RESOLUTION NO. IPUC 2009-02

A RESOLUTION OF THE INDUSTRY PUBLIC UTILITIES COMMISSION REVISING THE RATES FOR ELECTRIC SERVICE IN THE CITY OF INDUSTRY

WHEREAS, on January 25, 2001, the City Council of the City of Industry adopted its Resolution No 1878 to establish, develop and operate a public utility, including the provision of electrical service, in accordance with the provisions of the Constitution and the laws of the State of California; and,

WHEREAS, on February 22, 2001 the City Council of the City of Industry adopted its Ordinance No. 664 to establish a public utilities system for the City of Industry, to be managed and operated under the authority of the Industry Public Utilities Commission (the "IPUC”); and,

WHEREAS, on May 5, 2002, the IPUC began retail electrical service for portions of the City of Industry; and,

WHEREAS, on December 13, 2007, to offset the rising prices of wholesale electricity, together with increases to utility costs and charges, the IPUC adopted their Resolution No. 2007-04 to revise and set the rates for electric service in the City of Industry (the “Schedule of Rates”). The Schedule of Rates included Schedule A (General Services), Schedule B (Large General Service), Schedule C (Street Lighting Service for IPUC Owned System), together with a Chart of other Charges and Fees; and,

WHEREAS, the IPUC has reviewed the current rate structure against the rising prices of wholesale electricity, together with increases to utility costs and charges, and finds that an increase of rates is again necessary to offset such increased in utility rates, costs and charges; and

WHEREAS, Section 7.04.060 D of the Industry Municipal Code provides that utility rates and charges may be established by resolution of the IPUC; and,

WHEREAS, attached hereto, marked as Exhibit “A,” and incorporated herein by this reference, is an amendment to the Schedule A and Schedule B rates of the Schedule of Rates for electricity service; and,

WHEREAS, the rates as established by this Resolution are reasonably related to the cost of electricity service such that revenues will not exceed the operational costs of the electricity service system; and,

WHEREAS, on July 9, 2009, the IPUC held a duly noticed public hearing regarding the proposed increases to the electricity rates and considered all public testimony submitted.

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.
NOW THEREFORE, THE INDUSTRY PUBLIC UTILITIES COMMISSION DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. The IPUC Board hereby determines that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2 The revised rates for electricity service, Exhibit “A,” are hereby adopted.

SECTION 3 Except as amended by Exhibit “A,” the Schedule of Rates shall remain in full force and effect.

SECTION 4 The Secretary shall certify to the adoption of this Resolution.

PASSED, ADOPTED and APPROVED this 9th day of July, 2009.

David Perez, President

ATTEST:

Jodi L. Scrivens
Secretary, IPUC

APPROVED AS TO FORM:

Michele R. Vadon
General Counsel, IPUC
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF INDUSTRY

SECRETARY’S CERTIFICATION
RE: ADOPTION OF RESOLUTION

I, Jodi L. Scrivens, Secretary of the Industry Public Utilities Commission, do hereby certify that the foregoing Resolution No. 2009-02 was duly passed and adopted at a regular meeting of the Industry Public Utilities Commission on July 9, 2009, by the following vote, to wit:

AYES: BOARD MEMBERS: Ferrero, Spohn, Parriott, Haber, C/Perez

NOES: BOARD MEMBERS: None

ABSENT: BOARD MEMBERS: None

ABSTAIN: BOARD MEMBERS: None

Jodi L. Scrivens, Secretary
City of Industry, California

(SEAL)
Exhibit “A”

Schedule A
General Service

Rates

Customer Charge – Per meter day .................................................. $0.363

Energy Charge -- $/kWhr (to be added to Customer Charge)
Summer, all kWhr, per kWhr .................................................. $0.1624
Winter, all kWhr, per kWhr .................................................. $0.11361

Schedule B
Large General Service

Rates

<table>
<thead>
<tr>
<th>Per Meter</th>
<th>Per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer</td>
<td>Winter</td>
</tr>
</tbody>
</table>

Customer Charge .................................................. $44.31  $44.31

Demand Charge
Facilities Related Component
All kW of Billing Demand per kW .......... $4.17  $4.17
Time Related Component
All kW of Billing Demand per kW .......... $5.97  $0.00

Energy Charge $/kWhr
For the first 300 kWhr per kW of Maximum Demand, per kWhr .... $0.09216
All excess kWhr, per kWhr .................................................. $0.10403
SCHEDULE A
GENERAL SERVICE

Applicability

Applicable to underground service for all types of uses, including lighting and power. Customers whose monthly maximum demand is expected to exceed 20 kW, or has exceeded 20 kW in any three months during the preceding 12 months, are ineligible for service under this schedule.

Territory

City of Industry in areas served by the Industry Public Utility Commission

Rates

Customer Charge – Per meter day ....................... $0.363

Energy Charge - $/kWhr (to be added to Customer Charge)
  Summer, all kWhr, per kWhr........................................ $0.1624
  Winter, all kWhr, per kWhr........................................ $0.11361

The above charges used for customers billing are determined using the components shown in the Rate Components Section following the Special Conditions Section.

Special Conditions

1. Summer and Winter Seasons are defined as follows:
   
   The Summer season is June 1st through September 30th of each year. The Winter season is October 1st through May 31st of each year.

2. Voltage: Service will be supplied at one standard voltage

Adopted by the Industry Public Utility Commission: Resolution IPUC-2009-02
Effective Date: July 9, 2009
SCHEDULE B
LARGE GENERAL SERVICE

Applicability

Applicable to underground service for all types of uses, including lighting and power where the customer’s monthly maximum demand is expected to exceed 20 kW, or has exceeded 20 kW in any 3 months during the preceding 12 months.

Territory

City of Industry in areas served by the Industry Public Utility Commission

<table>
<thead>
<tr>
<th>Rates</th>
<th>Summer</th>
<th>Winter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Charge</td>
<td>$44.31</td>
<td>$44.31</td>
</tr>
<tr>
<td>Demand Charge</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities Related Component</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All kW of Billing Demand per kW</td>
<td>$4.17</td>
<td>$4.17</td>
</tr>
<tr>
<td>Time Related Component</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All kW of Billing Demand per kW</td>
<td>$5.97</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Energy Charge $kWhr

For the first 300 kWhr per kW of Maximum Demand, per kWhr $0.09216
All excess kWhr, per kWhr $0.10403

Special Conditions

1. Summer and Winter Seasons are defined as follows:

The Summer season is June 1st through September 30th of each year. The Winter season is October 1st through May 31st of each year.

Adopted by the Industry Utility Public Commission: Resolution TUX 2009.02
Effective Date: July 9, 2009
2. Voltage: Service will be supplied at one standard voltage.

3. Billing Demand: The Billing Demand shall be the kilowatts of Maximum Demand, determined to the nearest kW. The Demand Charge shall include the following billing components. The Time Related Component shall be for the kilowatts of Maximum Demand recorded (or established for) the monthly billing period. The Facilities Related Components shall be for the greater of the kilowatts of Maximum Demand recorded (or established for) the monthly billing or 50% of the highest Maximum Demand established in the preceding eleven months (Ratcheted Demand). However, when the Utility determines the Customer’s meter will record little or no energy use for extended periods of time or when the Customer’s meter has not recorded a Maximum Demand in the preceding eleven months, the Facilities Related Component of the Demand Charge may be established at 50% of the Customer’s connected load.

4. Maximum Demand: The maximum demand in any month shall be the measured maximum average kilowatt input, indicated or recorded by instruments to be supplied by the City, during any 15-minute metered interval in the month.
SCHEDULE D
DOMESTIC SERVICE

Applicability
Applicable to electric service for residential uses.

Territory
City of Industry in areas served by the Industry Public Utility Commission

Rates

<table>
<thead>
<tr>
<th>Basic Charge - $/Day</th>
<th>Single-Family Residence</th>
<th>Multi-Family Residence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$0.029</td>
<td>$0.022</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Energy Charge $/kWh</th>
<th>All kWh, per kWh</th>
<th>$0.09436</th>
</tr>
</thead>
</table>

Special Conditions

1. Voltage: Service will be supplied at one standard voltage.

2. For the purposes of applying the Basic Charge, the following definitions shall be used:

   Single-Family Residence – A building of single occupancy which does not share common walls, floors, or ceilings with other residential dwelling units.

   Multi-Family Residence – Apartments, mobile homes, condominiums, townhouses, or a building of multiple occupancy which shares common wall and/or floors and ceilings with other residential dwelling units.

Adopted by the Industry Public Utility Commission
Effective Date: July 9, 2009

Approved By: [Signature] 7-9-2009

DATE: