

RESOLUTION NO. 1552

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PORTLAND GENERAL ELECTRIC FOR ELECTRICAL POWER SERVICE FOR THE WATER POLLUTION CONTROL FACILITY


THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City is currently constructing a new Water Pollution Control Facility (sewage treatment plant). The new plant will require electrical power, likely as much as or more than the existing plant.
2. The regulated electrical service provider in this area is Portland General Electric (PGE).
3. PGE recommends that the City obtain electricity under Tariff Schedule 83, Level I, rather than our current Tariff Schedule 32, Level II, since the recommended tariff schedule would be more advantageous to the City.
4. The City desires to accept the proposed Tariff Schedule 83, Level I by entering into an Agreement for Electrical Power Service with PGE.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

That the Mayor is authorized to enter into an agreement, attached hereto and made a part hereof, with Portland General Electric for electrical power service for the water pollution control facility.

YEAS: 6
NAYS: 0
ABSTAINED: 0



Paul Thalhoffer, Mayor
Dated: 5-23-01



Debbie Stickney, City Recorder

Adopted: May 22, 2001

City of Troutdale
AND
PORTLAND GENERAL ELECTRIC COMPANY

AGREEMENT FOR ELECTRIC POWER SERVICE
UNDER SCHEDULE 83

April 18, 2001

This Agreement for Electric Power Service ("Agreement") is between City of Troutdale and PORTLAND GENERAL ELECTRIC COMPANY ("PGE"), an Oregon corporation.

The parties agree as follows:

Term of Agreement

This Agreement shall remain in effect for a term of five years from 6/15/01 to 6/15/06 and thereafter from year to year until termination on any anniversary date by not less than 30 days' advance written notice by either party.

Service and Prices

PGE shall furnish electric service to the Customer at a nominal potential of 12.47 kV and in accordance with Schedule 83 of PGE's current tariff on file, which is incorporated herein by reference and a copy of which is attached and marked "Exhibit A". A copy of the General Rules and Regulations of the same tariff is incorporated herein by reference and is attached and marked "Exhibit B". This Agreement and the rates, terms and conditions described in this Agreement, are subject to all changes in applicable tariffs and all lawful orders of the Public Utility Commission of Oregon (OPUC).

Location(s) to be Served

PGE shall furnish to the Customer all of the electric service required by the Customer at its premises located at:

City of Troutdale
Water Pollution Control Facility
1820 NW Greham RD
Troutdale, OR 97060

Point of Delivery

The point of delivery of electric power service is specifically described as:

The line side 12,470 volt primary underground conductors on the bus lugs of the customer owned pad mounted metering gear.

Payment

Customer agrees to pay PGE for electric service furnished under this Agreement, upon receipt of bills prepared in accordance with current tariffs.

Successors and Assigns

This Agreement shall be binding to the successors and assigns of the Customer and of PGE provided that the successors and assigns of Customer must meet all requirements of this Agreement and associated tariff schedules and provisions.

Cancellation of Previous Agreements

Any and all former agreements between the Customer and PGE for electric service covered by this Agreement are hereby canceled and terminated.

Future Service

If, subsequent to entering into this Agreement, the Customer becomes eligible for and wishes to receive its electric service pursuant to another tariff schedule filed by PGE which ties the price of retail electric service to market-based power prices "(Alternative Tariff Schedule)", then the Customer may cease purchasing electric service under Schedule 83 as long as the Customer is purchasing all of its electric service pursuant to the terms of the Alternative Tariff Schedule. The other terms and conditions of this Agreement shall continue to apply. If the Customer ceases purchasing all of its electric service pursuant to provisions of the Alternative Tariff Schedule, the Customer shall immediately resume purchasing electric service pursuant to this Agreement and Schedule 83 for the remaining term of the Agreement.

In the event applicable law permits the Customer to purchase part or all of its electric service from a supplier other than PGE and the Customer ceases to purchase from PGE its full electrical requirements for service to the Customer's electric loads within PGE's service territory, Customer may, upon 30 days written notice to PGE, terminate this Agreement and purchase distribution services from PGE under any applicable tariff filed with the OPUC by PGE. In such event, the Customer agrees to pay PGE's past or continuing costs, if any, associated with serving the Customer (including, but not limited to, any competitive transition costs) that PGE is authorized by the Oregon Public Utility Commission (OPUC) to charge similarly situated customers or, if the OPUC does not have jurisdiction over recovery of such costs, by the Federal Energy Regulatory Commission (FERC).

Other Provisions

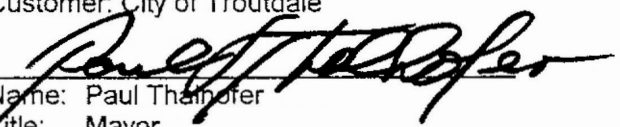
IN NO EVENT SHALL PGE BE LIABLE TO THE OTHER PARTY HERETO FOR ANY LOST OR PROSPECTIVE PROFITS OR ANY OTHER SPECIAL, PUNITIVE, EXEMPLARY, CONSEQUENTIAL, INCIDENTAL OR INDIRECT LOSSES OR DAMAGES (IN TORT, CONTRACT OR OTHERWISE) UNDER OR IN RESPECT OF THIS AGREEMENT OR FOR ANY FAILURE OF PERFORMANCE RELATED HERETO HOWSOEVER CAUSED, WHETHER OR NOT ARISING FROM PGE'S SOLE, JOINT OR CONCURRENT NEGLIGENCE.

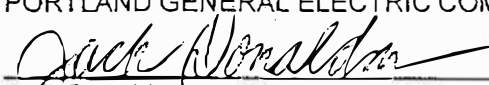
Modifications must be made in writing and signed by both parties including, but not limited to, modifications in the termination provisions of this Agreement.

IIN WITNESS WHEREOF, the undersigned parties have executed this Agreement.

Customer: City of Troutdale

PORTLAND GENERAL ELECTRIC COMPANY



Name: Paul Thainhofer
Title: Mayor


Jack Donaldson
Manager, Commercial/Industrial Accounts

Dated: 5-23-01

Dated: 4/23/2001

Approved as to rate:


Randy Dahlgren
Director, Strategic Pricing

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EXHIBIT "A"

Portland General Electric Company
P.U.C. Oregon No. E-16

Second Revision of Sheet No. 83-1
Canceling First Revision of Sheet No. 83-1

SCHEDULE 83 GENERAL SERVICE, PRIMARY VOLTAGE

AVAILABLE

In all territory, except in areas served by underground network facilities.

APPLICABLE

To industrial, commercial, and general electric service.

CHARACTER OF SERVICE

Three-phase, 60-hertz alternating current at a nominal potential of 11,000 volts or higher as specified by the Company.

MONTHLY RATE

DEMAND LEVEL I

Applicable to Customers whose demand has not exceeded 1,000 kW more than once in any consecutive 18-month period subsequent to January 1, 1977 or who are not otherwise subject to Demand Level II.

The sum of the following Customer, Facilities, Demand, and Energy Charges:*

<u>Customer Charge</u>	\$100
<u>Facilities Charge</u>	\$0.50 per kW of Facility Capacity
<u>Demand Charge</u>	\$3.86 per kW
<u>Energy Charge</u>	3.405¢ per kWh

* See Schedule 100 for applicable adjustments.

For billing purposes, the demand will be not less than 100 kW.

Advice No. 96-23
Issued November 27, 1996
Al Alexanderson, Sr. Vice President

Effective for service
on and after December 1, 1996

SCHEDULE 83 (Continued)

DEMAND LEVEL II - Time of use metered.

Applicable to Customers whose demand has exceeded 1,000 kW more than once in any consecutive 18-month period subsequent to January 1, 1977. This demand level will then remain applicable until the Customer fails to exceed 1,000 kW for a period of 24 consecutive billing months. Customers who do not meet the load requirement of this demand level may nevertheless elect service under it. Such election shall be for a minimum of 24 months.

The sum of the following Customer, Facilities, Demand, and Energy Charges:*

<u>Customer Charge</u>	\$400
<u>Facilities Charge</u>	\$0.50 per kW of Facility Capacity
<u>Demand Charge</u>	
On-Peak Period**	\$3.86 per kW
Off-Peak Period**	No Charge
<u>Energy Charge</u>	
On-Peak Period**	3.622¢ per kWh
Off-Peak Period**	3.140¢ per kWh

* See Schedule 100 for applicable adjustments.

** On-Peak Period is Monday-Friday, 6 a.m. to 10 p.m.

Off-Peak Period is Monday-Friday, 10 p.m. to 6 a.m.; Saturday and Sunday.

For billing purposes, the demand will be not less than 100 kW.

ADJUSTMENTS

Service under this schedule is subject to adjustments approved by the Public Utility Commission of Oregon.

SCHEDULE 83 (Continued)

FACILITY CAPACITY

The kW used in the determination of the Facilities Charge shall be the average of the two greatest non-zero monthly demands established anytime during the 12-month period which includes and ends with the current billing month. For billing purposes, the Facility Capacity will not be less than 100 kW.

MINIMUM CHARGE

The minimum charge shall be the Customer Charge and Facilities Charge, except that, in addition, the Company may require the Customer to execute a written agreement specifying a higher minimum charge, if necessary, to justify the Company's investment in service facilities.

REACTIVE DEMAND CHARGE

In addition to the charges as specified in the Monthly Rate, the Customer shall pay 50¢ for each kilovolt-ampere of reactive demand in excess of 40 percent of the kilowatt billing demand. Such charge is separate from and in addition to the Minimum Charge specified.

SPECIAL CONDITIONS

The Company will transfer Customers between Demand Levels I and II based upon their recorded or estimated demand.

The Customer shall provide, install, and maintain, on the Customer's premises, all necessary transformers and associated wiring to which the Company's service is directly or indirectly connected. The Customer shall also provide, install, and maintain the necessary switches, cutouts, and protection equipment. All transformers and primary voltage equipment and wiring shall be of types and characteristics approved by the Company, and the arrangement and operation of such equipment will be subject to the approval of the Company.

SCHEDULE 83 (Concluded)

Electric service will not be supplied for resale, except on premises and through installations where a Customer engaged in resale to tenants prior to November 5, 1973. In such cases, the Customer shall bill the tenants at the Company's applicable rates or, if approved by the Company, at the Customer's average rate per kWh (the Customer's total bill for electricity including all charges, adjustments and taxes divided by the associated kWh). The Company will allow billing at the Customer's average rate when the Customer does not have adequate metering to bill tenants at applicable rates or the usage characteristics of the tenants do not lend themselves to standard billing.

TERM OF AGREEMENT

Not less than five years.

RULES AND REGULATIONS

Service under this schedule is subject to the General Rules and Regulations contained in the tariff of which this schedule is a part.

Standard Tariff Schedules

Price Summaries for Outdoor Area Lighting and Street & Highway Lighting under separate packets.

E-16 PHASE XIV

Effective October 1, 2000

Tariff Schedules (*)	BASE RATE	Supplemental Schedules									EFFECTIVE RATE **	
		Schedule 101	Schedule 102	Schedule 103	Schedule 105	Schedule 107	Schedule 110	Schedule 111	Schedule 112	Schedule 114		
Schedule 32 Level I (2)												
Customer Charge 1-phase	\$8.50											\$8.50
Customer Charge 3-phase	\$12.00											\$12.00
Energy Charge												
First 5,000 kWh	6.237	-0.056	0.000	0.077	0.000	0.069	-0.058	-0.041	-0.233	0.059		6.054 cents/kWh
Over 5,000 kWh	4.151	-0.056	0.000	0.077	0.000	0.069	-0.058	-0.041	-0.233	0.059		3.968 cents/kWh
Schedule 32 Level II (2)												
Customer Charge 1-phase	\$15.00											\$15.00
Customer Charge 3-phase	\$20.00											\$20.00
Facilities Charge												
First 30 kW	\$0.00											\$0.00 per kW cap.
Over 30 kW	\$0.50											\$0.50 per kW cap.
Demand Charge												
First 30 kW	\$0.00											\$0.00 per kW
Over 30 kW	\$4.30											\$4.30 per kW
Energy Charge												
First 5,000 kWh	6.049	-0.041	0.000	0.057	0.000	0.051	-0.044	-0.030	-0.174	0.044		5.912 cents/kWh
Over 5,000 kWh	3.530	-0.041	0.000	0.057	0.000	0.051	-0.044	-0.030	-0.174	0.044		3.393 cents/kWh
Schedule 32 Level III (2)												
Customer Charge	\$25.00											\$25.00
Facilities Charge	\$0.50											\$0.50 per kW cap.
Demand Charge												
On-Peak	\$4.30											\$4.30 per kW
Off-Peak	\$0.00											\$0.00 per kW
Energy Charge												
On-Peak	3.755	-0.039	0.000	0.057	0.000	0.051	-0.044	-0.030	-0.174	0.044		3.620 cents/kWh
Off-Peak	3.255	-0.039	0.000	0.057	0.000	0.051	-0.044	-0.030	-0.174	0.044		3.120 cents/kWh

(2) General Service. See footnotes at the end of this document and refer to Tariff for application of maximum charges.

Excess kVAR is billed at the effective rate of \$0.50 per kVAR.

(*) See Tariff for application for special conditions.

(**) Does not include the effect of Schedule 115 (Low Income Assistance) Effective January 19, 2000. For Schedule 7 customers add \$0.18 per meter per month.

All other schedules add 0.018 cents per kwh per meter which is capped at \$500 or a maximum usage of 2,777,778 kWh.

Exhibit 1

Standard Tariff Schedules

Price Summaries for Outdoor Area Lighting and Street & Highway Lighting under separate packets.

E-16 PHASE XIV

Effective October 1, 2000

Tariff Schedules (*)	BASE RATE	Supplemental Schedules									EFFECTIVE RATE **	
		Schedule 101	Schedule 102	Schedule 103	Schedule 105	Schedule 107	Schedule 110	Schedule 111	Schedule 112	Schedule 114		
Schedule 82 Level I (7)												
Customer Charge	\$100.00											\$100.00
Facilities Charge	\$0.50											\$0.50 per kW cap.
Demand Charge	\$3.86											\$3.86 per kW
Energy Charge	3.405	-0.035	-0.096	0.049	0.000	0.045	-0.038	-0.027	-0.153	0.039		3.189 cents/kWh
Schedule 82 Level II (7)												
Customer Charge	\$400.00											\$400.00
Facilities Charge	\$0.50											\$0.50 per kW cap.
Demand Charge												
On-Peak	\$3.86											\$3.86 per kW
Off-Peak	\$0.00											\$0.00 per kW
Energy Charge												
On-Peak	3.622	-0.034	-0.096	0.049	0.000	0.045	-0.038	-0.027	-0.153	0.039		3.407 cents/kWh
Off-Peak	3.140	-0.034	-0.096	0.049	0.000	0.045	-0.038	-0.027	-0.153	0.039		2.925 cents/kWh
Schedule 83 Level I (8)												
Customer Charge	\$100.00											\$100.00
Facilities Charge	\$0.50											\$0.50 per kW cap.
Demand Charge	\$3.86											\$3.86 per kW
Energy Charge	3.405	-0.035	0.000	0.049	0.000	0.045	-0.038	-0.027	-0.153	0.039		3.285 cents/kWh
Schedule 83 Level II (8)												
Customer Charge	\$400.00											\$400.00
Facilities Charge	\$0.50											\$0.50 per kW cap.
Demand Charge												
On-Peak	\$3.86											\$3.86 per kW
Off-Peak	\$0.00											\$0.00 per kW
Energy Charge												
On-Peak	3.622	-0.034	0.000	0.049	0.000	0.045	-0.038	-0.027	-0.153	0.039		3.503 cents/kWh
Off-Peak	3.140	-0.034	0.000	0.049	0.000	0.045	-0.038	-0.027	-0.153	0.039		3.021 cents/kWh

(7) Farm and Residential General Service, Primary Voltage. Excess kVAR is billed at the effective rate of \$0.50 per kVAR.

(8) General Service, Primary Voltage. Excess kVAR is billed at the effective rate of \$0.50 per kVAR.

(*) See Tariff for application for special conditions.

(**) Does not include the effect of Schedule 115 (Low Income Assistance) Effective January 19, 2000. For Schedule 7 customers add \$0.18 per meter per month.

All other schedules add 0.018 cents per kwh per meter which is capped at \$500 or a maximum usage of 2,777,778 kWh.

Exhibit 2