

SCHEDULE B-4

**ILLINOIS MUNICIPAL ELECTRIC AGENCY
LOAD RETENTION RATE SCHEDULE**

1. **Applicability.** This Load Retention Rate Schedule B-4, (this "Rate Schedule" or "Schedule B-4") is applicable to electric service provided by the Agency to Participating Members of the Agency who have executed a Power Sales Contract for meeting the requirements of certain of the Participating Member's end-use customers subject to the following conditions:

- (a) The customer shall be an existing non-residential customer that purchases all of its electric requirements for a given service location from the Participating Member, and the Participating Member shall purchase all of its electric requirements for the customer's service location from IMEA. The Participating Member may combine multiple building structures used for a single customer business that would otherwise be considered as separate service locations and have them treated as a single service location for purposes of this Rate Schedule if the building structures are located in close proximity to one another and the customer is doing business under the same name, and if the electric demand at each separate building structure is at-risk as defined herein.
- (b) The Participating Member must have a Customer-at-Risk with a peak load at the service location of at least 1,000 kW or 25% of the Participating Member's peak load, whichever is the lesser of the two, either of which must have been used during the Participating Member's monthly peak at least five months during one or more of the last two calendar years.
- (c) A Participating Member's customer is considered a "Customer-at-Risk" if it can legally be served at the service location through facilities owned by an investor-owned public utility or electric cooperative or if all or a significant portion of the customer's electric load at the service location can be lost due to relocation, bankruptcy or other similar hardship. If less than all of the customer's electric load is at-risk, this Rate Schedule can be approved for such at-risk load alone if it is equal to or greater than the qualifying load level in item 1(b) above. If this Rate Schedule is approved for less than the full load of the customer, such as in a situation where the discount rate was approved for an eligible portion of a manufacturing load that was subject to being lost to relocation to a sister manufacturing plant outside the Participating Member's service area, the loads shall either be separately metered so the discount can be applied to the eligible load or a fixed number of kW demand that is at-risk shall be used to apply the discount. If the fixed number of kW demand is utilized, it shall be defined in the submission of the Participating Member's request to utilize this Rate Schedule.
- (d) If a Participating Member has a Customer-at-Risk that it is reasonably expecting to lose unless the customer receives some rate relief, representatives of the Participating Member may request a portion of said relief from the Agency by presenting their position at a scheduled meeting of the Executive Board.

- (e) The Participating Member must prove to the satisfaction of at least a majority of those members of the Executive Board that are present at the approval meeting that it indeed has a Customer-at-Risk that it will almost certainly lose unless IMEA grants rate relief. Proof must be in the form of written documents such as firm service offers from the legally competing investor-owned public utility or electric cooperative, or bankruptcy filings, financial reports and/or relocation analyses by the at-risk customer, or other verifiable information. The Participating Member must have taken all other steps reasonably possible locally to retain the customer prior to making the request to IMEA.
- (f) At the request of IMEA and prior to the Executive Board meeting to consider the discounted rate, the Participating Member must provide all information reasonably requested by the Executive Board, including but not limited to, cost of service studies, current rate schedules, specific costs to serve the Customer-at-Risk, the current and proposed rate to serve said customer, the markup between costs and charges to serve said customer, twelve months of historical billing data for said customer and a diagram showing facilities to serve said customer.
- (g) Service under this Rate Schedule B-4 is subject to the further condition that the Participating Member limit its charges to the customer receiving the Schedule B-4 rate to the Participating Member's actual power supply and delivery costs from the IMEA for the customer plus no more than a 10% markup plus compensation for capacity and energy losses and the Participating Member's normal amortization for any transmission and/or distribution facilities used to serve said customer. Any Participating Member receiving the Schedule B-4 discount agrees to provide the Agency with written verification of its compliance herewith as may be requested by the Agency from time to time.

2. **Availability.** Schedule B-4 has been available to Participating Members for qualifying at-risk electric load since January 1, 1993 and was most recently modified effective March 1, 2021. Schedule B-4 is hereby continued for calendar year 2022; provided the at-risk electric load to be retained can be served without incurring additional Agency debt or otherwise increasing the cost to the other Participating Members. The opportunity of applying for such service under Schedule B-4 shall be available to all Participating Members until December 31, 2022 and as such opportunity period may be extended from time to time by formal approval of the Agency's Board of Directors.

3. **Process and Approval.** Each Participating Member making a formal request for service under this Load Retention Rate Schedule shall give written notice to the Agency at least thirty (30) days in advance of presenting their position at a meeting of the Executive Board. Each request shall be evaluated by Agency staff, including any documentation provided by the Participating Member to support the request, based on the projected economic impact of granting the request on the IMEA membership as a whole. Each request shall be approved or denied by vote of the IMEA Executive Board with a majority of those Executive Board members present voting in the affirmative. Once an application for such service is approved, the rate discount under this Load Retention Rate Schedule shall be provided for a period of one (1) year unless a request for a longer discount period is made to and approved by the IMEA Board of Directors.

4. **Billing Rates.** For electricity furnished hereunder, the monthly charges for each Billing Period shall be determined as follows:

- (a) **Billing Demand Charge.** The demand charge for this service shall be the Agency's regular demand charges under Schedule B based on the customer's contribution to the Participating Member's peak monthly demand less a credit equal to \$2.50 per kW-month for the approved load.
- (b) **Billing Energy Charge.** For each month, the energy usage of the Participating Member's Customer-at-Risk will be treated in the same manner as all other energy usage by the Participating Member and its customers, and will be included in and billed as a part of the Participating Member's monthly billing energy under Schedule B of the Power Sales Contract.
- (c) **Changes in Billing Rates.** Changes, additions or deletions to this Load Retention Rate Schedule will be considered on an annual basis, and may be adopted upon approval of the Board of Directors. Such changes will not affect the discounts to those customers previously approved by the Agency under previous versions of this Load Retention Rate Schedule.
- (d) **Billing Period.** The Billing Period shall be as nearly as practical to a calendar month.

5. **Character of Service.** Electricity furnished under this Schedule B-4 at one or more Points of Delivery as set forth in Schedule A shall be sixty-hertz, three phase, alternating current.

6. **Billing Data/Metering.** The Participating Member, at its expense, shall install metering which provides sufficient data to bill the Participating Member in accordance with this Load Retention Rate Schedule. The metered demand (in kW) each Billing Period shall be the highest 60-minute integrated demand (or corrected to a 60-minute basis if demand registers other than 60-minute demand registers are installed) measured during the Billing Period.

Demand and energy meter readings shall be adjusted, if appropriate, as provided in Schedule A of the Participating Member's Power Sales Contract.

7. **Billing Demand.** The Billing Demand in any Billing Period shall be the metered demand for the period as determined under Section 6 of this Rate Schedule, giving effect to all applicable adjustments. Each month, the Participating Member shall provide to the Agency a list showing the name of each customer it is serving under the provisions of this Load Retention Rate Schedule and the hourly demands supplied to each such customer in a form acceptable to the Agency. The billing demand under this Load Retention Rate Schedule will be computed as the demand (in kW) of the Participating Member's approved load retention customer(s) coincident with the Participating Member's total monthly billing demand for all rates under the Power Sales Contract, including under Schedule B, this Load Retention Rate Schedule and any other rate schedule of the Power Sales Contract. The total monthly demand supplied to all such customers shall be adjusted to account for transformer losses if applicable and the aggregate amount shall be the total demand. If this Rate Schedule is approved for less than the full load of the customer, such as in a situation where the discount rate was approved for an eligible portion of a manufacturing load that was subject to being lost to relocation to a sister manufacturing plant outside the Participating Member's service area, the loads shall be separately metered so the discount can be applied to only the eligible load, and the above principals shall be applied only to the eligible portion of the customer's load.

8. **Schedule B.** The Participating Member's total demand requirements for each month will not be reduced by the amount of coincident demand supplied under this Schedule B-4 to determine the Billing Demand under Schedule B, but rather the discount will be multiplied by such coincident demand to determine the credit to be applied to the monthly invoice from IMEA to the Participating Member.

9. **Tax Adjustment.** In the event of the imposition of any tax, payment in lieu thereof, fee, surcharge, assessment, or any other similar charge, cost or payment, by any lawful authority, on the Agency for the purchase, production, transmission, or sale of electricity, the charges hereunder may be increased to pass on to the Participating Member its share of such tax, payment in lieu, fee, surcharge, assessment, charge, cost or payment.

Effective: January 1, 2022

Approved: 
Chairman

Issued by: 
President & CEO