

ORDINANCE NO. 23-02

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
KIRKWOOD MEADOWS PUBLIC UTILITY DISTRICT
REVISING ELECTRIC RATE STRUCTURE**

Section 1. Purpose and Authority. The purpose of this ordinance is to amend Ordinance 21-02, Exhibit A for customers that receive electric service from Kirkwood Meadows Public Utility District (“District”). The District Board of Directors adopts this ordinance pursuant to Government Code section 66018, Public Utilities Code sections 16461 and 16467 through 16472, and other applicable laws.

Section 2. Findings. The District Board of Directors finds as follows:

- A) In 2007, the Alpine County Local Agency Formation Commission authorized the District to provide electric service within its service area. In 2009, the District Board of Directors adopted Ordinance No. 09-02 authorizing the acquisition of Mountain Utilities’ (“MU”) electric and propane gas systems and approving an Asset Purchase Agreement with MU. The District adopted Ordinances 11-01, 13-01, 14-04, 14-06, 16-01, 21-02, 22-01, and 23-01 which each successively revised electric rates and rate structures.

- B) Per Ordinance 21-02, the Usage Rates adopted are not reflective nor adaptive to recent electric market fluctuations and volatility and expose the District to significant financial losses.

The Board has determined that it is desirable to amend the Usage Rate to reflect updated, hedge market pricing through June 30, 2026.

Section 3. Ordinance 21-02 Shall be Amended to Read as Follows:

Exhibit A, Usage Rate row:

| | FY 2020/21 | FY 2021/22 | FY 2022/23 | 7/1/23 - 12/31/23 | 1/1/24 - 6/30/24 | FY 2024/25 | FY 2025/26 |
|----------------------|---------------|---------------|---------------|----------------------|---------------------|---------------|---------------|
| Usage Rate (per kWh) | \$ 0.656 | \$ 0.220 | \$ 0.220 | \$ 0.220 | \$ 0.240 | \$ 0.240 | \$ 0.240 |

Section 4. California Environmental Quality Act. The District Board of Directors finds that the electric charges that are adopted and imposed by this ordinance are for the purposes of meeting operating expenses of the District’s electric system, meeting the financial reserve needs, and obtaining funds for improvements that are necessary to maintain and enhance electricity within the existing District service area. The adoption and imposition of the electric charges therefore are exempt from environmental review under the California Environmental Quality Act (“CEQA”), pursuant to Public Resources Code section 21080, subdivision (b)(8), and CEQA Guideline section 15273.

Section 5. Effective Date. The changes set forth above shall take effect January 1, 2024.

Section 6. Posting. Within 23 days after the date of passage of this ordinance, the Secretary of the Board of Directors shall post a copy of this ordinance in at least three public places in the District.

Section 7. Superseder. This ordinance supersedes the Usage Rate row of Exhibit A in Ordinance 21-02.

PASSED AND ADOPTED by the Board of Directors of the Kirkwood Meadows Public Utility District on the 8th day of December, 2023 by the following vote:

AYES: President Epstein, Directors Mitarotonda, Schroeder, Tucher, Dornbrook.

NOES:

ABSTAIN:

ABSENT:



President, Board of Directors

Attest:



Secretary, Board of Directors