

ORDINANCE 2022-9

**ESTABLISHING INTERCONNECTION STANDARDS FOR THE
COLUMBIA CITY ELECTRIC UTILITY**

WHEREAS, the City of Columbia City, Indiana owns and operates its own electric utility (the “utility”) under the supervision and control of the Board of Public Works and Safety (the “Board”) under IC 8-1.5-3-4; and

WHEREAS, the City of Columbia City desires to encourage the development of renewable energy resources, such as solar or wind, and to promote the wise use of Indiana’s natural energy resources to meet growing electricity demand and it would be beneficial to allow customers of the utility to own or lease renewable electric generation systems to help offset the customer’s electric load; and

WHEREAS, the safety of utility workers and the general public requires inspection and testing of equipment arranged for the production of electricity from solar, wind, biomass, geothermal, or hydroelectric facilities (“renewable generation facilities”) that are owned and operated by residential, commercial or industrial customers of the utility and connected to the utility’s electrical grid; and

WHEREAS, the Common Council of the City of Columbia City (the “Council”), under recommendation by the Board, has determined that it is necessary to establish standards for the interconnection of such renewable generation facilities to the utility’s grid; and

WHEREAS, energy produced by customers owning or leasing renewable generation facilities in excess of the customer’s electric load at that meter (“Excess Energy”) shall be purchased by the Indiana Municipal Power Agency (“IMPA”) subject to a Power Purchase Agreement between IMPA and the customer.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA CITY:

SECTION 1. The findings and determinations set forth in the preambles to this Ordinance are hereby made findings and determinations of the Council.

SECTION 2. A customer desiring to interconnect renewable generation facilities with the utility’s grid for the purpose of offsetting the customer’s electric load shall complete an interconnection application and submit the application to the utility for review. After receipt of the application, the utility shall conduct such further inspection of the renewable generation facilities

as the utility deems necessary and approve or deny the application. The utility is hereby authorized to charge a reasonable application and inspection fee to offset costs involved with reviewing the application, inspecting the renewable generation facilities, and otherwise ensuring compliance with this Ordinance.

SECTION 3. If the interconnection application is approved, then the customer agrees that no changes shall be made to the configuration of the renewable generation facilities, as that configuration is described in the application, and no relay or other control or protection settings specified in the application shall be set, reset, adjusted or tampered with, except to the extent necessary to verify that the renewable generation facilities comply with the utility's approved settings.

SECTION 4. In addition to such other requirements as the utility deems necessary, any renewable generation facility allowed to interconnect to the utility's grid must comply with: (a) the National Electrical Code and the National Electrical Safety Code, as each may be revised from time to time; (b) the utility's rules and regulations and the utility's General Terms and Conditions for Electric Service, each as contained in the utility's Electric Tariff and each as may be revised from time to time; and (c) all other applicable local, state, and federal codes and laws, as the same may be in effect from time to time.

SECTION 5. For any approved renewable generation facilities interconnected to the utility's grid, the customer shall install, operate, and maintain, at the customer's sole cost and expense, the renewable generation facilities in accordance with the Institute of Electrical and Electronics Engineers' applicable Standard for Interconnecting Distributed Resources with Electric Power Systems, as it may be amended from time to time. The customer shall be responsible for protecting, at the customer's sole cost and expense, the renewable generation facilities from any condition or disturbance on the utility's electric system, including, but not limited to, voltage sags or swells, system faults, outages, loss of a single phase of supply, equipment failures, and lightning or switching surges.

SECTION 6. The customer shall operate any interconnected renewable generation facilities in such a manner as not to cause undue fluctuations in voltage, intermittent load characteristics or otherwise interfere with the operation of the utility's electric system. At all times when the renewable generation facilities are being operated in parallel with the utility's electric system, the customer shall operate the renewable generation facilities in a manner that no disturbance will be

produced to the service rendered by the utility to any of its other customers or to any electric system interconnected with the utility's electric system. The customer's control equipment for the renewable generation facilities shall immediately, completely, and automatically disconnect and isolate the renewable generation facilities from the utility's electric system in the event of a fault on the utility's electric system, a fault on the customer's renewable generation facilities, or loss of a source or sources on the utility's electric system. The automatic disconnecting device included in such control equipment shall not be capable of reclosing until after service is restored on the utility's electric system. Additionally, if the fault is with the customer's renewable generation facilities, such automatic disconnecting device shall not be reclosed until after the fault is isolated from the customer's renewable generation facilities.

SECTION 7. Upon reasonable advance notice to the customer, the utility shall have access to any interconnected renewable generation facilities to perform on-site inspections to verify that the installation and operation of the renewable generation facilities comply with the requirements of this Ordinance and to verify the proper installation and continuing safe operation of the renewable generation facilities. The utility shall also have at all times immediate access to breakers or any other equipment that will isolate the renewable generation facilities from the utility's electric system. The utility shall not be responsible for any costs the customer may incur as a result of such inspection(s). The utility shall have the right and authority to isolate approved interconnected renewable generation facilities at the utility's sole discretion if the utility believes that: (a) continued interconnection and parallel operation of the renewable generation facilities with the utility's electric system creates or contributes (or will create or contribute) to a system emergency on either the utility's or the customer's electric facilities; (b) the renewable generation facilities are not in compliance with the requirements of this Ordinance; or (c) the renewable generation facilities interfere with the operation of the utility's electric system. In non-emergency situations, the utility shall give the customer reasonable notice prior to isolating the renewable generation facilities.

SECTION 8. The customer shall procure and keep in force during all periods of parallel operation of the renewable generation facilities with the utility's electric system, homeowners, commercial, or other insurance to protect the interests of the utility as a named insured, with insurance carriers acceptable to the utility, and in amounts not less than those reasonably determined by the utility to be necessary taking into consideration the nameplate capacity,

configuration and type of the renewable generation facilities. The customer shall indemnify and hold harmless the utility, the City of Columbia City, its employees, officers, elected officials, representatives, agents and subcontractors from and against all claims, liability, damages and expenses, including attorney's fees, based on any injury to any person, including the loss of life, or damage to any property, including the loss of use thereof, arising out of, resulting from, or connected with, or that may be alleged to have arisen out of, resulted from, or connected with, an act or omission by the customer, its employees, agents, representatives, successors or assigns in the construction, ownership, operation or maintenance of the customer's renewable generation facilities. If the utility is required to bring an action to enforce its rights under this Section 8 of the Ordinance, either as a separate action or in connection with another action, and said rights are upheld, the customer shall reimburse the utility for all expenses, including attorney's fees, incurred in connection with such action.

SECTION 9. If a customer owning or leasing a renewable generation facility produces more energy from such facility than the customer's electric load at that meter, then the Excess Energy shall be purchased from the customer by IMPA pursuant to the terms of a separate power purchase agreement between the customer and IMPA. The utility shall own any meter used to measure output of energy from the customer's renewable generation facility.

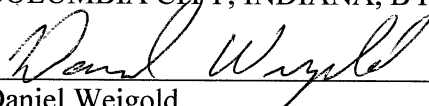
SECTION 10. It shall be unlawful for any person or entity to connect or maintain the connection of a renewable generating facility to the utility's grid without obtaining the utility's approval of an interconnection application. Any person or entity found to be in violation of this section shall be fined not less than \$500, nor more than \$2,500 for each such violation, plus costs. In addition to the foregoing fines and at the utility's sole discretion, property where a renewable generating facility is unlawfully connected to the utility's grid may be disconnected from the utility's grid until an interconnection application is approved. Every day that a violation of this section occurs shall constitute a separate offense.

SECTION 11. If any section, sentence or provision of this Ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this Ordinance in which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

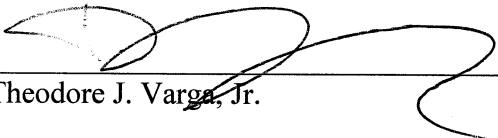
Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Adopted this 22 day of March, 2022.

COMMON COUNCIL OF THE CITY OF
COLUMBIA CITY, INDIANA, BY:

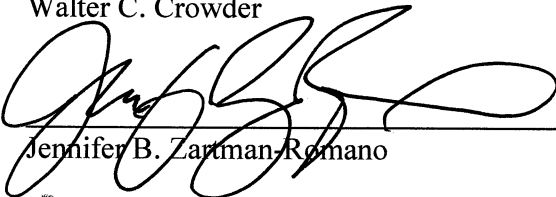


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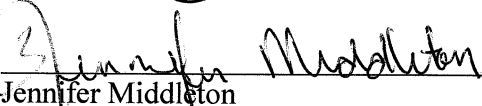


Theodore J. Varga, Jr.

Walter C. Crowder



Jennifer B. Zartman-Romano




Jennifer Middleton

Attest:



Rosie Coyle, Clerk-Treasurer

Approved this 22 day of March, 2022.



Ryan L. Daniel, Mayor
City of Columbia City