under the standard Cleveland Public Power rate schedules.

## Section 523.066 Security Equipment Rate Schedule

The following schedule is applicable to all electric security equipment service provided by the Division of Cleveland Public Power to governmental entities:



# Ordinance No. 957-2024

(a) *Kilowatt Hour Charge.*

	Rates		
	2024	2025	2026
Security Equipment Rate	\$ 0.023	\$ 0.026	\$ 0.029

(b) *Environmental and Ecological Adjustment.* An adjustment to the Power Supply Recovery shall be applied to this rate as set forth and described in Section 523.17.

(c) *Power Supply Recovery.* In accordance with Section 523.21, the Power Supply Recovery shall be determined and applied on a monthly basis by the Division.

## Section 523.067 Small Wireless Facility Rate Schedule

Small wireless facilities are subject to the monthly consumption charges in the small commercial rate schedule in Section 523.03 of these codified ordinances in addition to the items below.

In accordance with the Federal Communications Commission ruling, FCC 18-133 dated September 27, 2018, the rates are:

Service	Charge
Application Fee (Up to five (5) Wireless Facilities)	\$500
Application Fee (for each Small Wireless Facility Above the Initial Five (5))	\$100
Non-Recurring Fees for a New Pole Intended to Support One (1) or More Small Wireless Facilities	\$1,000
Annual Fee Per Small Wireless Facility	\$270

## Section 523.28 Charges for Work Provided

In addition to all other charges in this chapter, the Division of Cleveland Public Power shall have the right to recover costs for work completed and materials furnished for repairs or improvements made on behalf of an account holder or owner(s) of the premise, as deemed appropriate by the Commissioner.

## Section 523.29 Extension of Time for Payment

Cleveland Public Power bills shall be paid on or before the date stated on the bill but the Director of Public Utilities may after investigation, grant an extension of time in cases of indigency, emergency, relief and similar conditions. Partial payments may be accepted, properly approved, but bills must be paid in full pursuant to the rules and regulations of the Division of Cleveland Public Power.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

