

LAS CRUCES UTILITIES

Sheet No. W-2020-1

Approval Date: November 8, 2018Effective Billing Date: December 1, 2019LCUB Resolution No. 18-19-LCU012

WATER
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LAS CRUCES UTILITIES

Sheet No. W-2020-2

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LCUB Resolution No. 18-19-LCU012

WATER
RESIDENTIAL SERVICE

AVAILABILITY

Available in the Las Cruces Utilities water service area for the exclusive use of a single metered family residence for domestic purposes. Service to buildings attached to the residence, including garages and other minor buildings for the use of the residents, may also be through the residential meter. Service to a residence, which is used in part for commercial purposes but predominantly for residential purposes, shall be served under this rate schedule.

Landscape water meter available per Landscape Meter schedule terms and conditions.

RATE

The bills are the sum of:

Domestic Meter

Access Charge

Per month..... \$12.82

The first 3,000 gallons of consumption are included in the monthly access charge.

Volume Charge

3,001 – 13,000 gallons..... \$2.68

13,001 – 23,000 gallons..... \$3.51

Over 23,000 gallons..... \$4.93

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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Sheet No. W-2020-3
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WATER
SMALL COMMERCIAL SERVICE

AVAILABILITY

Available in the Las Cruces Utilities water service area for any establishment engaged in the operation of a business, or institution, whether or not for profit.

Such enterprises shall include, but not be limited to, clubs, hotels, motels, schools, hospitals, multi-unit complexes, churches, and municipal, county, state and federal buildings.

This rate applies to such customers whose consumption is less than 50,000 gallons for three (3) or more of the twelve (12) months of the rate classification review period. The rate classification is a period of twelve (12) consecutive billing months that Las Cruces Utilities will review annually to determine the customer's appropriate rate classification. A customer's rate classification will not be changed in the absence of at least twelve (12) consecutive months of billing history.

Landscape water meter available per Landscape Meter schedule terms and conditions.

RATE

The bills are the sum of:

Access Charge	
Per month.....	\$15.75
Volume Charge	
Per 1,000 gallons.....	\$1.99

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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WATER

LARGE COMMERCIAL SERVICE

AVAILABILITY

Available in the Las Cruces Utilities water service area for any establishment engaged in the operation of a business, or institution, whether or not for profit.

Such enterprises shall include, but not be limited to, clubs, hotels, motels, schools, hospitals, multi-unit complexes, churches, and municipal, county, state and federal buildings.

This rate applies to customers whose consumption equals or exceeds 50,000 gallons within the billing cycle during at least ten (10) months of the twelve (12) months within the rate classification review period. Customers whose usage is equal to or greater than 1,250,000 gallons within any month of the twelve (12) month review period shall receive service under the Industrial schedule unless the customer can demonstrate to the satisfaction of Customer Service that the measured usage was the result of a nonrecurring circumstance. The rate classification is a period of twelve (12) consecutive billing months that Las Cruces Utilities will review annually to determine the customer's appropriate rate classification. A customer's rate classification will not be changed in the absence of at least twelve (12) consecutive months of billing history.

Landscape water meter available per Landscape Meter schedule terms and conditions.

RATE

The bills are the sum of:

Access Charge

Per month..... \$37.00

Volume Charge

Per 1,000 gallons..... \$2.24

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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WATER
LARGE MULTI-UNIT SERVICE

AVAILABILITY

Available in the Las Cruces Utilities water service area for the exclusive use of multiple dwelling, master metered, residential units such as apartment complexes, townhomes, and mobile home parks, for domestic purposes.

This rate applies to customers whose consumption equals or exceeds 50,000 gallons within the billing cycle during at least ten (10) months of the twelve (12) months within the rate classification review period. Customers whose usage is equal to or greater than 1,250,000 gallons within any month of the twelve (12) month review period shall receive service under the Industrial schedule unless the customer can demonstrate to the satisfaction of Customer Service that the measured usage was the result of a nonrecurring circumstance. The rate classification is a period of twelve (12) consecutive billing months that Las Cruces Utilities will review annually to determine the customer's appropriate rate classification. A customer's rate classification will not be changed in the absence of at least twelve (12) consecutive months of billing history.

Landscape water meter available per Landscape Meter schedule terms and conditions.

RATE

The bills are the sum of:

Access Charge

Per month..... \$37.00

Volume Charge

Per 1,000 gallons..... \$2.24

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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WATER
INDUSTRIAL

AVAILABILITY

Available in the Las Cruces Utilities water service area for any establishment engaged in the operation of a business, or institution, whether or not for profit.

Such enterprises will include, but not be limited to, industrial installations, schools, hotels, motels, multi-unit complexes, and municipal, county, state and federal buildings.

This rate applies to such customers whose consumption within the billing cycle equals or exceeds 1,250,000 gallons within any month of the twelve (12) month rate class review period. The rate classification is a period of twelve (12) consecutive billing months that Las Cruces Utilities will review annually to determine the customer's appropriate rate classification. A customer's rate classification will not be changed in the absence of at least twelve (12) consecutive months of billing history.

Landscape water meter available per Landscape Meter schedule terms and conditions.

RATE

The bills are the sum of:

Access Charge

Per month..... \$1,000.00

Volume Charge

Per 1,000 gallons..... \$1.79

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

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WATER

PAZ WELL MUNICIPAL PARKS IRRIGATION – NON-POTABLE

AVAILABILITY

Available in the Las Cruces Utilities water service area for any municipally owned parks where non-potable water wells are located and used for the purpose of landscape irrigation.

RATE

The bills are the sum of:

Access Charge

Per month \$43.99

Volume Charge

Per 1,000 gallons \$2.03

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service rates.

BILLING UNITS

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Sheet No. W-2020-8

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WATER

BULK WATER – HYDRANT METERED

AVAILABILITY

Available in the Las Cruces Utilities water service area for use in connection with the construction, alteration or repair of buildings or other similar activities requiring temporary service through hydrant meters.

To protect the water system from contamination, a backflow device (reduced pressure principle assembly) shall be required to be installed on the hydrant meter. The backflow device shall be provided by Las Cruces Utilities. Testing of the backflow device shall be procured by the customer from Las Cruces Utilities or a certified backflow device testing provider that is accepted and recognized by the City of Las Cruces Pollution Prevention Program.

Customer is responsible for any stolen or lost meter and/or backflow device and a separate charge will be imposed on customer for each stolen, lost, or relocated bulk water meter and/or backflow device.

RATE

The bills are the sum of:

Access Charge

Per month..... \$23.50

Volume Charge

Per 1,000 gallons..... \$3.32

Bulk Hydrant Meter Service Activation or Relocation Charge

Per new service set-up or relocation of hydrant meter..... \$150.00

Backflow Device Fee..... \$50.00

Stolen or Lost Equipment Charge

Charge per meter and/or backflow device that is stolen or lost

Hydrant Meter..... \$600.00

Backflow Device..... \$150.00

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

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Sheet No. W-2020-9

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WATER
PARKS/GOLF COURSES/LARGE COMMUNITY SPACES

AVAILABILITY

Available in the Las Cruces Utilities water service area for parks, golf courses, and large community spaces for the purpose of irrigation. All other related uses will be billed as per the appropriate Commercial rates.

RATE

The bills are the sum of:

Access Charge

Per month \$86.84

Volume Charge

Per 1,000 gallons \$2.86

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

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WATER

INTERRUPTIBLE TIME OF USE

AVAILABILITY

Available in the Las Cruces Utilities (LCU) water service area for golf courses, parks, and large community space for the purpose of irrigation. This will only apply to golf courses having ponding facilities to meet interruption of service events, and parks and large community spaces that will meet the operational demands of the utility.

Metering will be installed to measure use by time-of-day during on-peak (6:00 a.m. to 6:00 p.m.) and off-peak (6:00 p.m. to 6:00 a.m.) hours. The Off-Peak rate will apply to water used during off-peak period (6:00 p.m. to 6:00 a.m.) or any alternate period determined by the utility. All other water use not measured during the off-peak period will be billed at the On-Peak rate.

Service under this schedule shall be subject to interruption as determined by the Utilities Director or designee in response to system operational needs. The customer must cease water consumption upon notification to interrupt service. Customers shall receive notification from the Utilities Director or designee when an interruption of service event has been terminated and consumption of water can be resumed. A single interruption of service notification by LCU shall not exceed ten (10) continuous hours in duration. A customer's failure to cease water consumption upon notification or during an interruption of service event shall be deemed as a non-compliance event.

Customers who fail to comply with interruption of service notification will be billed at the On-Peak rate for service taken during the interruption period and will be subject to a penalty as set forth below. The Utilities Director or designee has the option to cancel service under this schedule when a customer fails to comply with interruption of service notification.

A condition of service under this schedule is signing a contract to include designation of a person responsible for ceasing water consumption.

RATE

The bills are the sum of:

	<u>Golf Courses/Parks/Large Community Space</u>
Access Charge	
Per month.....	\$82.00
Volume Charge	
On-Peak Rate Volume Charge	
Per 1,000 gallons.....	\$4.32
Off-Peak Rate Volume Charge	
Per 1,000 gallons.....	\$1.44
Non-Compliance Penalty	
Penalty for each non-compliance event.....	35% of Total Bill for billing cycle

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WATER

INTERRUPTIBLE TIME OF USE

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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WATER
RECLAIMED WATER SERVICE

AVAILABILITY

Available in the Las Cruces Utilities reclaimed water service area for the exclusive use of golf courses, parks, medians, large community space, construction, irrigation, non-potable purposes, or other authorized use through regulations. The customer must execute a reclaimed water use agreement.

RATE

The bills are the sum of:

Access Charge

Per month..... \$21.18

Volume Charge

Per 1,000 gallons..... \$0.78

Stolen or Lost Equipment Charge

Charge per meter that is stolen or lost
Hydrant Meter..... \$600.00

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

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WATER
LANDSCAPE METER

AVAILABILITY

Available in the Las Cruces Utilities service area to Residential, Commercial, and Industrial customers who already have a domestic water service for landscape irrigation purposes. The applicable Access and Volume Charges will be billed pursuant to the service schedule determined by the rate classification review process conducted annually to determine the appropriate rate classification.

Customers requesting landscape metering shall contact New Connections section to review requirements and all expenses associated with the installation.

RATE

The bills are the sum of:

Access Charge

Per month..... 50% of applicable Access Charge

Volume Charge

Per 1,000 gallons..... Applicable rate

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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WATER									
CONNECTION CHARGES									

Line Size	Service Line	Meter Charge	Service Line Additional Feet	Manifold	Pavement Cut	Pavement Cut (Over 25')	Main Line Extension	Size	Mainline Water Tap Fee
¾"	\$1,020	\$187	\$20	\$100	\$750	\$30	\$40		
1"	\$1,020	\$246	\$20	\$100	\$750	\$30	\$40		
1 ½"	\$1,160	\$408	\$20	\$100	\$750	\$30	\$40		
2"	\$1,360	\$627	\$20	\$100	\$750	\$30	\$40		
3"	\$1,340	\$1,644	\$20	\$100	\$750	\$30	\$40		
4"	\$1,340	\$2,317	\$25	\$100	\$750	\$30	\$50	4"	\$1,245
6"	\$1,590	\$2,614	\$25	\$100	\$750	\$30	\$50	6"	\$1,245
8"	Based on Cost								

***Special metering equipment required to serve a customer, including time of use meters, may cost more than the amounts set forth on this schedule. In such cases, the customer will be responsible for the actual cost of meter installation, including the meter itself, any other equipment or facilities, labor taxes, etc.**

Meter Relocation Charge: Same applicable charge(s) as a new connection.

\$150 Unable to Connect Service Charge

This charge shall be made when Las Cruces Utilities (LCU) is notified by the customer or customer's representative that the service site is ready for service and connection and utility personnel have been scheduled to physically connect service, but are unable to connect the service due to, among other things, work site obstructions or incomplete service installation necessary for the utility to perform the necessary and appropriate connection.

TERMS AND CONDITIONS FOR NEW WATER SERVICE CONNECTION

When a permit for new construction is requested, this initiates the service connection process for water services. A Work Order for a new water connection shall not be scheduled until all pertinent impact fees as defined in the Development Impact Fee schedule and connection fees are paid. Fees are paid when a utility account is established with LCU Customer Service. The new connection for the residential construction site will be coordinated by LCU New Connection personnel and establish the final location of the water meter.

New residential construction sites that are found connected to the water system without establishing a utility account and bypassing payment of fees and charges for new connection, shall be deemed as theft of service and illegally connected to the water system.

Per Las Cruces Municipal Code 28-6, the City shall have the right to disconnect or refuse to connect or reconnect any utility service where there is evidence that theft of utility service (i.e. water connection) has occurred. LCU shall immediately disconnect water services and assess the customer or customer's representative an assessment of \$500.00 per instance of illegal connection. The illegal connection assessment shall be paid in full plus any and all unpaid fees and charges for new connection services and the establishment of a utility account.

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Sheet No. W-2020-14

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WATER

LITIGATION COST RECOVERY RATE RIDER

APPLICABILITY

All water service with the exception of Bulk Water - Hydrant Metered and Reclaimed Water Service sales provided by Las Cruces Utilities shall be subject to the terms of this rider schedule. Additionally, the periodic review and calculation of this rider charge will also exclude Bulk Water - Hydrant Metered and Reclaimed Water Service sales volumes.

LITIGATION COST RECOVERY RATE RIDER (LCRR)

Applicable Litigation Cost Recovery Rate Rider established by order of the Las Cruces Utilities Board. The LCRR shall enable Las Cruces Utilities to recover or refund litigation expenses exceeding or falling below the level approved in LCUB Case No. 2009-001 (W) and defined as the Baseline Litigation Costs (BLC). A recovery or refund shall be based on the positive or negative difference between the latest fiscal year litigation expenditures and the BLC. The recovery or refund factor shall be calculated based on the total water consumption for the reconciled fiscal year and shall be reflected on customer bills as a charge in dollars and/or cents per 1,000 gallons billed.

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

WATER
DEVELOPMENT RATE RIDER

APPLICABILITY

All water service with the exception of Bulk Water - Hydrant Metered and Reclaimed Water Service sales provided by Las Cruces Utilities shall be subject to the terms of this rider schedule. Additionally, the periodic review and calculation of this rider charge will also exclude Bulk Water - Hydrant Metered and Reclaimed Water Service sales volumes.

DEVELOPMENT RATE RIDER (DRR)

Applicable Development Rate Rider established by order of the Utilities Board enabling Las Cruces Utilities to recover or refund Development expenses for which ratepayers are responsible exceeding those expenses not included in base rate charges. The recovery or refund factor shall be calculated based on the total water consumption for the reconciled fiscal year and shall be reflected on customer bills as a charge in dollars and/or cents per 1,000 gallons billed.

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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Sheet No. W-2020-16

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WATER

TEMPORARY LEASE OF GROUNDWATER RIGHTS

APPLICABILITY

For the purpose of leasing water rights owned by the City of Las Cruces and pursuant to NMSA 1978, § 72-6-3 (2003) allows the owner of a water right to lease all or any portion “of the water use due him under his water right, and the owner’s water right shall not be affected by the lease of the use.”

A Lessee contracting with the City of Las Cruces to temporarily lease water rights shall file an application with the Office of the State Engineer (OSE) to temporarily expand the place of use, purpose of use, and point of diversion of some of the City’s groundwater right, subject to authorization from the Office of the State Engineer and in compliance with NMSA 1978, § 72-6-3 *et al.* (2003).

The Lessee shall pay the City for the lease of water rights pursuant to the Temporary Lease of Groundwater Rights tariff based on water usage recorded by a water meter approved by the OSE. The Lessee will supply the City with the initial meter reading associated with the initial pumping of the leased water use. The lessee will also supply the City with a copy of the monthly well pumpage report submitted to the OSE, which the City will use for billing purposes. The City shall prepare an invoice based on said report and will submit it to lessee pursuant to normal business practices for billing. All payments due hereunder may be made by check, cashier’s check, wire or electronic funds transfer. Payments will be made to the City within fifteen (15) days of receipt of the invoices. The City reserves the right to inspect the meter installation and operation in coordination with the lessee.

The Lessee shall pay all costs associated with the Application before the OSE (“the Application”) for the temporary transfer of the City’s water rights to accomplish this lease transaction. The Lessee shall be represented by its own attorney in all matters concerning the Application. The Lessee will pay all costs incurred in filing the Application and in defending any protest to the Lessee’s Application, or in otherwise prosecuting the Application. The Lessee shall pay all administrative and legal costs incurred by the City as a result of the filing of the Application.

A condition of service under this tariff requires an executed Temporary Lease of Groundwater Rights Agreement between the Lessee and the City of Las Cruces which shall define all the terms and conditions of the lease. Service under the tariff schedule requires Resolution approval by the Board of Commissioner for the City of Las Cruces Utilities.

RATE

The bills are the sum of:

Processing Charge

Per month..... 100% of applicable Bulk Water Access Charge

Volume Charge

Per 1,000 gallons..... 40% of applicable Water Bulk Water Volume Charge

Tax and Franchise Fee

Applicable Tax and Franchise Fee are assessed by a Governmental Authority and are not included in Cost of Service Rates.

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WATER

TEMPORARY LEASE OF GROUNDWATER RIGHTS
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BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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WATER
WATER RIGHTS

APPLICABILITY

All water services provided by Las Cruces Utilities shall be subject to terms of this fee schedule, except bulk and reclaimed water meter sales.

RATE

The bills are the sum of:

Volume Charge

Per 1,000 gallons..... \$0.11

Tax

Applicable Tax assessed by a Governmental Authority and are not included in Cost of Service Rates. Not subject to Franchise Fee.

BILLING UNITS

The unit of measure for calculating the volume charge shall be 1,000 gallons.

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WATER

OUTSIDE CITY SERVICE AREA SURCHARGE

APPLICABILITY

Applicable to all customers with a backup meter who are outside the Las Cruces Utilities service area.

RATE

Outside City Service Area Charge

Surcharge on access and volume charges, before franchise fee and governmental gross receipts tax,....35.8%