

**CHAPTER 10**

**ELECTRIC SYSTEM**

**ARTICLE I - ADMINISTRATION**

**10-1-1**     **DEPARTMENT ESTABLISHED.**     There shall be an executive department of the Village known as the Electric Department. It shall include the Public Works Director, the Electric Committee, appointed by the Mayor with the advice and consent of the Village Board, and its employees. The designated office shall be the Village Hall.

**10-1-2**     **SUPERVISION BY COMMITTEE.**     The standing committee on Electric shall exercise a general supervision over the affairs of the Electric Generation & Distribution Department. The committee shall ascertain the condition and needs thereof and shall from time to time report the same to the corporate authorities so that a full understanding thereof shall be achieved. The Committee shall recommend any action necessary to promote the efficiency of the Electric Department.

**10-1-3**     **GENERAL TERMS AND CONDITIONS.**     The rates of the Village are designed for uniform application to the greatest number of consumers under various rate classifications. They contemplate certain types of services and certain facilities to be furnished without additional charges to the consumer. Services and facilities beyond those contemplated are provided upon payment of additional charges as outlined in the Village's "Non-Standard Service" provision. These general terms and conditions are applicable to all of the Village electric rates.

**10-1-4**     **DEFINITION.**     A "consumer" is an individual, corporation, partnership, or other single business entity which has applied for and received electric service from the Village.

**10-1-5**     **SERVICE AT EACH PREMISES.**  
(A)           One of the required capacity, but not larger than 400 ampere, single-phase service will be supplied to each separate premises of a customer. **(Ord. No. 1205; 01-17-06)**

(B)           Additional services shall be furnished to a single premises under the Village's "Non-Standard Service" provision, and the Village will combine demands and energy consumption for billing purposes.

**10-1-6**     **STATE GROSS RECEIPTS EXCISE TAX.**     Pursuant to the provisions "An Act Concerning Public Utilities," **220 ILCS 5/9-222**, as amended, authorizing certain additional charges for services rendered, and Section 2 of "The Public Utilities Revenue Act," (repealed effective August 1, 1998) levying certain taxes on services rendered, the Village shall

add a **five percent (5%)** tax, or tax at such other rate as determined by law, on the net amount of each bill as figures under the applicable rates. Such additional charges shall be added to all billings for electricity furnished for use or consumption and not for resale and for all services rendered in connection therewith.

**10-1-7**      **METERING.** The Village will furnish and maintain all metering equipment necessary for measuring and billing the electricity supplied. The consumer shall provide a suitable place for the metering equipment, which shall be readily accessible to employees of the Village for reading, testing, inspecting, or exchanging such metering equipment.

**10-1-8**      **AGENTS CANNOT MODIFY AGREEMENT.** No agent has the authority to amend, modify, or alter the contract for services, waive any of its conditions, or to bind the Village by making any promises or representations not contained therein without an affirmative vote of the Village Board of Trustees.

**ARTICLE II – SERVICE REGULATIONS**

**10-2-1**        **ACCESS TO PREMISES.** The properly authorized agents of the Village shall, at all reasonable hours, have free access to the premises for the purpose of reading, examining, repairing, or removing the Village's meters or other property.

**10-2-2**        **RIGHT OF CUT-OFF.** The Village shall have the right to discontinue its electric service in accordance with the provisions of **Section 38-2-1** of this Code.

**10-2-3**        **CHARGE FOR RECONNECTION.** Where service has been disconnected as provided for herein, or at customer's request service has been disconnected for a period of less than **one (1) year**, a charge of **Twenty Dollars (\$20.00)** shall be made by the Village for restoring service during normal working hours or **One Hundred Dollars (\$100.00)** at other than normal working hours.

**10-2-4**        **TESTING OF UTILIZATION EQUIPMENT.** If any consumer has an abrupt increase in demand occasioned by the testing of utilization equipment for use on his or her premises, the increased demand so occasioned shall not be taken into account in the determination of the consumer's maximum demand; provided that the consumer shall have arranged with the Village in writing, at least **five (5) days** in advance for the making of the test at a time approved by the Village.

**10-2-5**        **INTERRUPTION OF SERVICE.** The Village shall not be responsible in damages for any failure to supply electricity or for interruption or reversal of the supply if such failure, interruption, or reversal is without willful default or negligence on its part.

**10-2-6**        **DEPOSIT.** The Village requires a deposit for electric service under the terms of **Sections 38-2-7** and **38-2-8**.

**10-2-7**        **ASSIGNMENT.** The benefits and obligations of the contract for services shall inure to and be binding upon the successors and assigns for the original parties thereto, respectively, for the full term thereof; provided that no assignment shall be made by the consumer without first obtaining the Village's written consent and provided further that the successor shall execute and deliver to the Village an agreement assuming and agreeing to be bound by the original contract.

**10-2-8**        **FIRE OR OTHER CASUALTY ON CONSUMER'S PREMISES.** In case fire or other casualty shall occur on the consumer's premises rendering the premises unfit for the purposes of the consumer's business, the consumer's electric service shall thereupon be suspended until such time as the premises shall have been reconstructed and reoccupied by the consumer for the purpose of his or her business.

**10-2-9 EQUIPMENT FURNISHED AND MAINTAINED BY CONSUMER.** All wiring and other electrical equipment on the consumer's premises, or equipment connecting the premises with the Village's service furnished by the consumer shall be suitable for the purposes thereof and shall be installed and maintained by the consumer at all times in conformity with the requirements of the National Board of Fire Underwriters, the properly constituted Local Authorities, and the National Electric Code.

**10-2-10 VILLAGE PROPERTY AND PROTECTION THEREOF.** All meters, transformers, poles, structures, and other facilities placed on the consumer's premises by the Village for the purpose of rendering electric service to said premises, unless otherwise expressly provided, shall be and remain the property of the Village, and the consumer shall exercise reasonable care to protect such property from loss or damage. When there is a change in the consumer's operation or construction which, in the judgment of the Village, makes the relocation of the facilities necessary, or if relocation is requested by the consumer, the Village will move such facilities at the consumer's expense to an acceptable location on the consumer's premises.

**10-2-11 UNDERGROUND ELECTRIC SERVICE.** Underground electric service is available to a consumer with new construction in existing and new subdivisions and to an existing consumer as stated herein:

(A) Underground electric service to an isolated lot in a new or existing subdivision which is served with overhead primary cables shall be allowed. The Village shall provide and install the underground cables from the nearest service pole to the building and bill the consumer for the charges. The consumer shall provide a weather-proof disconnect switch ahead of the meter and at the service pole.

(B) Underground primary electric and secondary service to a new subdivision of **eight (8)** contiguous lots or more may be allowed if all electric lines in the complete subdivision, as recorded, are underground. The subdivider or an appointed representative of the subdivision will negotiate with the Village.

(C) Underground electric service will not be allowed for use on mobile homes or temporary buildings, except that underground primary distribution systems and secondary services may be provided to a permanent mobile home as in **Section 10-2-8** or a total permanent mobile home park as described in division (B) of this Section. A mobile home park is permanent when the following improvements have been installed:

- (1) Village water supply;
- (2) Sewers connected to sewer mains; and
- (3) Paved streets.

**10-2-12 MOTORS AND APPARATUS.** Motors and apparatus shall be as follows:  
(A) The Department reserves the right to select the type of service to be supplied and shall be consulted before equipment is purchased or ordered by a customer. This shall be applicable to those customers having motors five HP and larger or where the aggregate load of smaller motors is more than **seven and one-half (7.5) HP**.

(B) All three-phase electric service shall be by demand metering.

(C) Motors and motorized equipment will generally be approved for use on the electric system only if the total locked motor current does not exceed an acceptable level, as determined by the Public Works Director.

(D) If starting currents are objectionable and will cause interference on the electric system, in the judgment of the Public Works Director, reduced voltage starting or such other methods as the Public Works Director determines feasible will be required to be furnished by the customer.

**10-2-13**     **DUSK-TO-DAWN LIGHTS.**     Rented dusk-to-dawn lights shall be provided as follows:

(A) Private lighting luminaries (dusk-to-dawn lighting services) for homes, schools, security, churches, commercial areas, and industry shall be provided where feasible and in keeping with good electrical practice, as per the following specifications:

- (1) A self-contained automatic dusk-to-dawn 100-watt or 250-watt lighting fixture shall be furnished and installed by the Village Electric Department, such fixture to meet standards and specifications of the Village, on existing wood pole structures for the customer's use at a monthly charge rate of **Eight Dollars (\$8.00)** per unit for a 100-watt unit and **Sixteen Dollars (\$16.00)** for a 250-watt unit for a minimum **two (2) year** period. The charges per month shall be added to the customer's monthly utility bill and shall become an integral part of the bill.
- (2) The Electric Department shall be responsible for making the installation, furnishing the electricity for the operation of the lamp, providing all the necessary maintenance (including the replacement of lamps, but excluding malicious damage) for the **two (2) year** period and all subsequent time additions to the length of service, as agreed to by the Village.
- (3) Should the installation of a standard lighting unit require installation by the Electrical Department of additional facilities not required by the Village for distribution purposes other than the private outdoor lighting to be installed, the Electrical Department shall furnish, install, own, and maintain the additional facilities (including wood poles), which may be necessary to provide such lighting from nearby distribution lines. The customer shall be invoiced for the additional cost and such costs shall be paid prior to installation of such additional facilities.
- (4) A **two (2) year** minimum contract shall be agreed to and signed by each customer desiring dusk-to-dawn lighting service, authorizing fixed monthly charges to be applied to the monthly municipal utilities bills. A lighting agreement shall be substantially in the form set forth in **Appendix "A"**. In the event that a customer desires the removal of the unit or discontinuance of the service, the remainder of the charges to complete a **two (2) year** contract shall become due and payable by the customer.
- (5) Dusk-to-dawn lighting shall be installed on wood poles with a normal ground-to-lamp height of approximately **twenty-five (25) feet**. Should a customer desire his or her lighting on steel,

aluminum, concrete, or decorative type poles, the Village Electric Department may, at its sole discretion, install or cause the special service to be installed. The customer shall bear the total cost and the additional charge shall be payable by the customer prior to installation.

- (6) The customer shall have the responsibility to notify the Village Electric Department of any interruption of service of the dusk-to-dawn lighting service. The Electric Department will restore service only during regularly scheduled working hours and shall, in any event, be under no obligation to do so before **seventy-two (72) hours** from the time of notification. In the event the Electric Department is unable to effect repairs of damage not caused by the customer within this period, the Electric Department's only responsibility will be to abate the charges on a pro-rata basis for each day after **seventy-two (72) hours** in which service is not available. The customer shall remove any obstruction to the installation of the Village-owned facilities. Trimming of trees to improve the distribution of light shall be the customer's responsibility. The customer shall provide any permits or easements required for the installation or maintenance of the Village-owned facilities and permit access to such facilities by the Electric Department vehicles and personnel.

**(Ord. No. 1434; 10-15-12)**

**10-2-14 CONSTRUCTION OF SERVICES.** All construction of services shall, in general, be in accordance with the drawings set forth in **Appendix B**, unless otherwise approved by the Public Works Director.

**10-2-15 GUIDELINES FOR INTERCONNECTION TO THE VILLAGE OF FREEBURG MUNICIPAL ELECTRIC SYSTEM.** The Village of Freeburg shall make available, upon request, interconnection services to any customer that meets the required guidelines. Interconnection services in this policy refers to on-site generating facilities connected to the Village of Freeburg's Municipal Electric System in a manner that will allow excess electricity generated by the eligible on-site generating facility to be safely delivered onto the Village of Freeburg's electric distribution system.

(A): Guidelines for interconnecting to the utility system are as follows:

1. Only generating facilities that have been approved by the Public Works Director and/or Head Lineman of the Village of Freeburg Electric Department (or official designated by the utility) shall be interconnected with the Village of Freeburg's electric distribution system.
2. Interconnection Services shall only be available to premises with aggregated total generation t a single customer site of less than 300 kW.
3. All interconnections shall comply with IEEE Standard 1547 for Interconnecting Distributed Resources with Electric Power Systems (IEEE 1547) as they may be amended from time to time.

4. The Village of Freeburg is under no obligation to purchase energy supplied to the utility under this standard. This does not preclude the customer meeting applicable standards that would allow the customer to supply power onto the utility's system and receive credit for such energy under the utility's Net Metering Policy.
5. If the customer qualifies under the Interconnection standard but does not qualify under the Net Metering Policy, then any energy delivered to the utility system shall be surrendered to the utility with no value. The Village of Freeburg will install a meter that will not provide any credit for energy delivered to the utility system and the customer will pay for any costs associated with the meter charge.
6. Customers will comply with all other applicable utility standards for interconnection.
7. Capacity of 10kW or less and interconnected to the utility system shall comply with IEEE 1547 section 5.5, periodic interconnection tests. All interconnection related protective functions and associated batteries shall be periodically tested at intervals specified by the manufacturer system integrator, or the authority that has jurisdiction over the Distributed Resources interconnection, or all tests shall be performed at a minimum of every three (3) years. Periodic test reports shall be maintained and submitted to the Village of Freeburg Electric Department.
8. Systems of greater than 10 kW shall perform all interconnection-related protective functions and associated battery testing on a yearly basis. All test reports shall be submitted to the Village of Freeburg Electric Department after completion of the yearly testing.
9. Reports required under Section 2, paragraphs g. and h., must be submitted within 30 days of the anniversary date of the energizing of the interconnect generating. If the required reports are not received within the period, the generation must be disconnected until such time as the reports are submitted.

- (B) The Village of Freeburg Electric Department shall develop such documents as needed to implement this policy.

**(Ord. No. 1522; 11-17-14)**

**10-2-16 NET METERING GUIDELINES FOR INTERCONNECTION OF ON-SITE GENERATING FACILITIES CONNECTED TO THE VILLAGE OF FREEBURG'S MUNICIPAL ELECTRIC SYSTEM**

- (A) The Village of Freeburg shall make available, upon request, net metering service to any customer taking service from the Village of Freeburg and who meets the requirements set forth in this policy. For purposes of this policy, "net metering" means service to an electric customer under which electric energy generated by that electric customer from an eligible onsite generating facility owned by that customer and, under some circumstances, delivered to the local distribution facilities may be used to offset electric energy provided by the electric utility to the electric customer as provided for in this policy.
- (B) For purposes of this policy, an eligible on-site generating facility shall be defined as a renewable generating facility such as a photovoltaic facility and small wind turbines. Other forms of renewable fuels shall be considered on a case by case basis. In all cases, facilities interconnected must be deemed to be renewable to qualify for this policy.
- (C) The electric generating facility must also abide by the Village of Freeburg's Interconnection Standards.

- (D) Subject to the limitations set forth herein, the Village of Freeburg shall make net metering service available upon request to any Village of Freeburg's electric customer with a qualifying generating facility of 10kW capacity or less.
- (E) Any generating facility greater than 10kW shall be considered on a case by case basis. The decision with respect to such facilities shall be made by the Electric Department Head Lineman.
- (F) Total net metered capacity interconnected under this policy for the Village of Freeburg's system shall not exceed 2% of the system's peak as it existed in the prior calendar year. In the event that the system peak is reduced such that the existing net capacity exceeds the 2% level, those existing net metered customers shall be allowed to continue under this policy. However, no new interconnections will be allowed until such time as the system peak grows such that net metered capacity is again no greater than 2% of the system's peak.
- (G) Energy generated by the customer-owned generator will offset the energy required by the customer's load during the billing period. For any energy generated by the customer, in excess of the energy required by the customer's loads for a given billing period, said customer will not receive any credit or compensation of any kind for any future billing period. Nothing in this agreement shall relieve the customer's obligation to pay any taxes, fees, purchase power adjustment, or monthly facility charge associated with any billing period.
- (H) Any costs the Village of Freeburg incurs associated with the net metering program, including but not limited to changes in metering, other physical facilities or billing-related costs shall be borne by the participants in the net metering program.
- (I) The Village of Freeburg's Electrical Department and the Village of Freeburg may modify the net metering policy as required by law or as determined by the needs of the Village of Freeburg.

**ARTICLE III – RATES AND FEES; BILLING**

**10-3-1 ELECTRICAL RATES.** The following classification of electric service at the rates and on the qualifications, conditions and terms as respectively set forth are hereby established for the sale of electric energy by the Municipal Light Plant and Distribution System of the Village to customers adjacent to the distribution lines of the plant and system.

(A) **Single Phase Service (Rate 1).** Available for any residence, individual apartment, business or any other consumer located adjacent to the municipalities service lines, who utilizes single phase, 120/140 volt service, which shall not be available for resale.

- (1) The charge per month per meter installation shall be:  
Facilities Charge - \$5.49 per monthly billing period per meter installation (Note: One customer to pay this charge once only in one billing month in event of change of location or meter change).  
Plus  
Energy Charge – (plus Fuel Adjustment Charges to be added).  
(For all bills rendered.)

**Rate 1**

For the first 300 KWH	\$8.369 cents per KW-HR
For the next 1,000 KWH	\$8.002 cents per KW-HR
For all over 1,300 KWH	\$6.859 cents per KW-HR

Minimum Charge: Shall be the Facilities Charge.

(B) **Three-Phase Service (Rate 2).** Available for any customer using three-phase service for lighting and/or power. Customers qualifying for this rate may optionally choose to be served under Rate 1: (1) if the customer’s prior electric usage history shows the customer’s previous **twelve (12) months** usage to be an average of 30,000 kwh or less per month or (2) if there is less than **twelve (12) months** of usage history, that the estimated average monthly usage will be 30,000 kwh or less.

Rate 2 customers opting for service under Rate 1 must remain on that rate for a minimum of **twelve (12) months**. If, at any time after **twelve (12) months**, the customer’s usage during the most recent **twelve (12) months** exceeds an average of 30,000 kwh per month, the customer will be changed to service under Rate 2 and must remain on that rate for a minimum of **twelve (12) months**.

- (1) Net Rate. The charge per customer per month shall be the sum of the following capacity and energy charges:  
Demand Charge - \$3.60 per KW of the maximum fifteen (15) minute demand each month.

**Rate 2**

For the first 50,000 KWH	\$6.765 cents per KW-HR
For all over 50,000 KWH	\$5.390 cents per KW-HR

(C) **Three-Phase Service Large Customer (Rate 3).** Available for any customer using three-phase service for lighting and/or power with a demand equal to or in excess of 250 kilowatts.

Although the Village has established a rate for large loads, the Village does not hold itself out as ready to service such loads within all reason of the community under the provision of its standard contract for yearly periods, consumers whose requirements or whose increase in requirements, exceeds **two hundred fifty (250) KW**. Such capacities in some instances shall require special arrangements by both the Village and the consumer, which may be made subject of special agreements both as to the form of the contract and other conditions requiring considerations.

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- (1) Net Rate. The charge per customer per month shall be the sum of the following capacity and energy charges:  
Demand Charge - \$3.95 per KW of the maximum fifteen (15) minute demand each month.

**Energy Charge:** (Plus Power Cost Adjustment to be added.)  
For the first 50,000 KWH \$7.186 cents per KW-HR  
For all over 50,000 KWH \$5.706 cents per KW-HR

(D) **Vacation Rate (Rate 4).** When a business which is classified under the three-phase demand rate as established under **Section 10-3-1(B)** and **(C)** and is no longer operating as a business using a building or facility served by a demand billing rate and has not required the use of the three-phase demand service for the most recent **thirty (30) day** period, they may request to be considered for the vacation demand rate. The request may be in writing prior to or after the **thirty (30) day** period has elapsed. The demand customer, upon meeting the above-established requirements as a user, may choose to request the Village to place the business facility in question on a vacation demand billing rate for a period not to exceed **twenty-four (24) months** or the duration of the cessation of any business operation at the facility whichever is the shortest period of time. Once the facility is placed in use, once again, the owner shall notify the Village and begin paying the demand billing as per the normal rate calculation classification as any other ongoing business concern. The vacation demand billing rate is hereby established to be a flat monthly rate of **Twenty Dollars (\$20.00)** per month per each vacated demand metering device at individual business facilities to be added to any regular monthly meter reading of all metering devices or any and all minimum rates whichever is greater as provided for exclusive of demand meter readings.

(E) **Determination of Billing Demand.** The billing demand each month shall be the maximum demand indicated in that month, but not less than **seventy-five percent (75%)** of the highest summer month billing demand for any of the preceding **eleven (11) months** and in no case, less than **three (3) KW**.

(F) **Village Electric Service (Rate 5).** Available for any Village purpose as approved by the Board of Trustees, which, in their opinion, would benefit the Village. Electric services under this rate are street lighting, water pumping, sewage treatment, Municipal Center, etc.

- (1) Rate. For all energy – 6.994¢ per KW-HR  
Fuel Adjustment Charge (Rate FAC) – For each 0.01 cent increase or decrease or major fraction thereof in the base annual average fuel cost and/or average cost of purchased power of 4.3 cents per KW-HR in the first **three (3)** of **four (4) months** preceding the billing period, there shall be correspondingly added to or subtracted from each customer's bill, an amount equal to 0.011 cents per KW-HR times the total KW-HR billed to the customers, on all of the above rates.

**(Ord. No. 1115; 09-15-03)**

**10-3-2 MONTHLY BILLS.** For the purposes hereof, the terms "month" or "monthly" shall mean the period between any two consecutive regular meter readings taken as nearly as practicable at **thirty (30) day** intervals.

**10-3-3 NET PAYMENT PERIOD ENDING ON SATURDAY, SUNDAY OR HOLIDAY.** When the last day of any net payment period falls on a Saturday, Sunday or a legal holiday, such period will be automatically extended to include the following first full business day.

**10-3-4 PAYMENT BY MAIL.** Net payments received by mail after the net payment period has expired will be credited to the consumer's account. The difference between the net payment and the gross payment due will be added to the consumer's next bill.

**10-3-5 FEE SCHEDULE FOR SERVICE TAPS.** The following fees shall be paid by each customer requiring service:

(A) **Fee.** (Standard 120/240 volt single-phase 3 wire service).

(1) Tap Fee – Permanent Service: \$550.00.

(a) **Underground Electric Service.** Tap fee includes the first **one hundred (100) feet** of underground wire and meter. Any additional length beyond the first **one hundred (100) feet** will be charged at: **One Dollar Fifty Cents (\$1.50)** per foot for 200 amp wire and **Two Dollars Fifty Cents (\$2.50)** per foot for 400 amp wire.

(b) **Overhead Electric Service.** Tap fee includes the first **one hundred fifty (150) feet**. If it is over **one hundred fifty (150) feet**, a line extension is needed and will be subject to labor and material costs.

(c) **Temporary Service for Construction Purposes Only.** **Fifty Dollars (\$50.00)** plus **One Hundred Dollar (\$100.00)** deposit. Deposit will be refunded upon removal of temporary service unless temporary meter is damaged. Village will provide meter and connection. Temporary service inspected by Village and billed monthly.

(d) **Line Extensions.** Extensions of primary lines and addition of poles or transformers will be subject to labor and material costs.

**(Ord. No. 1482; 01-08-14)**

(2) In addition to the above tap fee, labor and materials for service installation will be billed at \$3.00 per foot of run as measured from property line to connection at meter, plus the actual cost of the meter.

(3) Temporary Service for construction purposes - \$50.00 plus \$100.00 deposit. Deposit will be refunded upon removal of temporary service unless temporary meter is damaged.

**(Ord. No. 1205; 01-17-06)**

(B) **For Nonstandard Service.**

(1) Any person, firm or corporation requesting special electrical service (3-phase service or a special voltage), requiring additional line and/or additional or special transformers to supply electric energy shall pay, prior to the time electrical service is installed, a sum equal to **fifteen percent (15%)** of the cost of the

additional line, transformers and labor necessary to make the necessary installation. The cost for such service shall be computed by the Public Works Director and if the cost of equipment and labor exceeds **Two Thousand Dollars (\$2,000.00)**, the applicant shall pay **fifteen percent (15%)** of the first **Two Thousand Dollars (\$2,000.00)**, plus **fifty percent (50%)** of the excess over and above **Two Thousand Dollars (\$2,000.00)**. As an option, in exchange for a long-term agreement, the Village may consider a service charge on the entire cost at **one and one-half percent (1½%)** per month.

- (2) If a customer elects and makes a request to have a nonstandard service and the feasibility of such service is approved by the Public Works Director to provide such service, the customer assumes all risks incurred from such special nonstandard service. These risks would include extended outages that may be due to transformer failure until the transformer is repaired or a suitable replacement can be obtained and installed.

**10-3-6      USE OF SERVICE.**

(A) **Power Factor; Rates.** The Village retains rates that are applicable to industrial and commercial services which are based on all such customers maintaining a power factor of not less than **ninety percent (90%)** lagging. In the event a customer's power factor is less than **ninety percent (90%)** during periods of normal operation, the Village reserves the right to require the customer to install, at his or her expense, such corrective equipment as may be required to increase customer's power factor to not less than **ninety percent (90%)**.

(B) **Objectionable Conditions.** When a customer fails to install the necessary facilities on his or her premises to correct the objectionable conditions of his or her load or fails to prevent such objectionable conditions from interfering with the Village's supply of satisfactory service to other customers, the Village shall have the right to deny service to such customer until the objectionable conditions shall have been corrected in a manner satisfactory to the Village.

(C) **Cost of Additional Equipment.** Whereas corrective equipment is installed by the Village on its distribution system to correct any objectionable conditions, the customer whose service caused the objectionable conditions will be required to pay the Village, without refund, the installed cost of such corrective equipment, which said corrective equipment shall remain the property of the Village. In lieu of such payment, and subject to approval by the Village, a customer may elect to pay a monthly charge equal to **one and one-half percent (1.5%)** of the installed cost of such corrective equipment installed by the Village.

**10-3-7      ELECTRIC UTILITY FRANCHISE FEE.**

(A) **Fee Imposed.** A fee is hereby imposed on all entities engaged in the business of distributing, supplying or selling electricity for use or consumption within the corporate limits, including the Village Electric Department, and not for resale, at a rate of **five percent (5%)** of the gross receipts therefrom.

(B) **Exemptions.** No fee is imposed by this Section with respect to any transaction in interstate commerce or otherwise to extent to which such transaction is not subject to such fees imposed by this state or any political subdivision thereof; nor shall any entity engaged in the business of distributing, supplying or selling electricity be subject to the fee for those transaction as are or may become subject to taxation under the provisions of the Municipal Retailer's Occupation Tax (**65 ILCS 5/8-11-1**).

(C) **Definitions.** For the purpose of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ENTITY.** Any individual, firm, trust, estate, partnership, association, joint stock company, joint venture, corporation, municipal corporation or political subdivision of the state, or a receiver, trustee, guardian or other representative appointed by order of any court.

**GROSS RECEIPTS.** The consideration received for the distributing, supplying, furnishing or selling of electricity for the use or consumption, and not for resale, and for all services rendered in connection therewith valued in money, whether received in money or otherwise, including cash, credit, services and property of every kind and material and for all services rendered therewith, and shall be determined without any deduction on account of the cost of the service, product or commodity supplied, the cost of materials, used, labor or service costs, or any expenses whatsoever.

(D) **Method of Payment.** On or before the last calendar day of each month, each entity, including the Village Electric Department shall make a payment to the Village general fund in the amount of the fee imposed hereby, together with any reasonable information as requested by the Village to substantiate the amount of such payment.