

CITY OF KINGSTON

Ontario

BY-LAW NO. 2010-17

A BY-LAW TO IMPOSE GAS RATES

(1425445 Ontario Limited operating as Utilities Kingston)

PASSED: December 15, 2009

As amended by:

(Office Consolidation)

(Distributed: January 28, 2010)

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CITY OF KINGSTON BY-LAW NO. 2010-17

A BY-LAW TO IMPOSE GAS RATES (1425445 Ontario Limited operating as Utilities Kingston)

PASSED: December 15, 2009

WHEREAS pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25, including s. 391 of Part XII, a municipality and a local board may pass by-laws imposing fees or charges on any class of persons:

- (a) for services or activities provided or done by or on behalf of it; and
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board.

AND WHEREAS pursuant to section 396 of Part XII, a by-law under this Part may provide for:

- (a) interest charges and other penalties, including the payment of collection costs, for fees and charges that are due and unpaid;
- (b) discounts and other benefits for early payment of fees and charges;
- (c) fees and charges that vary on any basis the municipality or local board considers appropriate and specifies in the by-law, including the level or frequency of the service or activity provided or done, the time of day or of year the service or activity is provided and whether the class of persons paying the fee or charge are residents or non-residents of the municipality;
- (d) different classes of persons and deal with each class in a different way; and
- (e) the exemption, in whole or in part, of any class of persons from all or any part of the by-law.

AND WHEREAS pursuant to section 398 of Part XII, fees and charges imposed by a municipality or local board or a person under this Part constitute a debt of the person to the municipality or local board, respectively, and in the case of fees and charges for the supply of a public utility the treasurer of a local municipality may add fees and charges imposed by the municipality or local board, respectively, under this Part to the tax roll for the property to which the public utility was supplied in the local municipality and collect them in the same manner as municipal taxes.

NOW THEREFORE the Council of the Corporation of the City of Kingston enacts as follows:

Definitions:

1. In this By-Law:

- (a) "Residential" refers to dwelling unit or multiple dwelling unit up to a maximum of 3 units.
- (b) "Commercial" refers to all non-dwelling units and all multiple dwellings over 3 units as well as any mix of dwelling units and non-dwelling units.
- (c) "Commodity" shall mean a charge for the physical gas molecules by volume or energy content.

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Definitions cont’d:

- (d) “Gas Rate” shall mean a charge for the operation, repair and maintenance of the gas works and includes Commodity, Local Distribution Costs and Transportation and Storage.
- (e) “Local Distribution Costs” shall mean a charge for the operation, repair and maintenance of the gas works from the City of Kingston’s connection to the Trans Canada Pipeline system to the customers’ point of connection.
- (f) “Transportation and Storage” shall mean a charge for the transportation of gas to the City of Kingston’s connection to the Trans Canada Pipeline system and the storage of gas and associated transportation of stored gas as required.
- (g) “Utilities Kingston” means 1425445 Ontario Ltd. operating as “Utilities Kingston” which, including other activities, provides management and operation of gas services under agreement with the City of Kingston.

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2. There is imposed on relevant residential and commercial customers gas distribution rates for all gas distributed by the Corporation of the City of Kingston as set out in Appendix “A” as “Local Distribution Costs”.

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3. There is imposed on relevant residential and commercial customers a transportation and storage rate for services procured by Utilities Kingston for the transportation and storage of gas as set out in Appendix “A” as “Transportation and Storage”. This rate is based on market costs and may be adjusted from time to time without amending this by-law.

(By-law No. 2010-17)

4. There is imposed on relevant residential and commercial customers a rate for natural gas procured by Utilities Kingston for the supply of gas as set out in Appendix “A” as “Commodity”. This rate is based on market costs and may be adjusted from time to time without amending this by-law. This commodity rate applies to only those customers purchasing gas commodity from Utilities Kingston.

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5. Any and all payments due and owing pursuant to the provision of this by-law are due on the due date shown on the invoice. Payment options shall be listed on the back of the Utilities Kingston invoice.

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6. Fees and charges that are due and unpaid will be charged a penalty of up to one and one half (1 1/2) percent per month. All costs and expenses incurred by the municipality in collecting and enforcing unpaid fees and charges shall be added to the amount due and owing. The Treasurer may add unpaid fees and charges to the tax roll of the property to which the service was provided and collect them in the same manner as municipal taxes.

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7. Appendix “A” hereby adopted as part of this by-law subject to the provisions herein permitting the adjustment of certain charges from time to time to reflect market costs.

(By-law No. 2010-17)

8. This By-Law shall come into force and take effect on January 01, 2010.

(By-law No. 2010-17)

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Appendix "A"

Effective January 01, 2010 to April 30, 2010

Gas Rate Structure (Local Distribution Costs)	January 01, 2010 to April 30, 2010
Monthly Service Charge	<u>Rate</u>
Residential	\$18.00
Commercial	\$67.63
Monthly Block Rate Local Distribution Volumetric Charges	per M³
1st 1500 M ³	\$0.0857
Next 3500 M ³	\$0.0459
Next 70,000 M ³	\$0.0277
All over 75,000 M ³	\$0.0160

Gas Rate Structure				
These rates apply to all customers except as follows: Interruptible Customer rates are as per Interruptible Service Gas Contract, and Direct Purchase Customers (Customers signed with a Retailer) commodity rate is as contracted with retailer.				
(effective January 01 2010)				
	Monthly		per M3	
Block #1	1st 1500 M3		\$0.3732	
Block #2	Next 3500 M3		\$0.3334	
Block #3	Next 70000 M3		\$0.3152	
Block #4	All over 75000 M3		\$0.3035	
Residential Service Charge (Monthly)		\$	18.00	
Commercial Service Charge (Monthly)		\$	67.63	
<u>Components that make up the M3 monthly block rates</u>				
per M 3	Commodity	Trans & Storage	Local Distribution Costs	Total
Block #1	0.1879	0.0996	0.0857	\$ 0.3732
Block #2	0.1879	0.0996	0.0459	\$ 0.3334
Block #3	0.1879	0.0996	0.0277	\$ 0.3152
Block #4	0.1879	0.0996	0.0160	\$ 0.3035

City of Kingston By-law No. 2010-17 "Gas Rates"

Appendix "A"

Effective May 01, 2010

Gas Rate Structure (Local Distribution Costs)	May 01, 2010
Monthly Service Charge	<u>Rate</u>
Residential	\$18.63
Commercial	\$70.00
Monthly Block Rate Local Distribution Volumetric Charges	per M³
1st 1500 M ³	\$0.0887
Next 3500 M ³	\$0.0480
Next 70,000 M ³	\$0.0287
All over 75,000 M ³	\$0.0166
