

RESOLUTION NO. 86-17

A RESOLUTION REGARDING CERTAIN ADDITIONS AND CHANGES TO COLORADO SPRINGS UTILITIES' ELECTRIC RATE TARIFF

WHEREAS, the United States of America at the Fort Carson Military Installation ("Ft. Carson") has requested Hydroelectric Power Sales Service from Colorado Springs Utilities; and

WHEREAS, Colorado Springs Utilities will enter into arrangements to purchase and resell to Ft. Carson power produced by hydroelectric units to be constructed at the Pueblo Dam, Pueblo County, Colorado; and

WHEREAS, Colorado Springs Utilities has determined that it can resell that hydroelectric power to Ft. Carson under a new Contract Service – EHYDPWR electric rate schedule; and

WHEREAS, Ft. Carson has requested that any hydroelectric power purchased under the new rate schedule be transported to the military installation under the Contract Service – Wheeling – ECW electric rate schedule; and

WHEREAS, Colorado Springs Utilities has determined that it can transport any hydroelectric power purchased under the new rate schedule to Ft. Carson under the Contract Service – Wheeling – ECW electric rate schedule if that rate schedule is modified; and

WHEREAS, the proposed new tariff and the proposed tariff modifications have been designed by Colorado Springs Utilities to further the renewable energy goals of Ft. Carson; and

WHEREAS, the City Council finds it appropriate to assist Ft. Carson in achieving its renewable energy goals; and

WHEREAS, Ft. Carson has requested the new tariff and the tariff modifications and has provided a letter in support; and

WHEREAS, City Code section 12.1.107(D)(2)(f) provides that the City Council may change any tariff provision which City Council, in its discretion, deems to be appropriate, provided, that the change has no adverse impact on customers; and

WHEREAS, the City Council finds that the establishment of the new electric contract hydropower sales tariff and the proposed modifications to the electric Contract Service – ECW tariff will not adversely impact other customers; and

WHEREAS, the proposed modifications to the Electric Rate Schedules are just, reasonable, sufficient, and not unduly discriminatory and allow Colorado Springs Utilities to collect revenues that enable Colorado Springs Utilities to continue to operate in the best interest of all of its customers; and

WHEREAS, Colorado Springs Utilities has proposed to make the Electric Rate Schedule changes effective August 9, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1: That Colorado Springs Utilities Tariff, City Council Volume No. 5, Electric Rate Schedules shall be revised as follows:

Effective August 9, 2017:

City Council Vol. No. 5		
Sheet No.	Sheet Title	Cancels Sheet No.
Seventh Revised Sheet No. 1	Table of Contents	Sixth Revised Sheet No. 1
Ninth Revised Sheet No. 23	Contract Service – ECD	Eighth Revised Sheet No. 23
Ninth Revised Sheet No. 23.1	Contract Service – ECD	Eighth Revised Sheet No. 23.1
Fifth Revised Sheet No. 23.2	Contract Service – ECD	Fourth Revised Sheet No. 23.2
Fourth Revised Sheet No. 23.3	Contract Service – EHYDPWR	Third Revised Sheet No. 23.3
First Revised Sheet No. 25	Contract Service – Wheeling - ECW	Original Sheet No. 25
First Revised Sheet No. 26	Contract Service – Wheeling - ECW	Original Sheet No. 26
Second Revised Sheet No. 27	Contract Service – Wheeling - ECW	First Revised Sheet No. 27

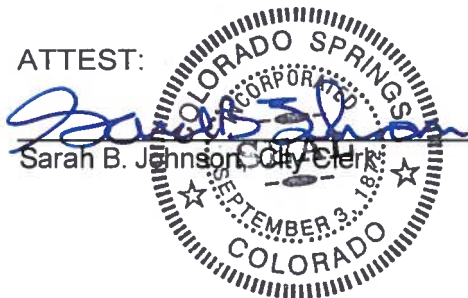
Section 2: The attached tariff sheets are hereby approved and adopted.

Dated at Colorado Springs, Colorado, this 8th day of August, 2017.



City Council President

ATTEST:





ELECTRIC RATE SCHEDULES

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE - ECD

AVAILABILITY

Standard Contract Service is available by contract in Utilities' electric service territory to the United States of America at the Fort Carson Military Installation, the Peterson Air Force Base, the United States Air Force Academy, and the Cheyenne Mountain Air Force Station.

In addition to the standard Contract Service to the listed military installations:

- (1) the following two services are available by contract to the United States of America at the United States Air Force Academy for service within the geographic confines of the United States Air Force Academy:
 - (a) Electric and Facilities Contract Service – USAFA, consisting of high-voltage electric and facilities service provided within the geographic confines of the United States Air Force Academy.
 - (b) On-site, Direct-service Solar Contract Service – USAFA (Contract Service – EINFPRS), consisting of solar energy electric service provided from solar electric generating facilities located within the geographic confines of the United States Air Force Academy and with direct electric service from those solar electric generating facilities provided to the United States Air Force Academy.
- (2) Military Hydroelectric Power Sales Service (Contract Service – EHYDPWR) is available by contract to the United States of America at the Fort Carson Military Installation for sales of electric energy for transmission over Utilities’ electric system for final consumption within the geographic confines of the Fort Carson Military Installation.

RATE OPTIONS

Standard Option (ECD)

The billing statements are the sum of:

Access and Facilities Charges

Per Day.....	\$38.2462
Per Meter, Per Day.....	\$0.4654

Demand Charges – Primary

On-Peak Billing Demand, Per kW, Per Day.....	\$0.5680
Off-Peak Billing Demand, Per kW, Per Day.....	\$0.3071

Demand Charges – Secondary

On-Peak Billing Demand, Per kW, Per Day.....	\$0.5798
Off-Peak Billing Demand, Per kW, Per Day.....	\$0.3189

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ELECTRIC RATE SCHEDULES
CONTRACT SERVICE - ECD

RATE OPTIONS – cont'd

Electric Cost Adjustment Charge (ECA)

Per kWhSheet No. 31

Electric Capacity Charge

Per kWhSheet No. 31.1

DETERMINATION

Under this rate schedule the Customers' billing energy and demand will be determined by totalizing all main primary service meters to the Installation, Base, Station or Academy. This service is provided to Customers as part of this rate schedule.

Maximum Demand

Maximum Demand is the greatest fifteen (15) minute load during any time in the billing period adjusted upward by one percent (1%) for each one percent (1%) that the power factor of Customer is below ninety-five percent (95%) lagging or leading.

Billing Demand

On-Peak

The greatest fifteen (15) minute load during On-Peak hours in the billing period adjusted upward by one percent (1%) for each one percent (1%) that the power factor of Customer is below ninety-five percent (95%) lagging or leading.

Off-Peak: either A or B, whichever is greater:

- A. The greatest fifteen (15) minute load during Off-Peak hours in the billing period adjusted upward by one percent (1%) for each one percent (1%) that the power factor of Customer is below ninety-five percent (95%) lagging or leading, minus the On-Peak Billing Demand. Such demand will not be less than zero.
- B. Sixty-eight percent (68%) of the Maximum Demand during the last twelve (12) billing periods, minus the On-Peak Billing Demand. Such demand will not be less than zero.

On-Peak Periods

Winter (October through March): 4:00 p.m. to 10:00 p.m.

Summer (April through September): 11:00 a.m. to 6:00 p.m.

On-Peak periods are Monday through Friday, excluding the holidays as defined below.

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE - ECD

Billing Demand – cont'd

Off-Peak Periods

All other hours plus the following legally observed holidays (the 24-hour calendar day period): 1) New Year's Day, 2) Memorial Day, 3) Independence Day, 4) Labor Day, 5) Thanksgiving Day, and 6) Christmas Day.

PAYMENT

The rate under this rate schedule is net. Billing Statements are due and payable within twenty (20) days from the date indicated therein.

RULES AND REGULATIONS

Service under this rate schedule will be in accordance with the provisions of Utilities' Rules and Regulations, *Line Extension & Service Standards* for Electric and the conditions of any associated contract.

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE - EHYDPWR

MILITARY HYDROELECTRIC POWER SALES SERVICE

For each billing period beginning after the first delivery of electric energy to Utilities pursuant to the Hydroelectric Power Purchase Agreement between Colorado Springs Utilities and Southeastern Colorado Water Conservancy District acting by and through its Water Activity Enterprise (Hydro PPA):

RATE

\$0.0475 per kWh during calendar years 2018 and 2019.

The rate **will increase by 2.39%** beginning on January 1, 2020 and then on **January 1 of each succeeding year the then-current rate will increase by 2.39%** until the Hydro PPA is terminated.

Per the applicable contract between Utilities and the United States of America at the Fort Carson Military Installation, Customer will purchase any and all electric energy received by Utilities pursuant to the Hydro PPA.

The rate includes any and all Renewable Energy Credits (RECs) associated with, or attributable to, the energy purchased by Customer under this rate schedule and received by Utilities pursuant to the Hydro PPA. "Renewable Energy Credits" or "RECs" has the meaning set forth in the Colorado Revised Statutes, Section 40-2-124(d), as amended, and 4 CCR 723-3-3652(y).

The sale point for electric energy under this rate schedule is the point of receipt of that electric energy into Utilities' system under the Hydro PPA. All risk of loss passes to Customer at the sale point. Customer acknowledges that it will incur line losses to transmit and deliver electric energy from the sale point to Customer's distribution meter(s).

PRODUCT DELIVERY DEFICIENCY CREDIT

Any Product Delivery Deficiency Credit provided to Utilities pursuant to Section 7.3 of the Hydro PPA will be applied to Customer's bill in a billing period that occurs not more than two billing periods after the calendar month in which Utilities receives the Product Delivery Deficiency Credit.

RATE SCHEDULE INTENT/PURPOSE

The intent of this rate schedule is to allow Customer to purchase all electric energy and capacity received by Utilities pursuant to the Hydro PPA. The Hydro PPA was entered into by Utilities to facilitate the purchase of renewable energy by the United States of America at the Fort Carson Military Installation. If the Hydro PPA is terminated by either party to that Hydro PPA for any reason, then this rate schedule will terminate and Utilities will have no further obligation to Customer.

RULES AND REGULATIONS

Service under this rate schedule will be in accordance with the provisions of Utilities Rules and Regulations, *Line Extension & Service Standards* for Electric, the conditions of any associated contract, the City Code, and any further actions of the City Council.

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE – WHEELING - ECW

AVAILABILITY

Available by contract in Utilities' electric service territory to the United States of America at the Peterson Air Force Base, the Cheyenne Mountain Air Force Station, the United States Air Force Academy and the Fort Carson Military Installation. Service under this rate schedule is not available to any other Customer or entity.

Service is offered at the request of Customer so that Customer may purchase an allocated portion of its power and energy requirements from the Western Area Power Administration (Western). Service is also offered at the request of Customer to allow the Fort Carson Military Installation (Fort Carson) to purchase a portion of its power and energy requirements from Utilities under Contract Service – EHYDPWR (Hydro Power tariff). These Customer purchases from Western or from Utilities will be under a long-term contract for firm capacity and associated energy. Utilities will wheel (transport), subject to available capacity, such energy over Utilities' distribution system to Customer's facility. Electric requirements of the Customer in excess of its allocation from Western or in excess of its purchases under the Hydro Power tariff will be supplied by Utilities as supplemental power and energy.

APPLICABILITY

Service under this rate schedule will be provided only if a contract for such service is in effect between Customer and Utilities. Services other than distribution wheeling provided to Customer by Utilities are limited to services set forth within this rate schedule and separately contracted for by Customer. Services provided by Utilities under this rate schedule are strictly limited to power and energy requirements of each Customer within its boundaries. Under no circumstances will Customer resell any power and/or energy provided under this rate schedule, or use in any way such power or energy outside the confines of Customer's facility.

SERVICES

Customer must contract for the following services:

1. Open Access Transmission Service
2. Supplemental Power and Energy

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE – WHEELING - ECW

REQUIRED SERVICES

1. Wheeling

Wheeling is defined as the transporting of power and energy over Utilities' transmission and distribution system for redelivery of Customer's allocated portion of its power and energy from Western or for Customer's purchase of power and energy from Utilities under the Hydro Power tariff. This rate schedule only pertains to wheeling over Utilities' distribution system. Wheeling service over Utilities' transmission system must be arranged under the Open Access Transmission Tariff. Customer must furnish to Utilities copies of contracts and/or agreements between Customer and Western, and between Customer and any intermediate wheeling source. Utilities will maintain copies of Customer's purchases under the Hydro Power tariff. Wheeling availability is always subject to capacity constraints of Utilities' transmission and distribution system and any intermediate wheeling parties' transmission limitations. When Utilities identifies a transmission capacity constraint, Utilities agrees to provide notice to the Customer and to work with the Customer in developing an alternative transmission arrangement.

This service is contingent upon the availability of a transmission and distribution wheeling path from the point of interconnection to Customer's facility. Wheeling will be provided if and when capacity is available above the needs of Utilities' firm Customers.

This service is available to Customer for power and energy purchased from Western and delivered to Utilities' points of interconnection pursuant to a contract between Customer and Utilities. This service is also available to Customer for power and energy purchases from Utilities under the Hydro Power tariff and delivered to Customer. Absent physical or safety constraints, Utilities will redeliver all of Customer's power and energy scheduled and delivered from Western (or purchased by Customer from Utilities under the Hydro Power tariff) to Utilities' points of interconnection with Customer. Utilities shall not be liable for failing to deliver power to Customer either because of interruption of scheduled deliveries from Western (or interruption of deliveries under the Hydro Power tariff) or malfunctions within Utilities' transmission and distribution system or interruptions of wheeling service by intermediate wheeling parties.

The following rates apply to all power wheeled from Western to Customers or purchased under the Hydro Power tariff and wheeled to Customers:

Demand Charge

Per kW of Maximum Scheduled Demand, Per Day in the

Billing Period \$0.0680

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE – WHEELING - ECW

Required Services - cont'd

2. Supplemental Power and Energy

Supplemental Power and Energy is defined as all power and energy delivered to Customer in excess of the amount of power and energy scheduled from Western for account of Customer or purchased from Utilities under the Hydro Power tariff. The amount of Supplemental Power and Energy to be billed will be calculated by subtracting the scheduled deliveries from Western or purchased from Utilities under the Hydro Power tariff from the actual metered amounts. Demand volumes will be computed in fifteen (15) minute increments for the entire billing period, with the greatest difference between metered and scheduled quantities in any fifteen (15) minute period representing the Supplemental Demand for the billing period. The metered demand will be determined as the average kW during any fifteen (15) minute interval during the billing period. A new fifteen (15) minute interval will begin every five (5) minutes.

The power scheduled and delivered to Utilities' point of delivery will be deemed delivered at unity power factor. Utilities shall have no responsibility to transfer reactive kilovolt-amperes from the point of delivery to the Customer.

Billing for this power and energy will be billed under an appropriate rate schedule.

If an interruption from Western or intermediate wheeling source or under the Hydro Power tariff occurs, Utilities will notify Customer. During such interruption, Customer may elect to continue electric service in part or in whole by purchasing power and energy from Utilities under the appropriate rate schedule, if available, at the appropriate rates. In the event Utilities is not able to provide the additional power, it is Customer's responsibility to control or reduce its loads during any period of interruption of power and energy from Western or intermediate wheeling source or under the Hydro Power tariff.

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE - ECD

AVAILABILITY

Standard Contract Service is available by contract in Utilities' electric service territory to the United States of America at the Fort Carson Military Installation, the Peterson Air Force Base, the United States Air Force Academy, and the Cheyenne Mountain Air Force Station.

In addition to the standard Contract Service to the listed military installations:

(1) the following two services are available by contract to the United States of America at the United States Air Force Academy for service within the geographic confines of the United States Air Force Academy:

- (a) Electric and Facilities Contract Service – USAFA, consisting of high-voltage electric and facilities service provided within the geographic confines of the United States Air Force Academy.
- (b) On-site, Direct-service Solar Contract Service – USAFA (Contract Service – EINFPRS), consisting of solar energy electric service provided from solar electric generating facilities located within the geographic confines of the United States Air Force Academy and with direct electric service from those solar electric generating facilities provided to the United States Air Force Academy.

(2) Military Hydroelectric Power Sales Service (Contract Service – EHYDPWR) is available by contract to the United States of America at the Fort Carson Military Installation for sales of electric energy for transmission over Utilities' electric system for final consumption within the geographic confines of the Fort Carson Military Installation.

RATE OPTIONS

Standard Option (ECD)

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Demand Charges – Secondary

On-Peak Billing Demand, Per kW, Per Day.....	\$0.5798
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ELECTRIC RATE SCHEDULES
CONTRACT SERVICE - ECD

~~Electric Cost Adjustment Charge (ECA)~~

~~Per kWh Sheet No. 31~~

~~Electric Capacity Charge~~

~~Per kWh Sheet No. 31.1~~

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE - ECD

RATE OPTIONS – cont’d

Electric Cost Adjustment Charge (ECA)

Per kWh Sheet No. 31

Electric Capacity Charge

Per kWh Sheet No. 31.1

DETERMINATION

Under this rate schedule the Customers’ billing energy and demand will be determined by totalizing all main primary service meters to the Installation, Base, Station or Academy. This service is provided to Customers as part of this rate schedule.

Maximum Demand

Maximum Demand is the greatest fifteen (15) minute load during any time in the billing period adjusted upward by one percent (1%) for each one percent (1%) that the power factor of Customer is below ninety-five percent (95%) lagging or leading.

Billing Demand

On-Peak

The greatest fifteen (15) minute load during On-Peak hours in the billing period adjusted upward by one percent (1%) for each one percent (1%) that the power factor of Customer is below ninety-five percent (95%) lagging or leading.

Off-Peak: either A or B, whichever is greater:

- A. The greatest fifteen (15) minute load during Off-Peak hours in the billing period adjusted upward by one percent (1%) for each one percent (1%) that the power factor of Customer is below ninety-five percent (95%) lagging or leading, minus the On-Peak Billing Demand. Such demand will not be less than zero.
- B. Sixty-eight percent (68%) of the Maximum Demand during the last twelve (12) billing periods, minus the On-Peak Billing Demand. Such demand will not be less than zero.

On-Peak Periods

Winter (October through March): 4:00 p.m. to 10:00 p.m.

Summer (April through September): 11:00 a.m. to 6:00 p.m.

On-Peak periods are Monday through Friday, excluding the holidays as defined below.

Off-Peak Periods

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ELECTRIC RATE SCHEDULES
CONTRACT SERVICE - ECD

All other hours plus the following legally observed holidays (the 24-hour calendar day period): 1) New Year's Day, 2) Memorial Day, 3) Independence Day, 4) Labor Day, 5) Thanksgiving Day, and 6) Christmas Day.

PAYMENT

The rate under this rate schedule is net. Billing Statements are due and payable within twenty (20) days from the date indicated therein.

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE - ECD

Billing Demand – cont'd

Off-Peak Periods

All other hours plus the following legally observed holidays (the 24-hour calendar day period): 1) New Year's Day, 2) Memorial Day, 3) Independence Day, 4) Labor Day, 5) Thanksgiving Day, and 6) Christmas Day.

PAYMENT

The rate under this rate schedule is net. Billing Statements are due and payable within twenty (20) days from the date indicated therein.

RULES AND REGULATIONS

Service under this rate schedule will be in accordance with the provisions of Utilities' Rules and Regulations, *Line Extension & Service Standards* for Electric and the conditions of any associated contract.

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ELECTRIC RATE SCHEDULES

RESERVED FOR FUTURE FILING CONTRACT SERVICE - EHYDPWR

MILITARY HYDROELECTRIC POWER SALES SERVICE

For each billing period beginning after the first delivery of electric energy to Utilities pursuant to the Hydroelectric Power Purchase Agreement between Colorado Springs Utilities and Southeastern Colorado Water Conservancy District acting by and through its Water Activity Enterprise (Hydro PPA):

RATE

\$0.0475 per kWh during calendar years 2018 and 2019.

The rate will increase by 2.39% beginning on January 1, 2020 and then on January 1 of each succeeding year the then-current rate will increase by 2.39% until the Hydro PPA is terminated.

Per the applicable contract between Utilities and the United States of America at the Fort Carson Military Installation, Customer will purchase any and all electric energy received by Utilities pursuant to the Hydro PPA.

The rate includes any and all Renewable Energy Credits (RECs) associated with, or attributable to, the energy purchased by Customer under this rate schedule and received by Utilities pursuant to the Hydro PPA. "Renewable Energy Credits" or "RECs" has the meaning set forth in the Colorado Revised Statutes, Section 40-2-124(d), as amended, and 4 CCR 723-3-3652(y).

The sale point for electric energy under this rate schedule is the point of receipt of that electric energy into Utilities' system under the Hydro PPA. All risk of loss passes to Customer at the sale point. Customer acknowledges that it will incur line losses to transmit and deliver electric energy from the sale point to Customer's distribution meter(s).

PRODUCT DELIVERY DEFICIENCY CREDIT

Any Product Delivery Deficiency Credit provided to Utilities pursuant to Section 7.3 of the Hydro PPA will be applied to Customer's bill in a billing period that occurs not more than two billing periods after the calendar month in which Utilities receives the Product Delivery Deficiency Credit.

RATE SCHEDULE INTENT/PURPOSE

The intent of this rate schedule is to allow Customer to purchase all electric energy and capacity received by Utilities pursuant to the Hydro PPA. The Hydro PPA was entered into by Utilities to facilitate the purchase of renewable energy by the United States of America at the Fort Carson Military Installation. If the Hydro PPA is terminated by either party to that Hydro PPA for any reason, then this rate schedule will terminate and Utilities will have no further obligation to Customer.

RULES AND REGULATIONS

Service under this rate schedule will be in accordance with the provisions of Utilities Rules and Regulations, *Line Extension & Service Standards* for Electric, the conditions of any associated contract, the City Code, and any further actions of the City Council.

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ELECTRIC RATE SCHEDULES

CONTRACT SERVICE – WHEELING - ECW

AVAILABILITY

Available by contract in Utilities’ electric service territory to the United States of America at the Peterson Air Force Base, the Cheyenne Mountain Air Force Station, the United States Air Force Academy and the Fort Carson Military Installation. Service under this rate schedule is not available to any other Customer or entity.

Service is offered at the request of Customer so that Customer may purchase an allocated portion of its power and energy requirements from the Western Area Power Administration (Western). Service is also offered at the request of Customer to allow the Fort Carson Military Installation (Fort Carson) to purchase a portion of its power and energy requirements from Utilities under Contract Service – EHYDPWR (Hydro Power tariff). These Customer purchases from Western or from Utilities will be under a long-term contract for firm capacity and associated energy. Utilities will wheel (transport), subject to available capacity, such energy over Utilities’ distribution system to Customer's facility. Electric requirements of the Customer in excess of its allocation from Western or in excess of its purchases under the Hydro Power tariff will be supplied by Utilities as supplemental power and energy.

APPLICABILITY

Service under this rate schedule will be provided only if a contract for such service is in effect between Customer and Utilities. Services other than distribution wheeling provided to Customer by Utilities are limited to services set forth within this rate schedule and separately contracted for by Customer. Services provided by Utilities under this rate schedule are strictly limited to power and energy requirements of each Customer within its boundaries. Under no circumstances will Customer resell any power and/or energy provided under this rate schedule, or use in any way such power or energy outside the confines of Customer's facility.

SERVICES

Customer must contract for the following services:

1. Open Access Transmission Service
2. Supplemental Power and Energy

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 Resolution No. ~~301-09~~



ELECTRIC RATE SCHEDULES
CONTRACT SERVICE – WHEELING - ECW

REQUIRED SERVICES

1. Wheeling

Wheeling is defined as the transporting of power and energy over Utilities' transmission and distribution system for redelivery of Customer's allocated portion of its power and energy from Western or for Customer's purchase of power and energy from Utilities under the Hydro Power tariff. This rate schedule only pertains to wheeling over Utilities' distribution system. Wheeling service over Utilities' transmission system must be arranged under the Open Access Transmission Tariff. Customer must furnish to Utilities copies of contracts and/or agreements between Customer and Western, and between Customer and any intermediate wheeling source. Utilities will maintain copies of Customer's purchases under the Hydro Power tariff. Wheeling availability is always subject to capacity constraints of Utilities' transmission and distribution system and any intermediate wheeling parties' transmission limitations. When Utilities identifies a transmission capacity constraint, Utilities agrees to provide notice to the Customer and to work with the Customer in developing an alternative transmission arrangement.

This service is contingent upon the availability of a transmission and distribution wheeling path from the point of interconnection to Customer's facility. Wheeling will be provided if and when capacity is available above the needs of Utilities' firm Customers.

This service is available to Customer for power and energy purchased from Western and delivered to Utilities' points of interconnection pursuant to a contract between Customer and Utilities. This service is also available to Customer for power and energy purchases from Utilities under the Hydro Power tariff and delivered to Customer. Absent physical or safety constraints, Utilities will redeliver all of Customer's power and energy scheduled and delivered from Western (or purchased by Customer from Utilities under the Hydro Power tariff) to Utilities' points of interconnection with Customer. Utilities shall not be liable for failing to deliver power to Customer either because of interruption of scheduled deliveries from Western (or interruption of deliveries under the Hydro Power tariff) or malfunctions within Utilities' transmission and distribution system or interruptions of wheeling service by intermediate wheeling parties.

The following rates apply to all power wheeled from Western to Customers or purchased under the Hydro Power tariff and wheeled to Customers:

Demand Charge

Per kW of Maximum Scheduled Demand, Per Day in the
Billing Period \$0.0680

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Resolution No. ~~301-09~~

ELECTRIC RATE SCHEDULES

CONTRACT SERVICE – WHEELING - ECW

Required Services - cont'd

2. Supplemental Power and Energy

Supplemental Power and Energy is defined as all power and energy delivered to Customer in excess of the amount of power and energy scheduled from Western for account of Customer or purchased from Utilities under the Hydro Power tariff. The amount of Supplemental Power and Energy to be billed will be calculated by subtracting the scheduled deliveries from Western or purchased from Utilities under the Hydro Power tariff from the actual metered amounts. Demand volumes will be computed in fifteen (15) minute increments for the entire billing period, with the greatest difference between metered and scheduled quantities in any fifteen (15) minute period representing the Supplemental Demand for the billing period. The metered demand will be determined as the average kW during any fifteen (15) minute interval during the billing period. A new fifteen (15) minute interval will begin every five (5) minutes.

The power scheduled and delivered to Utilities' point of delivery will be deemed delivered at unity power factor. Utilities shall have no responsibility to transfer reactive kilovolt-amperes from the point of delivery to the Customer.

Billing for this power and energy will be billed under an appropriate rate schedule.

If an interruption from Western or intermediate wheeling source or under the Hydro Power tariff occurs, Utilities will notify Customer. During such interruption, Customer may elect to continue electric service in part or in whole by purchasing power and energy from Utilities under the appropriate rate schedule, if available, at the appropriate rates. In the event Utilities is not able to provide the additional power, it is Customer's responsibility to control or reduce its loads during any period of interruption of power and energy from Western or intermediate wheeling source or under the Hydro Power tariff.

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