

PORT OF STOCKTON

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NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Stockton Port District shall conduct a public hearing on July 19, 2021 at 3:30 p.m. (or as soon thereafter as the matter may be heard) via the Port's YouTube Channel at <https://www.youtube.com/channel/UCEBvFYTYoFlbZzJKuNzdDQ/featured>, for the purpose of hearing arguments for and against revising the Electric Rate Schedules for electric utility services provided by the Stockton Port District to all West Complex customers by adopting a rate increase. If adopted, the revised Electric Rate Schedules pursuant to the Proposed Resolution would become effective on August 1, 2021.

PROPOSED RESOLUTION

A RESOLUTION OF THE BOARD OF PORT COMMISSIONERS OF THE STOCKTON PORT DISTRICT AMENDING, REVISING AND/OR ADDING THE ELECTRIC RATE SCHEDULES FOR ELECTRIC SERVICES PROVIDED TO WEST COMPLEX CUSTOMERS OF THE STOCKTON PORT DISTRICT.

The Proposed Resolution and the revised Electric Rate Schedules will be available for inspection beginning on June 23, 2021 at 2201 West Washington Street Stockton, CA, 95203 or online at www.portofstockton.com

Any person interested in providing comments on any matter relating to the Proposed Resolution should submit them in one of the following methods: Email mrodriguez@stocktonport.com, Mail Port of Stockton, Attention Board Secretary, P.O. Box 2089, Stockton, CA 95201, Hand Delivered Port of Stockton Administrative Building Drop Box located in the Atrium at 2201 W. Washington Street, Stockton - Monday through Friday between 8:00 AM and 5:00 PM or Phone 209-946-0246.

Persons having concerns or questions regarding this hearing may contact the Stockton Port District at (209) 946-0246, email portmail@stocktonport.com or visit the Stockton Port District offices during normal business hours.

SECRETARY OF THE STOCKTON PORT DISTRICT
Melanie Rodriguez

PROPOSED RESOLUTION

WHEREAS, the Stockton Port District is a public corporation created for municipal purposes under Section 6290 of the California Harbors and Navigation Code; and

WHEREAS, Stockton Port District staff provided notice for an Electric Utility Rate Adjustment Workshop

to its West Complex Tenants (via email) on April 23, 2021 and April 30, 2021; and

WHEREAS, Stockton Port District staff conducted said workshop on May 5, 2021 at 10:30 a.m. located at 315 Fyffe Avenue (on the Port's West Complex) where tenants were invited to attend in-person or online where a PowerPoint presentation was provided explaining the Port's proposed electric utility rate adjustments followed by an opportunity to ask questions; and

WHEREAS, several West Complex Tenants attended on-line; and

WHEREAS, Stockton Port District staff recommends that the Stockton Port District increase its electric rates in order to meet the increased costs associated with regulatory requirements and system reliability needs; and

WHEREAS, Stockton Port District staff have reviewed and recommended amending, revising and/or adding Electric Rate Schedules for its electric utility operation; and

WHEREAS, notice of the public hearing regarding revisions to the Stockton Port District's electric rate schedules was published on June 23, 2021, and July 2, 2021, in The Record (Stockton, CA); and

WHEREAS, the Board of Port Commissioners of the Stockton Port District held a public hearing on July 19, 2021, and evidence was presented in support of amending, revising and/or adding to its Electric Rate Schedules; and

WHEREAS, the Board of Port Commissioners of the Stockton Port District considered the proposals of the Stockton Port District staff and considered the evidence presented at the public hearing; now, therefore, it be

RESOLVED, that the Board of Port Commissioners of the Stockton Port District hereby adopts the amended, revised, and/or added Electric Rate Schedules, attached hereto as Exhibit A, incorporated herein and will become effective on August 1, 2021.

FOR APPROVAL AND ADOPTION on the 19th day of July 2021.



Port of Stockton CALIFORNIA

EXHIBIT A

Electric Rate Schedules

The Following Electric Rate Schedules are Effective August 1, 2021



Applicability

This Schedule GS-1 is applicable to customers having a demand of less than 50 kilowatts (kW). This schedule is also not available to new customers whose meter indicates a maximum demand of 50 kW or greater for three consecutive months.

Character of Service

Alternating-current electric service will be supplied by the Port of Stockton (Port) at a frequency of approximately 60 Hertz (cycles per second.) The Port will endeavor to maintain its frequency within reasonable limits, but does not guarantee same. Available alternating current at a frequency of approximately 60 Hertz: 120 volts, 120/208 volts or 120/240 volts, single phase or 240 volts, 240/120 volts, 208Y/120 volts, 480Y/277 volts, 480 volts, 12,470 volts, and to the extent available, at the option of the Port.

The Port's facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within a fully satisfactory range of 5% of the nominal values shown. The voltage balance between phases will be maintained as close as practicable to 2½% maximum deviation from the average voltage between three phases.

Monthly Charges

The total amount of a customer's bill, excluding applicable local and state taxes and surcharges, will be the sum of the charges listed below and any adjustments for Special Provisions, effective on the date of meter reading for each account.

Monthly Customer Charge	\$10.95 per meter
Electric Usage (per kWh)	\$0.2138

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Determination of Demand

Whenever the monthly use of energy has exceeded 50 kilowatts for three consecutive months or whenever, in the opinion of the Port of Stockton, as, for example, in the case of new customers, the demand is estimated to exceed 49 kilowatts, a meter to measure required demand will be installed and the customer will be served under Electric Rate Schedule GS-2. Such meter, once installed, will not be removed until the demand has fallen below 50 kilowatts for twelve consecutive months. Under certain circumstances, the Port may, at its sole option, estimate the demand of the customer. This will usually be done (a) for new customers whose usage is not yet known; (b) when meter readings cannot be obtained; or (c) when a demand meter is required, but may not yet have been installed.

Special Provisions

1. **Customer** - The customer is deemed to be the person or tenant in whose name service is rendered as evidenced by the signature on the application or agreement for that service or where the person is the designated agent for a company or corporation the customer is the corporation. It is the responsibility of the customer to determine the type of service available at any particular location by inquiry at the Port office prior to final design or the purchase of any equipment. Customer shall also ascertain and comply with the applicable codes and requirements of governmental authorities having jurisdiction unless otherwise specified by the Port.
2. **Acceptance of Service** - By accepting service under this rate schedule, the customer agrees to all of its terms and conditions and to pay all bills rendered in accordance with this rate schedule.
3. **Port of Stockton Property** - Port electric utility property is solely for the use of the Port in the conveyance and supply of electric power. Customers, or third parties, may not use Port property (such as poles or transformers) for any purpose, including but not limited to, supporting customer equipment (such as private lights or antennas) or supporting advertising or banners. Customer landscaping and property improvements may not impact Port property by changing elevation in the vicinity of Port property, or by limiting the ability of the Port to access and work on Port facilities. The Port has the obligation and right to remove customer or third-party property from Port facilities, and to correct any improvement that impacts Port property. Customers may be billed for cost in correcting infractions.
4. **Changing Rate Schedules** - Customers may request one rate schedule change in any twelve-month period.



The Port may not be required to make more than one change in rate schedules within a twelve-month period unless a new rate schedule is approved or the Customer's operating conditions have changed sufficiently to warrant a change in rate schedule. The Port may not be required to change the Customer's rate schedule where the

Customer and the Port have entered into a service agreement designating a specific rate schedule, except in accordance with the terms of the rate schedule or service agreement.

Changes in rate schedules will take effect starting with the first day of the next Billing Cycle after receipt of the Customer's request to change the rate schedule or meter change date following receipt of the Customer's request to change the rate schedule, unless (1) an agreement between the Port and the Customer specifies another date, or (2) the required metering equipment is unavailable. In those cases, the change of schedule will take effect on the date stated in the schedule or agreement, or the date the metering equipment is available.

It is the Customer's responsibility to request another schedule or option if the Customer's connected load, hours of operation, type of business or type of service have changed. Where the Customer changes equipment or operation without notifying the Port, the Port assumes no responsibility for advising the Customer of other rate options available to the Customer as a result of the Customer's equipment/operation changes.

- 5. Service to Equipment** - Responsibility for designing and operating the system between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment shall be borne by the customer.
- 6. Short Duration Loads** - Where a customer requires new service or modification to existing service to supply x-ray equipment, welding equipment or other equipment, which presents large demands of short duration to the Port's system, such loads shall be served through a separate meter and transformer. The billing demand for such loads will be based on the sum of the nameplate kVA rating of the equipment or on the nameplate kVA of the Port's transformer, whichever is smaller.
- 7. Load Balance** - The customer shall balance the load as nearly as practicable between the two sides of a three-wire service and between all three phases of a three-phase service. The difference in amperes at the customer's peak load shall not be greater than 10% or 50 amperes, whichever is greater; except that the difference between the load on the lighting phase of a four-wire delta service and load on its power phase may be more than these limits. It shall be the responsibility of the customer to keep the load balanced within these limits.
- 8. Interference with Service** - The Port reserves the right to refuse to serve new loads or to continue to supply existing loads of a size or character that may be detrimental to the Port's operations or to the service of its customers. Any customer who operates or plans to operate any equipment such as, but not limited to, pumps, welders, furnaces, compressors or other equipment where the use of electricity is intermittent, causes intolerable voltage fluctuations, superimposes a current of any frequency or wave form upon the Port's system, or causes service interference to others, must reasonably limit such interference or restrict the use of such equipment upon request by the Port.

Any customer causing service interference to the Port's system or others must take corrective action within the specified time limit approved by the Port. If the customer does not take timely corrective action within the specified time period, the Port may, after written notice to customer, either install and activate control devices at the customer's expense on the Port's facilities that will temporarily prevent the detrimental operation, or discontinue electric service until a suitable permanent solution, provided by the customer, is operational.

- 9. Adjustment of Bills for Meter Error** - The Port will make the following adjustments to bills as follows:
 - 1.** When, as the result of any test, a meter is found to be more than 2% fast, the Port shall refund, without interest, to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
 - 2.** If a meter, as the result of any test, is found to register more than 2% slow, the Port may render a bill, without interest, for electricity consumed but not covered by bills previously rendered, for a period not to exceed six (6) months, provided that if the actual period of error exceeds six (6) months and the same can be definitely determined, the correction to be made, as herein provided, may cover such actual period, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.



- 10. Motor Starting Current Limitations** - The starting of motors shall be controlled by the customer, as necessary, to avoid causing voltage fluctuations that will be detrimental or interfere with the operation of the Port's electric system, or to the service of any of the Port's customers.
- 11. Outages and Protective Devices** - It shall be the customer's responsibility to furnish, install, inspect and keep in good and safe condition at the customer's own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the customer's facilities. The Port shall not be responsible for any loss or damage occasioned or caused by an outage or the negligence, or wrongful act of the customer or of any of the customer's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices. It shall be the customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with the Port's protective devices to avoid exposing other customers to unnecessary service interruptions. The sustained delivery service voltages are subject to momentary and transient excursions, which may occur in the normal operation of the Port's electric system. Variations or outages to service voltages and frequencies may be due to circumstances beyond the control of the Port. Except for the Port's willful acts and gross negligence, the Port shall not be responsible for any electric service outages or for variations in voltages or frequencies.
- 12. Emergency or Standby Generation** - Prior to installing electrical generation, the customer is required to obtain written approval of the Port. Any non-Port owned emergency standby generation equipment that can be operated to supply power to facilities that are also designed to be supplied from the Port's system shall be controlled with suitable protective devices by the customer to prevent parallel operation with the Port's system in a fail-safe manner, such as the use of a double-throw switch to disconnect all conductors, except where the Port has given permission to parallel through a written agreement or contract.
- 13. Power Factor Correction** - In the case of neon, fluorescent, luminous, gaseous or mercury vapor lighting equipment, electric welders and other devices having low power factors, the customer may be required by the Port to provide, at the customer's expense, the necessary power factor corrective equipment to increase the power factor of such devices to not less than 90%.
- 14. Relocation of Port Facilities** - The Port will relocate Port-owned electric facilities upon customer request, provided that the relocation is technically feasible, that easements or rights-of-way can be acquired for the relocated facilities, and that the relocated facilities are acceptable to neighboring customers. In those situations, where the relocation is at the request of the customer, the customer is responsible for all costs associated with the relocation.
- 15. Special Facilities** - Where the customer requests the Port to install special facilities and the Port agrees to make such an installation, the additional cost thereof including the present value of continuing ownership costs, if any, shall be borne by the customer.
- 16. Multiple Metering** - Warehouses, or groups of buildings on the same premises, may receive service under this Schedule through one meter, provided that the tenant or any other agent of the tenant does not resell such energy. At the convenience of the Port, multiple warehouses with separate meters but served under the same tenant lease may have their meter readings combine into one bill, provided the Monthly Customer Charge is charged for each such meter.
- 17. Payment of Bills** - All electric service bills are payable upon presentation to the customer and are considered past due on the designated due date stated on the bill. Payment shall be made through the U.S. Postal Service, at the offices of the Port, electronic bill payment or to any duly authorized Port representative.
- 18. Public Purpose Program Charge** - This rate schedule includes a charge for public purpose programs such as energy conservation, demand-side management, and research and development. This charge is the same as that charged by other utilities in the state of California pursuant to Public Utilities Code Section 385. The resulting charge is included in the Monthly Charges, Electric Usage rate.
- 19. Additional Charges** - The following charges are required by state and local government are in addition to those listed above:
 - 1.** Energy Commission Surcharge - The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). The Port of Stockton is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.



2. City of Stockton Utility Users' Tax – The City of Stockton requires that the Port collect a Utility Users Tax from every person consistent with Stockton Municipal Code Chapter 8 Revenue and Taxation, SEC. 8-073.

20. Rate Schedule Changes - All of the terms and conditions of this Rate Schedule are subject to change by the Port of Stockton.



Applicability

This Schedule GS-2 is applicable to customers having a demand of 50 to 199 kilowatts (kW). This schedule is also not available to new customers whose meter indicates a maximum demand of 49 kW or less for three consecutive months.

Character of Service

Alternating-current electric service will be supplied by the Port of Stockton (Port) at a frequency of approximately 60 Hertz (cycles per second). The Port will endeavor to maintain its frequency within reasonable limits, but does not guarantee same. Available alternating current at a frequency of approximately 60 Hertz: 120 volts, 120/208 volts or 120/240 volts, single phase or 240 volts, 240/120 volts, 208Y/120 volts, 480Y/277 volts, 480 volts, 12,470 volts, and to the extent available, at the option of the Port.

The Port's facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within a fully satisfactory range of 5% of the nominal values shown. The voltage balance between phases will be maintained as close as practicable to 2½% maximum deviation from the average voltage between three phases.

Monthly Charges

The total amount of a customer's bill, excluding applicable local and state taxes and surcharges, will be the sum of the charges listed below and any adjustments for Special Provisions, effective on the date of meter reading for each account.

Monthly Customer Charge	\$33.65 per meter
Demand Charge (per kW or portion thereof)	\$ 3.08
Electric Usage (per kWh)	\$ 0.1815

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Determination of Demand

Customer's Demand shall be the maximum 15-minute rate of taking in kilowatts measured by meter during the current and previous 11 months. Should the customer's equipment be such as might impose intermittent or violently fluctuating loads on the Port's system, customer's demand for billing purposes may, at the sole option of the Port, be based on a 5-minute interval. (See Special Provision 5) Whenever the monthly demand has fallen below 50 kilowatts for twelve consecutive months the customer will be served under Electric Rate Schedule GS-1. Whenever the monthly demand has equaled or exceeded 200 kilowatts for three consecutive months the customer will be served under Electric Rate Schedule GS-3 or at the tenant's option, Rate Schedule GS-4. Under certain circumstances, the Port may, at its sole option, estimate the demand of the customer. This will usually be done (a) for new customers whose usage is not yet known; (b) when meter readings cannot be obtained; or (c) when a demand meter is required, but may not yet have been installed. If an estimate is used for customer's demand, then that estimate will be used for customer's demand during the month.

Special Provisions

1. **Customer** - The customer is deemed to be the person or tenant in whose name service is rendered as evidenced by the signature on the application or agreement for that service or where the person is the designated agent for a company or corporation the customer is the corporation. It is the responsibility of the customer to determine the type of service available at any particular location by inquiry at the Port office prior to final design or the purchase of any equipment. Customer shall also ascertain and comply with the applicable codes and requirements of governmental authorities having jurisdiction unless otherwise specified by the Port.
2. **Acceptance of Service** - By accepting service under this rate schedule, the customer agrees to all of its terms and conditions and to pay all bills rendered in accordance with this rate schedule.
3. **Port of Stockton Property** - Port electric utility property is solely for the use of the Port in the conveyance and supply of electric power. Customers, or third parties, may not use Port property (such as poles or transformers) for any purpose, including but not limited to, supporting customer equipment (such as private lights or antennas) or supporting advertising or banners. Customer landscaping and property improvements may not impact Port property by changing elevation in the vicinity of Port property, or by limiting the ability of the Port to access and work on Port facilities. The Port has the obligation and right to remove customer or third-party property from Port facilities, and to correct any improvement that impacts Port property. Customers may be billed for cost in correcting infractions.



4. Changing Rate Schedules - Customers may request one rate schedule change in any twelve-month period.

The Port may not be required to make more than one change in rate schedules within a twelve-month period unless a new rate schedule is approved or the Customer's operating conditions have changed sufficiently to warrant a change in rate schedule. The Port may not be required to change the Customer's rate schedule where the Customer and the Port have entered into a service agreement designating a specific rate schedule, except in accordance with the terms of the rate schedule or service agreement.

Changes in rate schedules will take effect starting with the first day of the next Billing Cycle after receipt of the Customer's request to change the rate schedule or meter change date following receipt of the Customer's request to change the rate schedule, unless (1) an agreement between the Port and the Customer specifies another date, or (2) the required metering equipment is unavailable. In those cases, the change of schedule will take effect on the date stated in the schedule or agreement, or the date the metering equipment is available.

It is the Customer's responsibility to request another schedule or option if the Customer's connected load, hours of operation, type of business or type of service have changed. Where the Customer changes equipment or operation without notifying the Port, the Port assumes no responsibility for advising the Customer of other rate options available to the Customer as a result of the Customer's equipment/operation changes.

5. Service to Equipment - Responsibility for designing and operating the system between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment shall be borne by the customer.

6. Short Duration Loads - Where a customer requires new service or modification to existing service to supply x-ray equipment, welding equipment or other equipment, which presents large demands of short duration to the Port's system, such loads shall be served through a separate meter and transformer. The billing demand for such loads will be based on the sum of the nameplate kVA rating of the equipment or on the nameplate kVA of the Port's transformer, whichever is smaller.

7. Load Balance - The customer shall balance the load as nearly as practicable between the two sides of a three-wire service and between all three phases of a three-phase service. The difference in amperes at the customer's peak load shall not be greater than 10% or 50 amperes, whichever is greater; except that the difference between the load on the lighting phase of a four-wire delta service and load on its power phase may be more than these limits. It shall be the responsibility of the customer to keep the load balanced within these limits.

8. Interference with Service - The Port reserves the right to refuse to serve new loads or to continue to supply existing loads of a size or character that may be detrimental to the Port's operations or to the service of its customers. Any customer who operates or plans to operate any equipment such as, but not limited to, pumps, welders, furnaces, compressors or other equipment where the use of electricity is intermittent, causes intolerable voltage fluctuations, superimposes a current of any frequency or wave form upon the Port's system, or causes service interference to others, must reasonably limit such interference or restrict the use of such equipment upon request by the Port.

Any customer causing service interference to the Port's system or others must take corrective action within the specified time limit approved by the Port. If the customer does not take timely corrective action within the specified time period, the Port may, after written notice to customer, either install and activate control devices at the customer's expense on the Port's facilities that will temporarily prevent the detrimental operation, or discontinue electric service until a suitable permanent solution, provided by the customer, is operational.

9. Adjustment of Bills for Meter Error - The Port will make the following adjustments to bills as follows:

1. When, as the result of any test, a meter is found to be more than 2% fast, the Port shall refund, without interest, to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
2. If a meter, as the result of any test, is found to register more than 2% slow, the Port may render a bill, without interest, for electricity consumed but not covered by bills previously rendered, for a period not to



exceed six (6) months, provided that if the actual period of error exceeds six (6) months and the same can be definitely determined, the correction to be made, as herein provided, may cover such actual period, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port

- 10. Motor Starting Current Limitations** - The starting of motors shall be controlled by the customer, as necessary, to avoid causing voltage fluctuations that will be detrimental or interfere with the operation of the Port's electric system, or to the service of any of the Port's customers.
- 11. Outages and Protective Devices** - It shall be the customer's responsibility to furnish, install, inspect and keep in good and safe condition at the customer's own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the customer's facilities. The Port shall not be responsible for any loss or damage occasioned or caused by an outage or the negligence, or wrongful act of the customer or of any of the customer's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices. It shall be the customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with the Port's protective devices to avoid exposing other customers to unnecessary service interruptions. The sustained delivery service voltages are subject to momentary and transient excursions, which may occur in the normal operation of the Port's electric system. Variations or outages to service voltages and frequencies may be due to circumstances beyond the control of the Port. Except for the Port's willful acts and gross negligence, the Port shall not be responsible for any electric service outages or for variations in voltages or frequencies.
- 12. Emergency or Standby Generation** - Prior to installing electrical generation, the customer is required to obtain written approval of the Port. Any non-Port owned emergency standby generation equipment that can be operated to supply power to facilities that are also designed to be supplied from the Port's system shall be controlled with suitable protective devices by the customer to prevent parallel operation with the Port's system in a fail-safe manner, such as the use of a double-throw switch to disconnect all conductors, except where the Port has given permission to parallel through a written agreement or contract.
- 13. Power Factor Correction** - In the case of neon, fluorescent, luminous, gaseous or mercury vapor lighting equipment, electric welders and other devices having low power factors, the customer may be required by the Port to provide, at the customer's expense, the necessary power factor corrective equipment to increase the power factor of such devices to not less than 90%.
- 14. Primary Discount** - When delivery is made at 12,470 volts, the Port may, at its sole discretion, provide a discount to be applied to the amount of the Demand Charge computed as described under Monthly Charges above.
- 15. Relocation of Port Facilities** - The Port will relocate Port-owned electric facilities upon customer request, provided that the relocation is technically feasible, that easements or rights-of-way can be acquired for the relocated facilities, and that the relocated facilities are acceptable to neighboring customers. In those situations, where the relocation is at the request of the customer, the customer is responsible for all costs associated with the relocation.
- 16. Special Facilities** - Where the customer requests the Port to install special facilities and the Port agrees to make such an installation, the additional cost thereof including the present value of continuing ownership costs, if any, shall be borne by the customer.
- 17. Multiple Metering** - Warehouses, or groups of buildings on the same premises, may receive service under this Schedule through one meter, provided that the tenant or any other agent of the tenant does not resell such energy. At the convenience of the Port, multiple warehouses with separate meters but served under the same tenant lease may have their meter readings combine into one bill, provided the Monthly Customer Charge is charged for each such meter.
- 18. Prorating of Bills** - When a customer switches from another Rate Schedule to this Rate Schedule, the customer's Demand Charge and Customer Charge shall be prorated for the period between the last full billing period and the commencement of the applicability of this Rate Schedule.
- 19. Payment of Bills** - All electric service bills are payable upon presentation to the customer and are considered past due on the designated due date stated on the bill. Payment shall be made through the U.S. Postal Service, at the offices of the Port, electronic bill payment or to any duly authorized Port representative.



- 20. Public Purpose Program Charge** - This rate schedule includes a charge for public purpose programs such as energy conservation, demand-side management, and research and development. This charge is the same as that charged by other utilities in the state of California pursuant to Public Utilities Code Section 385. The resulting charge is included in the Monthly Charges, Electric Usage rate.
- 21. Additional Charges** - The following charges are required by state and local government are in addition to those listed above:
- 1. Energy Commission Surcharge** - The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). The Port of Stockton is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.
 - 2. City of Stockton Utility Users' Tax** – The City of Stockton requires that the Port collect a Utility Users Tax from every person consistent with Stockton Municipal Code Chapter 8 Revenue and Taxation, SEC. 8-073.
- 22. Rate Schedule Changes** - All of the terms and conditions of this Rate Schedule are subject to change by the Port of Stockton.



Applicability

This Schedule GS-3 is applicable to customers having a demand of 200 to 499 kilowatts (kW). This schedule is also not available to new customers whose meter indicates a maximum demand of 199 kW or less for three consecutive months.

Character of Service

Alternating-current electric service will be supplied by the Port of Stockton (Port) at a frequency of approximately 60 Hertz (cycles per second.) The Port will endeavor to maintain its frequency within reasonable limits, but does not guarantee same. Available alternating current at a frequency of approximately 60 Hertz: 120 volts, 120/208 volts or 120/240 volts, single phase or 240 volts, 240/120 volts, 208Y/120 volts, 480Y/277 volts, 480 volts, 12,470 volts, and to the extent available, at the option of the Port.

The Port's facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within a fully satisfactory range of 5% of the nominal values shown. The voltage balance between phases will be maintained as close as practicable to 2½% maximum deviation from the average voltage between three phases.

Monthly Charges

The total amount of a customer's bill, excluding applicable local and state taxes and surcharges, will be the sum of the charges listed below and any adjustments for Special Provisions, effective on the date of meter reading for each account.

Monthly Customer Charge	\$52.55 per meter
Demand Charge (per kW or portion thereof)	\$ 5.17
Electric Usage (per kWh)	\$ 0.1577

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Determination of Demand

Customer's Demand shall be the maximum 15-minute rate of taking in kilowatts measured by meter during the current and previous 11 months. Should the customer's equipment be such as might impose intermittent or violently fluctuating loads on the Port's system, customer's demand for billing purposes may, at the sole option of the Port, be based on a 5-minute interval. (See Special Provision 5) Whenever the monthly demand has fallen below 200 kilowatts for twelve consecutive months the customer will be served under Electric Rate Schedule GS-2. Whenever the monthly demand has equaled or exceeded 500 kilowatts for three consecutive months the customer will be served under Electric Rate Schedule GS-5. Under certain circumstances, the Port may, at its sole option, estimate the demand of the customer. This will usually be done (a) for new customers whose usage is not yet known; (b) when meter readings cannot be obtained; or (c) when a demand meter is required, but may not yet have been installed. If an estimate is used for customer's demand, then that estimate will be used for customer's demand during the month.

Special Provisions

1. **Customer** - The customer is deemed to be the person or tenant in whose name service is rendered as evidenced by the signature on the application or agreement for that service or where the person is the designated agent for a company or corporation the customer is the corporation. It is the responsibility of the customer to determine the type of service available at any particular location by inquiry at the Port office prior to final design or the purchase of any equipment. Customer shall also ascertain and comply with the applicable codes and requirements of governmental authorities having jurisdiction unless otherwise specified by the Port.
2. **Acceptance of Service** - By accepting service under this rate schedule, the customer agrees to all of its terms and conditions and to pay all bills rendered in accordance with this rate schedule.
3. **Port of Stockton Property** - Port electric utility property is solely for the use of the Port in the conveyance and supply of electric power. Customers, or third parties, may not use Port property (such as poles or transformers) for any purpose, including but not limited to, supporting customer equipment (such as private lights or antennas) or supporting advertising or banners. Customer landscaping and property improvements may not impact Port property by changing elevation in the vicinity of Port property, or by limiting the ability of the Port to access and work on Port facilities. The Port has the obligation and right to remove customer or third-party property from Port facilities, and to correct any improvement that impacts Port property. Customers may be billed for cost in correcting infractions.



4. Changing Rate Schedules - Customers may request one rate schedule change in any twelve-month period.

The Port may not be required to make more than one change in rate schedules within a twelve-month period unless a new rate schedule is approved or the Customer's operating conditions have changed sufficiently to warrant a change in rate schedule. The Port may not be required to change the Customer's rate schedule where the Customer and the Port have entered into a service agreement designating a specific rate schedule, except in accordance with the terms of the rate schedule or service agreement.

Changes in rate schedules will take effect starting with the first day of the next Billing Cycle after receipt of the Customer's request to change the rate schedule or meter change date following receipt of the Customer's request to change the rate schedule, unless (1) an agreement between the Port and the Customer specifies another date, or (2) the required metering equipment is unavailable. In those cases, the change of schedule will take effect on the date stated in the schedule or agreement, or the date the metering equipment is available.

It is the Customer's responsibility to request another schedule or option if the Customer's connected load, hours of operation, type of business or type of service have changed. Where the Customer changes equipment or operation without notifying the Port, the Port assumes no responsibility for advising the Customer of other rate options available to the Customer as a result of the Customer's equipment/operation changes.

5. Service to Equipment - Responsibility for designing and operating the system between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment shall be borne by the customer.

6. Short Duration Loads - Where a customer requires new service or modification to existing service to supply x-ray equipment, welding equipment or other equipment, which presents large demands of short duration to the Port's system, such loads shall be served through a separate meter and transformer. The billing demand for such loads will be based on the sum of the nameplate kVA rating of the equipment or on the nameplate kVA of the Port's transformer, whichever is smaller.

7. Load Balance - The customer shall balance the load as nearly as practicable between the two sides of a three-wire service and between all three phases of a three-phase service. The difference in amperes at the customer's peak load shall not be greater than 10% or 50 amperes, whichever is greater; except that the difference between the load on the lighting phase of a four-wire delta service and load on its power phase may be more than these limits. It shall be the responsibility of the customer to keep the load balanced within these limits.

8. Interference with Service - The Port reserves the right to refuse to serve new loads or to continue to supply existing loads of a size or character that may be detrimental to the Port's operations or to the service of its customers. Any customer who operates or plans to operate any equipment such as, but not limited to, pumps, welders, furnaces, compressors or other equipment where the use of electricity is intermittent, causes intolerable voltage fluctuations, superimposes a current of any frequency or wave form upon the Port's system, or causes service interference to others, must reasonably limit such interference or restrict the use of such equipment upon request by the Port.

Any customer causing service interference to the Port's system or others must take corrective action within the specified time limit approved by the Port. If the customer does not take timely corrective action within the specified time period, the Port may, after written notice to customer, either install and activate control devices at the customer's expense on the Port's facilities that will temporarily prevent the detrimental operation, or discontinue electric service until a suitable permanent solution, provided by the customer, is operational.

9. Adjustment of Bills for Meter Error - The Port will make the following adjustments to bills as follows:

1. When, as the result of any test, a meter is found to be more than 2% fast, the Port shall refund, without interest, to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.



2. If a meter, as the result of any test, is found to register more than 2% slow, the Port may render a bill, without interest, for electricity consumed but not covered by bills previously rendered, for a period not to exceed six (6) months, provided that if the actual period of error exceeds six (6) months and the same can be definitely determined, the correction to be made, as herein provided, may cover such actual period, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
- 10. Motor Starting Current Limitations** - The starting of motors shall be controlled by the customer, as necessary, to avoid causing voltage fluctuations that will be detrimental or interfere with the operation of the Port's electric system, or to the service of any of the Port's customers.
- 11. Outages and Protective Devices** - It shall be the customer's responsibility to furnish, install, inspect and keep in good and safe condition at the customer's own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the customer's facilities. The Port shall not be responsible for any loss or damage occasioned or caused by an outage or the negligence, or wrongful act of the customer or of any of the customer's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices. It shall be the customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with the Port's protective devices to avoid exposing other customers to unnecessary service interruptions. The sustained delivery service voltages are subject to momentary and transient excursions, which may occur in the normal operation of the Port's electric system. Variations or outages to service voltages and frequencies may be due to circumstances beyond the control of the Port. Except for the Port's willful acts and gross negligence, the Port shall not be responsible for any electric service outages or for variations in voltages or frequencies.
- 12. Emergency or Standby Generation** - Prior to installing electrical generation, the customer is required to obtain written approval of the Port. Any non-Port owned emergency standby generation equipment that can be operated to supply power to facilities that are also designed to be supplied from the Port's system shall be controlled with suitable protective devices by the customer to prevent parallel operation with the Port's system in a fail-safe manner, such as the use of a double-throw switch to disconnect all conductors, except where the Port has given permission to parallel through a written agreement or contract.
- 13. Power Factor Correction** - In the case of neon, fluorescent, luminous, gaseous or mercury vapor lighting equipment, electric welders and other devices having low power factors, the customer may be required by the Port to provide, at the customer's expense, the necessary power factor corrective equipment to increase the power factor of such devices to not less than 90%.
- 14. Primary Discount** - When delivery is made at 12,470 volts, the Port may, at its sole discretion, provide a discount to be applied to the amount of the Demand Charge computed as described under Monthly Charges above.
- 15. Relocation of Port Facilities** - The Port will relocate Port-owned electric facilities upon customer request, provided that the relocation is technically feasible, that easements or rights-of-way can be acquired for the relocated facilities, and that the relocated facilities are acceptable to neighboring customers. In those situations, where the relocation is at the request of the customer, the customer is responsible for all costs associated with the relocation.
- 16. Special Facilities** - Where the customer requests the Port to install special facilities and the Port agrees to make such an installation, the additional cost thereof including the present value of continuing ownership costs, if any, shall be borne by the customer.
- 17. Multiple Metering** - Warehouses, or groups of buildings on the same premises, may receive service under this Schedule through one meter, provided that the tenant or any other agent of the tenant does not resell such energy. At the convenience of the Port, multiple warehouses with separate meters but served under the same tenant lease may have their meter readings combined into one bill, provided the Monthly Customer Charge is charged for each such meter.
- 18. Prorating of Bills** - When a customer switches from another Rate Schedule to this Rate Schedule, the customer's Demand Charge and Customer Charge shall be prorated for the period between the last full billing period and the commencement of the applicability of this Rate Schedule.
- 19. Payment of Bills** - All electric service bills are payable upon presentation to the customer and are considered past due on the designated due date stated on the bill. Payment shall be made through the U.S. Postal Service, at the offices of the Port, electronic bill payment or to any duly authorized Port representative.



- 20. Public Purpose Program Charge** - This rate schedule includes a charge for public purpose programs such as energy conservation, demand-side management, and research and development. This charge is the same as that charged by other utilities in the state of California pursuant to Public Utilities Code Section 385. The resulting charge is included in the Monthly Charges, Electric Usage rate.
- 21. Additional Charges** - The following charges are required by state and local government are in addition to those listed above:
- 1.** Energy Commission Surcharge - The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). The Port of Stockton is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.
 - 2.** City of Stockton Utility Users' Tax – The City of Stockton requires that the Port collect a Utility Users Tax from every person consistent with Stockton Municipal Code Chapter 8 Revenue and Taxation, SEC. 8-073.
- 22. Rate Schedule Changes** - All of the terms and conditions of this Rate Schedule are subject to change by the Port of Stockton.



Applicability

This Schedule GS-4 is applicable to customers having a demand of 200 to 499 kilowatts (kW). It is available to customers who are eligible for Rate Schedule GS-3 and designate that they will take electric service under this Rate Schedule GS-4. This schedule is not available to new customers whose meter indicates a maximum demand of 199 kW or less for three consecutive months.

Character of Service

Alternating-current electric service will be supplied by the Port of Stockton (Port) at a frequency of approximately 60 Hertz (cycles per second.) The Port will endeavor to maintain its frequency within reasonable limits, but does not guarantee same. Available alternating current at a frequency of approximately 60 Hertz: 120 volts, 120/208 volts or 120/240 volts, single phase or 240 volts, 240/120 volts, 208Y/120 volts, 480Y/277 volts, 480 volts, 12,470 volts, and to the extent available, at the option of the Port.

The Port's facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within a fully satisfactory range of 5% of the nominal values shown. The voltage balance between phases will be maintained as close as practicable to 2½% maximum deviation from the average voltage between three phases.

Monthly Charges

The total amount of a customer's bill, excluding applicable local and state taxes and surcharges, will be the sum of the charges listed below and any adjustments for Special Provisions, effective on the date of meter reading for each account.

Monthly Customer Charge	\$52.55 per meter
Demand Charge (per kW or portion thereof)	\$ 5.17
Time of Use Electric Usage (per kWh)	On-Peak - \$ 0.1813 Off-Peak - \$ 0.1541

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Determination of Demand

Customer's Demand shall be the maximum 15-minute rate of taking in kilowatts measured by meter during the current and previous 11 months. Should the customer's equipment be such as might impose intermittent or violently fluctuating loads on the Port's system, customer's demand for billing purposes may, at the sole option of the Port, be based on a 5-minute interval. (See Special Provision 5) Whenever the monthly demand has fallen below 200 kilowatts for twelve consecutive months the customer will be served under Electric Rate Schedule GS-2. Whenever the monthly demand has equaled or exceeded 500 kilowatts for three consecutive months the customer will be served under Electric Rate Schedule GS-5. Under certain circumstances, the Port may, at its sole option, estimate the demand of the customer. This will usually be done (a) for new customers whose usage is not yet known; (b) when meter readings cannot be obtained; or (c) when a demand meter is required, but may not yet have been installed. If an estimate is used for customer's demand, then that estimate will be used for customer's demand during the month.

Determination of Time Periods

Times of the day are defined as follows:

- Peak: 6:30 a.m. to 9:30 p.m. Monday through Friday (except holidays)
- Off-Peak: 9:30 p.m. to 6:30 a.m. Monday through Friday
- All day Saturday, Sunday, and holidays

HOLIDAYS: "Holidays" for the purposes of this rate schedule are New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day. The dates will be those on which the holidays are legally observed.

Special Provisions

1. **Customer** - The customer is deemed to be the person or tenant in whose name service is rendered as evidenced by the signature on the application or agreement for that service or where the person is the designated agent for a



company or corporation the customer is the corporation. It is the responsibility of the customer to determine the type of service available at any particular location by inquiry at the Port office prior to final design or the purchase of any equipment. Customer shall also ascertain and comply with the applicable codes and requirements of governmental authorities having jurisdiction unless otherwise specified by the Port.

2. **Acceptance of Service** - By accepting service under this rate schedule, the customer agrees to all of its terms and conditions and to pay all bills rendered in accordance with this rate schedule.
3. **Port of Stockton Property** - Port electric utility property is solely for the use of the Port in the conveyance and supply of electric power. Customers, or third parties, may not use Port property (such as poles or transformers) for any purpose, including but not limited to, supporting customer equipment (such as private lights or antennas) or supporting advertising or banners. Customer landscaping and property improvements may not impact Port property by changing elevation in the vicinity of Port property, or by limiting the ability of the Port to access and work on Port facilities. The Port has the obligation and right to remove customer or third-party property from Port facilities, and to correct any improvement that impacts Port property. Customers may be billed for cost in correcting infractions.
4. **Service to Equipment** - Responsibility for designing and operating the system between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment shall be borne by the customer.
5. **Short Duration Loads** - Where a customer requires new service or modification to existing service to supply x-ray equipment, welding equipment or other equipment, which presents large demands of short duration to the Port's system, such loads shall be served through a separate meter and transformer. The billing demand for such loads will be based on the sum of the nameplate kVA rating of the equipment or on the nameplate kVA of the Port's transformer, whichever is smaller. The Port may use a shorter bill demand interval of 5 minutes at its discretion for short duration loads.
6. **Load Balance** - The customer shall balance the load as nearly as practicable between the two sides of a three-wire service and between all three phases of a three-phase service. The difference in amperes at the customer's peak load shall not be greater than 10% or 50 amperes, whichever is greater; except that the difference between the load on the lighting phase of a four-wire delta service and load on its power phase may be more than these limits. It shall be the responsibility of the customer to keep the load balanced within these limits.
7. **Interference with Service** - The Port reserves the right to refuse to serve new loads or to continue to supply existing loads of a size or character that may be detrimental to the Port's operations or to the service of its customers. Any customer who operates or plans to operate any equipment such as, but not limited to, pumps, welders, furnaces, compressors or other equipment where the use of electricity is intermittent, causes intolerable voltage fluctuations, superimposes a current of any frequency or wave form upon the Port's system, or causes service interference to others, must reasonably limit such interference or restrict the use of such equipment upon request by the Port.

Any customer causing service interference to the Port's system or others must take corrective action within the specified time limit approved by the Port. If the customer does not take timely corrective action within the specified time period, the Port may, after written notice to customer, either install and activate control devices at the customer's expense on the Port's facilities that will temporarily prevent the detrimental operation, or discontinue electric service until a suitable permanent solution, provided by the customer, is operational.

8. **Adjustment of Bills for Meter Error** - The Port will make the following adjustments to bills as follows:
 1. When, as the result of any test, a meter is found to be more than 2% fast, the Port shall refund, without interest, to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
 2. If a meter, as the result of any test, is found to register more than 2% slow, the Port may render a bill, without interest, for electricity consumed but not covered by bills previously rendered, for a period not to exceed six (6) months, provided that if the actual period of error exceeds six (6) months and the same can be definitely determined, the correction to be made, as herein provided, may cover such actual period, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.



- 9. Motor Starting Current Limitations** - The starting of motors shall be controlled by the customer, as necessary, to avoid causing voltage fluctuations that will be detrimental or interfere with the operation of the Port's electric system, or to the service of any of the Port's customers.
- 10. Outages and Protective Devices** - It shall be the customer's responsibility to furnish, install, inspect and keep in good and safe condition at the customer's own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the customer's facilities. The Port shall not be responsible for any loss or damage occasioned or caused by an outage or the negligence, or wrongful act of the customer or of any of the customer's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices. It shall be the customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with the Port's protective devices to avoid exposing other customers to unnecessary service interruptions. The sustained delivery service voltages are subject to momentary and transient excursions, which may occur in the normal operation of the Port's electric system. Variations or outages to service voltages and frequencies may be due to circumstances beyond the control of the Port. Except for the Port's willful acts and gross negligence, the Port shall not be responsible for any electric service outages or for variations in voltages or frequencies.
- 11. Customer Owned Generation** - Prior to installing electrical generation that will be directly or indirectly connected to the Port of Stockton's electric system, the customer is required to obtain written approval of the Port. Any non-Port owned generation equipment that can be operated to supply power to facilities that are also designed to be supplied from the Port's system shall be controlled with suitable protective devices by the customer to prevent parallel operation with the Port's system in a fail-safe manner, such as the use of a double-throw switch to disconnect all conductors, except where the Port has given permission to parallel through a written agreement or contract. Customers operating customer owned generation shall also meet the requirements of Rate Schedule NM.
- 12. Power Factor Correction** - In the case of neon, fluorescent, luminous, gaseous or mercury vapor lighting equipment, electric welders and other devices having low power factors, the customer may be required by the Port to provide, at the customer's expense, the necessary power factor corrective equipment to increase the power factor of such devices to not less than 90%.
- 13. Primary Discount** - When delivery is made at 12,470 volts, the Port may, at its sole discretion, provide a discount to be applied to the amount of the Demand Charge computed as described under Monthly Charges above.
- 14. Relocation of Port Facilities** - The Port will relocate Port-owned electric facilities upon customer request, provided that the relocation is technically feasible, that easements or rights-of-way can be acquired for the relocated facilities, and that the relocated facilities are acceptable to neighboring customers. In those situations, where the relocation is at the request of the customer, the customer is responsible for all costs associated with the relocation.
- 15. Special Facilities** - Where the customer requests the Port to install special facilities and the Port agrees to make such an installation, the additional cost thereof including the present value of continuing ownership costs, if any, shall be borne by the customer.
- 16. Multiple Metering** - Warehouses, or groups of buildings on the same premises, may receive service under this Schedule through one meter, provided that the tenant or any other agent of the tenant does not resell such energy. At the convenience of the Port, multiple warehouses with separate meters but served under the same tenant lease may have their meter readings combined into one bill, provided the Monthly Customer Charge is charged for each such meter.
- 17. Prorating of Bills** - When a customer switches from another Rate Schedule to this Rate Schedule, the customer's Demand Charge and Customer Charge shall be prorated for the period between the last full billing period and the commencement of the applicability of this Rate Schedule.
- 18. Payment of Bills** - All electric service bills are payable upon presentation to the customer and are considered past due on the designated due date stated on the bill. Payment shall be made through the U.S. Postal Service, at the offices of the Port, electronic bill payment or to any duly authorized Port representative.
- 19. Public Purpose Program Charge** - This rate schedule includes a charge for public purpose programs such as energy conservation, demand-side management, and research and development. This charge is the same as that



charged by other utilities in the state of California pursuant to Public Utilities Code Section 385. The resulting charge is included in the Monthly Charges, Electric Usage rate.

20. Additional Charges - The following charges are required by state and local government are in addition to those listed above:

1. Energy Commission Surcharge - The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization.
2. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). The Port of Stockton is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.
3. City of Stockton Utility Users' Tax – The City of Stockton requires that the Port collect a Utility Users Tax from every person consistent with Stockton Municipal Code Chapter 8 Revenue and Taxation, SEC. 8-073.

21. Rate Schedule Changes - All of the terms and conditions of this Rate Schedule are subject to change by the Port of Stockton.



Applicability

This Schedule GS-5 is applicable to customers having a demand of 500 kilowatts to 999 kilowatts (kW). This schedule is not available to new customers whose meter indicates a maximum demand of 499 kW or less for three consecutive months.

Character of Service

Alternating-current electric service will be supplied by the Port of Stockton (Port) at a frequency of approximately 60 Hertz (cycles per second.) The Port will endeavor to maintain its frequency within reasonable limits, but does not guarantee same. Available alternating current at a frequency of approximately 60 Hertz: 120 volts, 120/208 volts or 120/240 volts, single phase or 240 volts, 240/120 volts, 208Y/120 volts, 480Y/277 volts, 480 volts, 12,470 volts, and to the extent available, at the option of the Port.

The Port’s facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within a fully satisfactory range of 5% of the nominal values shown. The voltage balance between phases will be maintained as close as practicable to 2½% maximum deviation from the average voltage between three phases.

Monthly Charges

The total amount of a customer’s bill, excluding applicable local and state taxes and surcharges, will be the sum of the charges listed below and any adjustments for Special Provisions, effective on the date of meter reading for each account.

Monthly Customer Charge	\$86.38 per meter
Demand Charge (per kW or portion thereof)	\$ 5.60
Time of Use Electric Usage (per kWh)	On-Peak - \$0.1568
	Off-Peak - \$0.1239

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Determination of Demand

Customer’s Demand shall be the maximum 15-minute rate of taking in kilowatts measured by meter during the current and previous 11 months. Should the customer’s equipment be such as might impose intermittent or violently fluctuating loads on the Port’s system, customer’s demand for billing purposes may, at the sole option of the Port, be based on a 5-minute interval. (See Special Provision 5) Whenever the monthly demand has fallen below 500 kilowatts for twelve consecutive months the customer will be served under Electric Rate Schedule GS-3 or, at the tenant’s option, Electric Rate Schedule GS-4. Whenever the monthly demand has equaled or exceeded 1,000 kilowatts for three consecutive months the customer will be served under Electric Rate Schedule GS-6. Under certain circumstances, the Port may, at its sole option, estimate the demand of the customer. This will usually be done (a) for new customers whose usage is not yet known; (b) when meter readings cannot be obtained; or (c) when a demand meter is required, but may not yet have been installed. If an estimate is used for customer’s demand, then that estimate will be used for customer’s demand during the month.

Determination of Time Periods

Times of the day are defined as follows:

- Peak: 6:30 a.m. to 9:30 p.m. Monday through Friday (except holidays)
- Off-Peak: 9:30 p.m. to 6:30 a.m. Monday through Friday
- All day Saturday, Sunday, and holidays

HOLIDAYS: “Holidays” for the purposes of this rate schedule are New Year’s Day, President’s Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day. The dates will be those on which the holidays are legally observed.

Special Provisions

1. **Customer** - The customer is deemed to be the person or tenant in whose name service is rendered as evidenced by the signature on the application or agreement for that service or where the person is the designated agent for a company or corporation the customer is the corporation. It is the responsibility of the customer to determine the type of service available at any particular location by inquiry at the Port office prior to final design or



the purchase of any equipment. Customer shall also ascertain and comply with the applicable codes and requirements of governmental authorities having jurisdiction unless otherwise specified by the Port.

2. **Acceptance of Service** - By accepting service under this rate schedule, the customer agrees to all of its terms and conditions and to pay all bills rendered in accordance with this rate schedule.
3. **Port of Stockton Property** - Port electric utility property is solely for the use of the Port in the conveyance and supply of electric power. Customers, or third parties, may not use Port property (such as poles or transformers) for any purpose, including but not limited to, supporting customer equipment (such as private lights or antennas) or supporting advertising or banners. Customer landscaping and property improvements may not impact Port property by changing elevation in the vicinity of Port property, or by limiting the ability of the Port to access and work on Port facilities. The Port has the obligation and right to remove customer or third-party property from Port facilities, and to correct any improvement that impacts Port property. Customers may be billed for cost in correcting infractions.
4. **Changing Rate Schedules** - Customers may request one rate schedule change in any twelve-month period. The Port may not be required to make more than one change in rate schedules within a twelve-month period unless a new rate schedule is approved or the Customer's operating conditions have changed sufficiently to warrant a change in rate schedule. The Port may not be required to change the Customer's rate schedule where the Customer and the Port have entered into a service agreement designating a specific rate schedule, except in accordance with the terms of the rate schedule or service agreement.

Changes in rate schedules will take effect starting with the first day of the next Billing Cycle after receipt of the Customer's request to change the rate schedule or meter change date following receipt of the Customer's request to change the rate schedule, unless (1) an agreement between the Port and the Customer specifies another date, or (2) the required metering equipment is unavailable. In those cases, the change of schedule will take effect on the date stated in the schedule or agreement, or the date the metering equipment is available.

It is the Customer's responsibility to request another schedule or option if the Customer's connected load, hours of operation, type of business or type of service have changed. Where the Customer changes equipment or operation without notifying the Port, the Port assumes no responsibility for advising the Customer of other rate options available to the Customer as a result of the Customer's equipment/operation changes.

5. **Service to Equipment** - Responsibility for designing and operating the system between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment shall be borne by the customer.
6. **Short Duration Loads** - Where a customer requires new service or modification to existing service to supply x-ray equipment, welding equipment or other equipment, which presents large demands of short duration to the Port's system, such loads shall be served through a separate meter and transformer. The billing demand for such loads will be based on the sum of the nameplate kVA rating of the equipment or on the nameplate kVA of the Port's transformer, whichever is smaller. The Port may use a shorter bill demand interval of 5 minutes at its discretion for short duration loads.
7. **Load Balance** - The customer shall balance the load as nearly as practicable between the two sides of a three-wire service and between all three phases of a three-phase service. The difference in amperes at the customer's peak load shall not be greater than 10% or 50 amperes, whichever is greater; except that the difference between the load on the lighting phase of a four-wire delta service and load on its power phase may be more than these limits. It shall be the responsibility of the customer to keep the load balanced within these limits.
8. **Interference with Service** - The Port reserves the right to refuse to serve new loads or to continue to supply existing loads of a size or character that may be detrimental to the Port's operations or to the service of its customers. Any customer who operates or plans to operate any equipment such as, but not limited to, pumps, welders, furnaces, compressors or other equipment where the use of electricity is intermittent, causes intolerable voltage fluctuations, superimposes a current of any frequency or wave form upon the Port's system, or causes service interference to others, must reasonably limit such interference or restrict the use of such equipment upon request by the Port.

Any customer causing service interference to the Port's system or others must take corrective action within the



specified time limit approved by the Port. If the customer does not take timely corrective action within the specified time period, the Port may, after written notice to customer, both install and activate control devices at the customer's expense on the Port's facilities that will temporarily prevent the detrimental operation, or discontinue electric service until a suitable permanent solution, provided by the customer, is operational.

- 9. Adjustment of Bills for Meter Error** - The Port will make the following adjustments to bills as follows:
1. When, as the result of any test, a meter is found to be more than 2% fast, the Port shall refund, without interest, to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
 2. If a meter, as the result of any test, is found to register more than 2% slow, the Port may render a bill, without interest, for electricity consumed but not covered by bills previously rendered, for a period not to exceed six (6) months, provided that if the actual period of error exceeds six (6) months and the same can be definitely determined, the correction to be made, as herein provided, may cover such actual period, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
- 10. Motor Starting Current Limitations** - The starting of motors shall be controlled by the customer, as necessary, to avoid causing voltage fluctuations that will be detrimental or interfere with the operation of the Port's electric system, or to the service of any of the Port's customers.
- 11. Outages and Protective Devices** - It shall be the customer's responsibility to furnish, install, inspect and keep in good and safe condition at the customer's own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the customer's facilities. The Port shall not be responsible for any loss or damage occasioned or caused by an outage or the negligence, or wrongful act of the customer or of any of the customer's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices. It shall be the customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with the Port's protective devices to avoid exposing other customers to unnecessary service interruptions. The sustained delivery service voltages are subject to momentary and transient excursions, which may occur in the normal operation of the Port's electric system. Variations or outages to service voltages and frequencies may be due to circumstances beyond the control of the Port. Except for the Port's willful acts and gross negligence, the Port shall not be responsible for any electric service outages or for variations in voltages or frequencies.
- 12. Customer Owned Generation** - Prior to installing electrical generation that will be directly or indirectly connected to the Port of Stockton's electric system, the customer is required to obtain written approval of the Port. Any non-Port owned generation equipment that can be operated to supply power to facilities that are also designed to be supplied from the Port's system shall be controlled with suitable protective devices by the customer to prevent parallel operation with the Port's system in a fail-safe manner, such as the use of a double-throw switch to disconnect all conductors, except where the Port has given permission to parallel through a written agreement or contract. Customers operating customer owned generation shall also meet the requirements of Rate Schedule NM.
- 13. Power Factor Correction** - In the case of neon, fluorescent, luminous, gaseous or mercury vapor lighting equipment, electric welders and other devices having low power factors, the customer may be required by the Port to provide, at the customer's expense, the necessary power factor corrective equipment to increase the power factor of such devices to not less than 90%.
- 14. Primary Discount** - When delivery is made at 12,470 volts, the Port may, at its sole discretion, provide a discount to be applied to the amount of the Demand Charge computed as described under Monthly Charges above.
- 15. Relocation of Port Facilities** - The Port will relocate Port-owned electric facilities upon customer request, provided that the relocation is technically feasible, that easements or rights-of-way can be acquired for the relocated facilities, and that the relocated facilities are acceptable to neighboring customers. In those situations where the relocation is at the request of the customer, the customer is responsible for all costs associated with the relocation.



- 16. Special Facilities** - Where the customer requests the Port to install special facilities and the Port agrees to make such an installation, the additional cost thereof including the present value of continuing ownership costs, if any, shall be borne by the customer.
- 17. Multiple Metering** - Warehouses, or groups of buildings on the same premises, may receive service under this Schedule through one meter, provided that the tenant or any other agent of the tenant does not resell such energy. At the convenience of the Port, multiple warehouses with separate meters but served under the same tenant lease may have their meter readings combined into one bill, provided the Monthly Customer Charge is charged for each such meter.
- 18. Prorating of Bills** - When a customer switches from another Rate Schedule to this Rate Schedule, the customer's Demand Charge and Customer Charge shall be prorated for the period between the last full billing period and the commencement of the applicability of this Rate Schedule.
- 19. Payment of Bills** - All electric service bills are payable upon presentation to the customer and are considered past due on the designated due date stated on the bill. Payment shall be made through the U.S. Postal Service, at the offices of the Port, electronic bill payment or to any duly authorized Port representative.
- 20. Public Purpose Program Charge** - This rate schedule includes a charge for public purpose programs such as energy conservation, demand-side management, and research and development. This charge is the same as that charged by other utilities in the state of California pursuant to Public Utilities Code Section 385. The resulting charge is included in the Monthly Charges, Electric Usage rate.
- 21. Additional Charges** - The following charges are required by state and local government are in addition to those listed above:
 - 1.** Energy Commission Surcharge - The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). The Port of Stockton is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.
 - 2.** City of Stockton Utility Users' Tax – The City of Stockton requires that the Port collect a Utility Users Tax from every person consistent with Stockton Municipal Code Chapter 8 Revenue and Taxation, SEC. 8-073.
- 22. Rate Schedule Changes** - All of the terms and conditions of this Rate Schedule are subject to change by the Port of Stockton.



Applicability

This Schedule GS-6 is applicable to customers having a demand of 1,000 kilowatts (kW) and over. This schedule is also not available to new customers whose meter indicates a maximum demand of 999 kW or less for three consecutive months.

Character of Service

Alternating-current electric service will be supplied by the Port of Stockton (Port) at a frequency of approximately 60 Hertz (cycles per second.) The Port will endeavor to maintain its frequency within reasonable limits, but does not guarantee same. Available alternating current at a frequency of approximately 60 Hertz: 120 volts, 120/208 volts or 120/240 volts, single phase or 240 volts, 240/120 volts, 208Y/120 volts, 480Y/277 volts, 480 volts, 12,470 volts, and to the extent available, at the option of the Port.

The Port's facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within a fully satisfactory range of 5% of the nominal values shown. The voltage balance between phases will be maintained as close as practicable to 2½% maximum deviation from the average voltage between three phases.

Monthly Charges

The total amount of a customer's bill, excluding applicable local and state taxes and surcharges, will be the sum of the charges listed below and any adjustments for Special Provisions, effective on the date of meter reading for each account.

- Monthly Customer Charge \$86.38 per meter
- Demand Charge (per kW or portion thereof) subject to Market and State Regulatory determination (currently three (3) years)
- Time of Use Electric Usage (per kWh) On-Peak – subject to Block Market Purchases
Off-Peak – subject to Block Market Purchases
- RPS Renewable Energy Credits (per kWh) subject to 10-year Market Purchase

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Determination of Demand

Customer's Demand shall be estimated by the Customer and prepaid at least 90 days in advance of service delivery. Further, the Customer must notify the Port of any increases in its demand at least 90 days in advance and prepay for any additional wholesale demand purchases in order to secure additional service (if available). If said demand amount is determined to be insufficient to meet the customer's monthly demand, the Customer shall be responsible for all penalty charges assessed to the Port by any state agency, or Demand reduction as determined at the sole discretion of the Port. Further, for every demand notification, the Customer shall prepay for three (3) consecutive years of demand service at the market determined rate (if available). All prepay demand quantities shall be increased by the state's reserve obligation (currently fifteen (15) percent). (See Special Provision 24)

For purposes of monitoring the adequacy of Customer's wholesale demand purchases, the Customer's maximum monthly demand shall be the maximum 15-minute rate of taking in kilowatts measured by meter during the current and previous 11 months. Should the customer's equipment be such as might impose intermittent or violently fluctuating loads on the Port's system, customer's demand for billing purposes may, at the sole option of the Port, be based on a 5-minute interval. (See Special Provision 5) Under certain circumstances, the Port may, at its sole option, estimate the demand of the customer. This will usually be done (a) for new customers whose demand usage is not yet known; (b) when meter readings cannot be obtained; or (c) when a demand meter is required, but may not yet have been installed. If an estimate is used for customer's demand, then that estimate will be used for customer's demand during the month.

Determination of Time Periods

Times of the day are defined as follows:

- Peak: 6:30 a.m. to 9:30 p.m. Monday through Friday (except holidays)
- Off-Peak: 9:30 p.m. to 6:30 a.m. Monday through Friday
- All day Saturday, Sunday, and holidays



HOLIDAYS: "Holidays" for the purposes of this rate schedule are New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day. The dates will be those on which the holidays are legally observed.

Determination of Energy

The Port shall purchase a block (shaped or fixed) of monthly energy from its wholesale power provider. The block energy amount shall be increased by seven (7) percent to account for distribution losses. The cost of the market block energy purchase and associated variable energy costs shall be passed directly through to the customer. The variable energy costs shall include the Port's ongoing wholesale market costs for imbalance, ancillary services, delivery, transmission losses, and local operations/maintenance. Monthly variable energy charges shall be subject to changes for wholesale market rate changes and regulatory adjustments and annual budget adjustments. The on peak/off peak energy charges shall be calculated based on wholesale market purchases and the annual budget, subject to an annual true-up that will be based upon the actual wholesale market purchase price at the Port market access node (currently NP15). The Customer shall prepay for 33.3% of the contract energy charges as a part of the Power Deposit. (See Special Provision 24)

Renewable Portfolio Standard (RPS) Renewable Energy Credit (REC) products shall be purchased in advance by the Port for the Customer in order to comply with all state laws and regulations requiring a 10-year purchase. All RPS products will be prepaid for by the Customer in advance of service. (See Special Provision 24)

Special Provisions

- 1. Customer** - The customer is deemed to be the person or tenant in whose name service is rendered as evidenced by the signature on the application or agreement for that service or where the person is the designated agent for a company or corporation the customer is the corporation. It is the responsibility of the customer to determine the type of service available at any particular location by inquiry at the Port office prior to final design or the purchase of any equipment. Customer shall also ascertain and comply with the applicable codes and requirements of governmental authorities having jurisdiction unless otherwise specified by the Port.
- 2. Acceptance of Service** - By accepting service under this rate schedule, the customer agrees to all of its terms and conditions and to pay all bills rendered in accordance with this rate schedule.
- 3. Port of Stockton Property** - Port electric utility property is solely for the use of the Port in the conveyance and supply of electric power. Customers, or third parties, may not use Port property (such as poles or transformers) for any purpose, including but not limited to, supporting customer equipment (such as private lights or antennas) or supporting advertising or banners. Customer landscaping and property improvements may not impact Port property by changing elevation in the vicinity of Port property, or by limiting the ability of the Port to access and work on Port facilities. The Port has the obligation and right to remove customer or third-party property from Port facilities, and to correct any improvement that impacts Port property. Customers may be billed for cost in correcting infractions.
- 4. Changing Rate Schedules** - Customers may request one rate schedule change in any twelve-month period. The Port may not be required to make more than one change in rate schedules within a twelve-month period unless a new rate schedule is approved or the Customer's operating conditions have changed sufficiently to warrant a change in rate schedule. The Port may not be required to change the Customer's rate schedule where the Customer and the Port have entered into a service agreement designating a specific rate schedule, except in accordance with the terms of the rate schedule or service agreement.

Changes in rate schedules will take effect starting with the first day of the next Billing Cycle. It is the Customer's responsibility to request another schedule or option if the Customer's connected load, hours of operation, type of business or type of service have changed. Where the Customer changes equipment or operation without notifying the Port, the Port assumes no responsibility for advising the Customer of other rate options available to the Customer as a result of the Customer's equipment/operation changes.
- 5. Service to Equipment** - Responsibility for designing and operating the system between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment shall be borne by the customer.
- 6. Short Duration Loads** - Where a customer requires new service or modification to existing service to supply x-ray equipment, welding equipment or other equipment, which presents large demands of short duration to the Port's system, such loads shall be served through a separate meter and transformer. The billing demand for such loads will be based on the sum of the nameplate kVA rating of the equipment or on the nameplate kVA of the Port's



transformer, whichever is smaller. The Port may use a shorter bill demand interval of 5 minutes at its discretion for short duration loads. If a customer's temporary load test sets a high demand peak that impacts the Port's annual

wholesale power purchases, the customer shall be financially responsible for any and all additional power/regulatory charges that the Port may be charged associated with such temporary power supply. Such additional charges will be billed directly to the customer within a month after the Port receives wholesale billing for the associated costs. The Port encourages all customers to work directly with the Port to schedule such test energy to off-peak hours where most financial implications may be significantly reduced.

- 7. Load Balance** - The customer shall balance the load as nearly as practicable between the two sides of a three-wire service and between all three phases of a three-phase service. The difference in amperes at the customer's peak load shall not be greater than 10% or 50 amperes, whichever is greater; except that the difference between the load on the lighting phase of a four-wire delta service and load on its power phase may be more than these limits. It shall be the responsibility of the customer to keep the load balanced within these limits.
- 8. Interference with Service** - The Port reserves the right to refuse to serve new loads or to continue to supply existing loads of a size or character that may be detrimental to the Port's operations or to the service of its customers. Any customer who operates or plans to operate any equipment such as, but not limited to, pumps, welders, furnaces, compressors or other equipment where the use of electricity is intermittent, causes intolerable voltage fluctuations, superimposes a current of any frequency or wave form upon the Port's system, or causes service interference to others, must reasonably limit such interference or restrict the use of such equipment upon request by the Port.

Any customer causing service interference to the Port's system or others must take corrective action within the specified time limit approved by the Port. If the customer does not take timely corrective action within the specified time period, the Port may, after written notice to customer, either install and activate control devices at the customer's expense on the Port's facilities that will temporarily prevent the detrimental operation, or discontinue electric service until a suitable permanent solution, provided by the customer, is operational.

- 9. Adjustment of Bills for Meter Error** - The Port will make the following adjustments to bills as follows:
 - 1.** When, as the result of any test, a meter is found to be more than 2% fast, the Port shall refund, without interest, to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
 - 2.** If a meter, as the result of any test, is found to register more than 2% slow, the Port may render a bill, without interest, for electricity consumed but not covered by bills previously rendered, for a period not to exceed six (6) months, provided that if the actual period of error exceeds six (6) months and the same can be definitely determined, the correction to be made, as herein provided, may cover such actual period, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
- 10. Motor Starting Current Limitations** - The starting of motors shall be controlled by the customer, as necessary, to avoid causing voltage fluctuations that will be detrimental or interfere with the operation of the Port's electric system, or to the service of any of the Port's customers.
- 11. Outages and Protective Devices** - It shall be the customer's responsibility to furnish, install, inspect and keep in good and safe condition at the customer's own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the customer's facilities. The Port shall not be responsible for any loss or damage occasioned or caused by an outage or the negligence, or wrongful act of the customer or of any of the customer's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices. It shall be the customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with the Port's protective devices to avoid exposing other customers to unnecessary service interruptions. The sustained delivery service voltages are subject to momentary and transient excursions, which may occur in the normal operation of the Port's electric system. Variations or outages to service voltages and frequencies may be due to circumstances beyond the control of the Port. Except for the Port's willful acts and gross negligence, the Port shall not be responsible for any electric service outages or for variations in voltages or frequencies.



- 12. Customer Owned Generation** - Prior to installing electrical generation that will be directly or indirectly connected to the Port of Stockton's electric system, the customer is required to obtain written approval of the Port. Any non-Port owned generation equipment that can be operated to supply power to facilities that are also designed to be supplied from the Port's system shall be controlled with suitable protective devices by the customer to prevent parallel operation with the Port's system in a fail-safe manner, such as the use of a double-throw switch to disconnect all conductors, except where the Port has given permission to parallel through a written agreement or contract. Customers operating customer owned generation shall also meet the requirements of Rate Schedule NM.
- 13. Power Factor Correction** - In the case of neon, fluorescent, luminous, gaseous or mercury vapor lighting equipment, electric welders and other devices having low power factors, the customer may be required by the Port to provide, at the customer's expense, the necessary power factor corrective equipment to increase the power factor of such devices to not less than 90%.
- 14. Primary Discount** - When delivery is made at 12,470 volts, the Port may, at its sole discretion, provide a discount to be applied to the amount of the Demand Charge computed as described under Monthly Charges above.
- 15. Relocation of Port Facilities** - The Port will relocate Port-owned electric facilities upon customer request, provided that the relocation is technically feasible, that easements or rights-of-way can be acquired for the relocated facilities, and that the relocated facilities are acceptable to neighboring customers. In those situations, where the relocation is at the request of the customer, the customer is responsible for all costs associated with the relocation.
- 16. Special Facilities** - Where the customer requests the Port to install special facilities and the Port agrees to make such an installation, the additional cost thereof including the present value of continuing ownership costs, if any, shall be borne by the customer.
- 17. Multiple Metering** - Warehouses, or groups of buildings on the same premises, may receive service under this Schedule through one meter, provided that the tenant or any other agent of the tenant does not resell such energy. At the convenience of the Port, multiple warehouses with separate meters but served under the same tenant lease may have their meter readings combined into one bill, provided the Monthly Customer Charge is charged for each such meter.
- 18. Prorating of Bills** - When a customer switches from another Rate Schedule to this Rate Schedule, the customer's Demand Charge and Customer Charge shall be prorated for the period between the last full billing period and the commencement of the applicability of this Rate Schedule.
- 19. Payment of Bills** - All electric service bills are payable upon presentation to the customer and are considered past due on the designated due date stated on the bill. Payment shall be made through the U.S. Postal Service, at the offices of the Port, electronic bill payment or to any duly authorized Port representative.
- 20. Public Purpose Program Charge** - This rate schedule includes a charge for public purpose programs such as energy conservation, demand-side management, and research and development. This charge is the same as that charged by other utilities in the state of California pursuant to Public Utilities Code Section 385. The resulting charge is included in the Monthly Charges, Electric Usage rate.
- 21. Additional Charges** - The following charges are required by state and local governments are in addition to those listed above:
 - 1.** Energy Commission Surcharge - The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). The Port of Stockton is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.
 - 2.** City of Stockton Utility Users' Tax – The City of Stockton requires that the Port collect a Utility Users Tax from every person consistent with Stockton Municipal Code Chapter 8 Revenue and Taxation, SEC. 8-073.
- 22. Rate Schedule Changes** - All of the terms and conditions of this Rate Schedule are subject to change by the Port of Stockton.
- 23. Mitigation of Financial Liability Risk** - The Port shall require each tenant with an existing or anticipated future electric load exceeding 1 MW to provide sufficient financial collateral to ensure the Port does not assume a financial risk that in the exclusive judgment of the Port constitutes an excessive financial risk.



This requirement will be determined on a case by case basis and a decision by the Port concerning one tenant shall not be precedent for the decision involving another tenant. In making these decisions, the Port shall be guided by the following non-binding and advisory guidelines:

- Guarantees on behalf of the tenant from an entity with an investment grade rating from Moody's, S&P, or Fitch of BBB or higher or its equivalent.
- Cash collateral (Security Power Deposit) in an amount determined by the Port that is sufficient to cover the Port's forward market financial liabilities.
- Other forms of functionally equivalent collateral acceptable to the Port

24. Prepay Accounts and Power Deposit - In order to comply with state laws and regulations, the Port shall require each tenant with an existing or anticipated future electric load exceeding 1 MW (1,000kW) to provide sufficient financial collateral to ensure the Port does not assume a financial risk that in the exclusive judgment of the Port constitutes an excessive financial risk.

- 1.** A Demand Prepay deposit shall be required for three (3) years of Demand block purchases. Such Demand Prepay deposit shall be made with the Port at least 90 days in advance of service startup. The Customer's monthly demand block payments shall be credited against the Demand Prepay account. Any changes to the Demand block quantities/purchase contracts shall require a recalculation of the Demand Prepay amount. Any Power Deposit increases shall be due to the Port within 60 business days after receipt of notice from the Port or service will terminate. Any interest on the Demand Prepay account shall be credited to the Customer. Upon any termination of service, the balance of the Demand Prepay account shall be paid to the Customer after settlement of any wholesale Demand contract(s).
- 2.** A RPS Prepay deposit shall be required for ten (10) years of RPS Renewable Energy Credit (REC) purchases. Such RPS Prepay deposit shall be made with the Port at least 90 days in advance of the service startup. Any changes to the RPS quantities/purchase contracts shall require a recalculation of the RPS Prepay amount. Any RPS Deposit changes shall be due to the Port within 60 business days after receipt of notice from the Port or service will terminate. The Customer's annual RPS REC retirement payment shall be credited against the RPS Prepay account. Any interest on the RPS Prepay account shall be credited to the Customer. Upon any termination of service, the balance of the RPS Prepay account shall be paid to the Customer after settlement of any wholesale RPS contract(s).
- 3.** A Power Deposit shall be required for 33.3 percent times the number of months for the full term of Block Energy purchase and associated estimated Variable Energy costs as requested by the Customer. Such Power Deposit shall be made with the Port at least 90 days in advance of the service startup. The Customer's Power Deposit shall be held by the Port with amount adjustments made for market rate changes and/or block energy quantity changes. Such Power Deposit changes shall be due to the Port within 60 business days after receipt of notice from the Port or service will terminate. Any interest on the Power Deposit account shall be credited to the Customer. Upon any termination of service, the balance of the Power Deposit account shall be paid to the Customer after settlement of any wholesale energy contract(s).



Applicability

This Schedule EV-1 is applicable to customers having an electric vehicle (EV) charging demand of less than 200 kilowatts (kW). This schedule is also not available to new EV customers whose meter indicates a maximum demand of 200 kW or greater for three consecutive months.

Character of Service

Alternating-current electric service will be supplied by the Port of Stockton (Port) at a frequency of approximately 60 Hertz (cycles per second). The Port will endeavor to maintain its frequency within reasonable limits, but does not guarantee same. Available alternating current at a frequency of approximately 60 Hertz: 120 volts, 120/208 volts or 120/240 volts, single phase or 240 volts, 240/120 volts, 208Y/120 volts, 480Y/277 volts, 480 volts, 12,470 volts, and to the extent available, at the option of the Port.

The Port's facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within a fully satisfactory range of 5% of the nominal values shown. The voltage balance between phases will be maintained as close as practicable to 2½% maximum deviation from the average voltage between three phases.

Monthly Charges

The total amount of an EV customer's bill, excluding applicable local and state taxes and surcharges, will be the sum of the charges listed below and any adjustments for Special Provisions, effective on the date of meter reading for each account.

Standby Charge (per hour after the first hour) On-Peak - \$10.00
Off-Peak - \$ 5.00

Time of Use Electric Usage (per kWh) On-Peak - \$0.2175
Off-Peak - \$0.1696

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Determination of Time Periods

Times of the day are defined as follows:

Peak: 6:30 a.m. to 9:30 p.m. Monday through Friday

Off-Peak: 9:30 p.m. to 6:30 a.m. Monday through Friday

All day Saturday and Sunday

Special Provisions

1. **Customer** - The EV customer is deemed to be the person or tenant in whose name service is rendered as evidenced by the electronic use of the EV charging station. It is the responsibility of the customer to determine the type of service available at any particular location by electronic inquiry or at the Port office. Customer shall also ascertain and comply with the applicable codes and requirements of governmental authorities having jurisdiction unless otherwise specified by the Port. Certain EV charging stations are reserved for Port usage only.
2. **Acceptance of Service** - By accepting service under this rate schedule, the customer agrees to all of its terms and conditions and to pay all bills rendered in accordance with this rate schedule.
3. **Port of Stockton Property** - Port electric utility property is solely for the use of the Port in the conveyance and supply of electric power. Customers, or third parties, may not use Port property (such as poles or transformers) for any purpose, including but not limited to, supporting customer equipment (such as private lights or antennas) or supporting advertising or banners. Customer landscaping and property improvements may not impact Port property by changing elevation in the vicinity of Port property, or by limiting the ability of the Port to access and work on Port facilities. The Port has the obligation and right to remove customer or third-party property from Port facilities, and to correct any improvement that impacts Port property. Customers may be billed for cost in correcting infractions.



4. **Service to Equipment** - Responsibility for designing and operating the system between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment shall be borne by the customer.
5. **Adjustment of Bills for Meter Error** -The Port will make the following adjustments to bills as follows:
 1. When, as the result of any test, a meter is found to be more than 2% fast, the Port shall refund, without interest, to the customer the overcharge based on the corrected meter readings for the period in which the meter was in use, not exceeding six (6) months, unless it can be shown that the error was due to some cause, the date of which can be fixed. In this case, the overcharge shall be computed back to such time, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
 2. If a meter, as the result of any test, is found to register more than 2% slow, the Port may render a bill, without interest, for electricity consumed but not covered by bills previously rendered, for a period not to exceed six (6) months, provided that if the actual period of error exceeds six (6) months and the same can be definitely determined, the correction to be made, as herein provided, may cover such actual period, but not beyond thirty-six (36) months prior to the date the error is brought to the attention of the Port.
6. **Outages and Protective Devices** - It shall be the customer's responsibility to furnish, install, inspect and keep in good and safe condition at the customer's own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the customer's equipment. The Port shall not be responsible for any loss or damage occasioned or caused by an outage or the negligence, or wrongful act of the customer or of any of the customer's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices. It shall be the customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with the Port's protective devices to avoid exposing other customers to unnecessary service interruptions. The sustained delivery service voltages are subject to momentary and transient excursions, which may occur in the normal operation of the Port's electric system. Variations or outages to service voltages and frequencies may be due to circumstances beyond the control of the Port. Except for the Port's willful acts and gross negligence, the Port shall not be responsible for any electric service outages or for variations in voltages or frequencies.
7. **Special Facilities** - Where the customer requests the Port to install special facilities and the Port agrees to make such an installation, the additional cost thereof including the present value of continuing ownership costs, if any, shall be borne by the customer.
8. **Payment of Bills** - All electric service bills are payable via third party transactions. Upon presentation by the Port to the third party vendor, electric service bills are considered past due on the designated due date stated on the bill. Payment shall be made through the U.S. Postal Service, at the offices of the Port, electronic bill payment or to any duly authorized Port representative.
9. **Public Purpose Program Charge** - This rate schedule includes a charge for public purpose programs such as energy conservation, demand-side management, and research and development. This charge is the same as that charged by other utilities in the state of California pursuant to Public Utilities Code Section 385. The resulting charge is included in the Monthly Charges, Electric Usage rate.
10. **Additional Charges** - The following charges are required by state and local government are in addition to those listed above:
 1. Energy Commission Surcharge - The California Energy Commission tax was established by the California legislature in 1975, and is administered by the California State Board of Equalization. The purpose of this tax is to provide additional funding for the California Energy Commission (CEC). The Port of Stockton is required to collect the Energy Resources Surcharge Tax pursuant to Part 19 of Division 2 of the California Revenue and Taxation Code.
 2. City of Stockton Utility Users' Tax - The City of Stockton requires that the Port collect a Utility Users Tax from every person consistent with Stockton Municipal Code Chapter 8 Revenue and Taxation, SEC. 8-073.
11. **Rate Schedule Changes** - All of the terms and conditions of this Rate Schedule are subject to change by the Port of Stockton.



Tenants Requiring Electric Service Where There is No Existing Service

1. Applications & Advance Notice

Tenants and applicants for service shall provide sufficient advance notice in order that service can be rendered by the time such service is required. The required advance notice will vary in consideration of the scope of the project, availability of equipment and material, and the Port of Stockton's workload at the time of the application.

2. Temporary Service

Line extensions to provide temporary service or to serve installations which, in the opinion of the Port, are of a speculative nature or of questionable permanency shall be served as follows:

- a. If the Temporary Service does not impose undue hardship to the Port or to its customers.
- b. The applicant shall pay to the Port, in advance, a non-refundable fee for the estimated net cost of installing and removing all facilities required for such temporary service.
- c. Temporary service in isolated underground areas may not be available until the District has adequate time to install its permanent facilities.

3. Extensions Subject to Rights-of-Way or Easement

Port of Stockton owned line extensions will be constructed only along roads and upon Port owned property. Line extensions across private property which satisfactory rights-of-way have been obtained may be constructed only if without cost to or condemnation by the Port.

4. Basis for Extension of District Facilities

- a. Extensions of electric distribution lines will normally be made at standard distribution voltages available at the Port's nearest distribution facilities to supply electric service to applicants of a permanent character.
- b. Service drop extensions shall be provided either overhead or underground consistent with the voltages specified the Character of Service in the applicable Rate Schedule and the requirements of the applicant.
- c. The length of an extension shall be considered as the distance along the shortest practical route consistent with engineering and other related requirements, as determined by the Port, between the Port's nearest permanent and available distribution facility and either the transformer location or, in the case of a primary service, the location of the primary cable terminal pole or the primary metering pole.

5. Overhead Extensions

- a. General
 1. In areas where underground lines are optional, the Port may continue to construct and use overhead distribution facilities.
 2. The Port will determine if an underground service connection must be provided in areas with existing overhead lines.
 3. The Port will determine the location of the permanent service connection.
- b. Overhead Extensions to Serve Commercial or Industrial Loads – Overhead electric line extensions to serve applicants with Commercial or Industrial loads will be made by the District subject to the following:
 1. A free extension length of up to 120 feet will be allowed.
 2. Extensions greater than 120 feet will be made by the Port provided that the applicant pays to the Port, in advance of construction, a non-refundable sum in the amount estimated by the Port in excess of 120 feet.
 3. In no case shall the applicant be entitled to a credit or refund.



6. Underground Extensions

- a. General
 1. Underground extensions may be made at the convenience of the Port.
 2. Design and construction of underground facilities shall comply with the Port's engineering and construction standards as well as any local, state or federal requirements.
 3. The Port will determine the location of the permanent service connection.
- b. Distribution Lines - Underground extensions of electric distribution lines will be installed by the Port in areas where required to comply with applicable laws and ordinances or similar requirements of governmental authorities having jurisdiction.
 1. The applicant must install and convey to the Port of Stockton the trench, conduits, conductors, termination, protective equipment, substructures, equipment pads and any needed rights-of-way for the Port's entire infrastructure proposed by the applicant.
 2. The applicant shall pay to the Port, in advance of construction, a non-refundable sum in the amount equal to the Port's estimated cost of the facilities listed in 6.b.i.
 3. In no case shall the applicant be entitled to a credit or refund.
- c. Low Voltage Service Drop - In areas where underground lines are optional, and when requested by an applicant and agreed upon by the Port:
 1. Up to 75' of underground low voltage service drop extensions may be installed by the Port provided that the applicant installs and conveys to the Port the trench, conduit, substructures, risers, transformer, and transformer pad and any needed rights-of-way for all the Port's infrastructure proposed for the applicant's location.
 2. The Port will provide and install the conductors, terminate the Service Drop and energize the facilities.
 3. The applicant may pay to the Port, in advance of construction, a non-refundable sum in the amount equal to the Port's estimated cost of those facilities. The Port will supply and install conductors, terminate the extension facilities at each end and energize the facilities.
 4. The Applicant shall pay a non-refundable fee in the amount equal to the Port's estimated of the incremental cost of all facilities in excess of 75' of underground service drop extension.
 5. In no case shall the applicant be entitled to a credit.



Applicability

This Net Metering Electric Rate Schedule NM is applicable to all customers who own and operate a Renewable Resource electrical generating facility¹, or a hybrid system of a renewable source and a conventional generator, with a capacity of not more than 999kW. The facility must be located on the customer's owned, leased, or rented premises, operate in parallel with the Port's transmission and distribution facilities, and must be intended primarily to offset part or all of the customer's own electrical requirements. This Rate Schedule is co-applicable with a customer's otherwise applicable metered rate schedule. Application for this Electric Rate Schedule NM is on a first-come, first-served basis and is limited to the aggregated total of eligible customer generators to 100 kW of nameplate generating capacity². The customer must sign the appropriate Port of Stockton Interconnection Agreement including payment for surplus energy delivered to the Port, if any.

Territory Served

The entire area within the Stockton Port District boundary or any other area served by Stockton Port District.

Generation Equipment

The eligible customer-generator must meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the California Public Utilities Commission regarding safety and reliability and the San Joaquin Valley Unified Air Pollution Control Board. Before connection of any generating equipment the customer must apply to the Port of Stockton for the interconnection and parallel operation of their generating facility. An electrical system study may be required to determine the impacts of the proposed generation equipment on the Port of Stockton's electrical system.

Metering Equipment

The Port of Stockton will pay for and install, at no cost to the customer, a single meter capable of registering the flow of electricity in both directions, or equivalent metering equipment. If the customer desires more detailed metering equipment, the customer will incur all associated costs. The Port reserves the right to install additional metering to collect generator operating or billing information at the Port's own expense.

Design, Interconnection and Protection Equipment

The Port of Stockton shall have the right to review the design of a customer's Generating Facility and Interconnection Facilities and to inspect a customer's Generating and/or Interconnection Facilities prior to the commencement of Parallel Operation with the Port's distribution system. The customer is responsible for all local building permits and final inspections with the local agency before the Port performs its final inspection. The Port may require a customer to make modifications as necessary to comply with the requirements of the Port. The Port may require proof that the customer's protection system is performing to the level required by the Port and the Interconnection Agreement. The Port's review and authorization for Parallel Operation shall not be construed as confirming or endorsing the customer's design or as warranting the Generating and/or Interconnection Facilities' safety, durability or reliability. The Port shall not, by reason of such review or lack of review, be responsible for the strength, adequacy, or capacity of such equipment.

Monthly Charges

The customer will be billed monthly on their otherwise-applicable metered rate schedule using the net metered quantities of power consumed by the customer. The Port will provide the customer with a monthly accounting showing, among other things, the current net electricity consumption and any net deliveries to the Port's distribution system. On a monthly basis for customers that provide a deminimus net delivery to the Port, the net kilowatt-hours in the billing cycle shall be carried over to the following monthly period as a kWh value.

The customer is responsible for all charges from the otherwise-applicable Rate Schedule including monthly customer charge, state surcharge, Public Benefit Charge and city tax. For commercial, industrial, and agricultural customer-generators, the net balance of moneys owed the Port shall be paid in accordance with the customer's otherwise-applicable Rate Schedule.

If the eligible customer is a net energy consumer, as stated herein, the customer will be billed in accordance with the customer's otherwise-applicable Rate Schedule. If the eligible customer is a net energy producer within the 12-month Settlement Period as determined below, and has not entered into an agreement for the purchase of such surplus energy.



Annual Net Surplus Generation Compensation

If the eligible customer anticipates that it will be a net energy producer, the Port at its discretion, may enter into an agreement with the customer for the purchase of the surplus energy. The Port shall determine the amount of metered net surplus generation over the Settlement Period as described below. The Port will then either provide a monetary credit for net surplus generation to be paid to the customer or apply the monetary credit to the customer's account. Monetary value for each net surplus generated kilowatt-hour shall be based on the Port's avoided cost of energy. Any renewable energy credit associated with net surplus electricity purchased by the Port shall belong to the Port.

Settlement Period

The Port of Stockton will determine the monthly net effect of the renewable generator's production over the 12-month Settlement Period commencing on the anniversary date of the commercial operation of the renewable resource generator.

Termination

If a customer terminates service with the Port, the Port will reconcile the customer's consumption and production of energy during the period between termination, and the later of (i) the end of the last 12-month billing period and (ii) the last reconciliation.

¹ Renewable Resources are as defined in the latest version of the California Energy Commission's (CEC's) Renewables Portfolio Standard (RPS) Eligibility Guidebook and the Overall Program Guidebook. The RPS Guidebooks can be found at: <http://www.energy.ca.gov/renewables/documents/index.html#rps>.

² The aggregate of all eligible customer generators' name plate capacity shall not exceed 2.5% of the Port's aggregate customer peak demand. The District shall retain any excess kilowatt-hours and shall not owe the customer compensation for those excess kilowatt-hours.