



ORDINANCE 2026-11

AN ORDINANCE OF THE TOWN OF SPRINGDALE ENACTING TITLE 8, CHAPTER 7 TO THE SPRINGDALE TOWN CODE, COMMUNITY CLEAN ENERGY PROGRAM

Preamble

WHEREAS, in 2019, the Utah State Legislature enacted House Bill 411, codified at Utah Code Ann. §§ 54-17-901 to -909 (“Act”), titled the “Community Renewable Energy Act”; and

WHEREAS, in 2024, the Utah State Legislature enacted House Bill 241 and Senate Bill 214 which, collectively, renamed the Act the “Community Clean Energy Act” and amended certain provisions of the Act; and

WHEREAS, the Act authorizes the Utah Public Service Commission (“Commission”) to establish a program (“Program”) whereby towns, municipalities, and counties may cooperate with qualified utilities to provide electric energy for participating customers from clean energy resources; and

WHEREAS, the Act provides that a customer of a qualified utility may be served by the Program if the town, municipality, or county (“Community”) in which the customer resides satisfies certain requirements, including:

(a) the Community must enter into an agreement with a qualified utility (“Utility Agreement”):

(i) stipulating to the payment to the qualified utility of the costs of:

(A) third-party expertise contracted for by the Division of Public Utilities and the Office of Consumer Services, for assistance with activities associated with initial approval of the Program; and

(B) providing notice to the Community’s customers as provided in the Act;

(ii) determining the obligation for the payment of any termination charges under the Act that are not paid by a participating customer and not included in participating customer rates; and

(iii) identifying any initially proposed replaced asset;

(b) the Community must, within ninety (90) days after the date of the Commission’s order approving the Program, adopt a local ordinance that:

(i) establishes participation in the Program; and

(ii) is consistent with the terms of the Utility Agreement; and

(c) the Community must comply with any other terms or conditions required by the Commission; and

WHEREAS, the Act further authorizes the Commission to adopt administrative rules to implement the Act and the Commission has adopted such rules as set forth in Utah Administrative Code R746-314-101 through -402 (“Rules”); and

WHEREAS, the Rules require that a customer of a qualified utility may be served by the Program if, in addition to the requirements of the Act, the Community in which the customer resides also adopts an agreement (“Governance Agreement”) with other eligible Communities to establish a cooperative decision-making process for Program design, resource solicitation, resource acquisition, and other Program issues and provides a means of ensuring that eligible Communities and those that become participating Communities will be able to reach a single joint decision on any necessary Program issues; and

WHEREAS, consistent with the requirements of the Rules, Springdale entered into an agreement with other eligible Communities entitled the Interlocal Cooperation Agreement Among Public Entities Regarding the Community Renewable Energy Program (“Governance Agreement”), thereby becoming a member of the Community Renewable Energy Agency (“Agency”), which endeavors to make certain joint decisions about the proposed Program on behalf of Communities as set forth in the Governance Agreement; and

WHEREAS, consistent with the requirements of the Act, Springdale executed a Utility Agreement with Rocky Mountain Power, a qualified utility under the Act, on [DATE], which addresses the issues required by the Act; and

WHEREAS, consistent with the requirements of the Act, on January 24, 2025, and June 4, 2025, Rocky Mountain Power filed an application with the Commission seeking approval of the Program and the Commission opened Docket No. 25-035-06 to consider the application; and

WHEREAS, consistent with the requirements of the Act, on March 4, 2026, the Commission issued an order in Docket No. 25-035-06 (“Commission Order”) approving the Program; and

WHEREAS, as contemplated in the Act, the Springdale desires to adopt this ordinance that satisfies the requirements of the Act; and

WHEREAS, the Springdale Town Council desires to take actions which it has determined promotes the health, safety and welfare of Springdale’s residents; and

WHEREAS, the Springdale Town Council has determined that adoption of this ordinance will enhance the economic well-being of Springdale and its residents through prudent management of Springdale’s financial resources; and

WHEREAS, the Springdale Town Council has determined that adoption of this ordinance will help address concerns related to poor air quality and other environmental concerns due in part to the use of fossil fuels; and

WHEREAS, the Springdale Town Council finds that energy sources utilized by and within Springdale therefore can impact public health, safety and welfare; and

WHEREAS, recent advances in energy technology have made certain clean energy resources more economically viable than in the past and, in some cases, more cost-effective than traditional energy sources; and

WHEREAS, proximity to outdoor recreation is a key economic contributor to Springdale and one which relies on preservation of the environment and protection of natural resources; and

WHEREAS, Springdale and its residents have shown an interest in environmental stewardship through various initiatives and activities surrounding growth and development; and

WHEREAS, Springdale’s General Plan emphasizes the Town’s commitment to encouraging the use of renewable and sustainable energy sources (see GP Municipal and Public Services Sub-Goal D); and

WHEREAS, the Springdale Town Council believes that determining and undertaking further actions designed to reduce fossil fuel dependence while appropriately balancing financial stewardship and promoting economic growth is an important component of safeguarding public health, safety and welfare; and

WHEREAS, the Springdale Town Council met in regular session on April 8, 2026, to, among other things, consider adopting the Program on behalf of Springdale’s electric customers; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF SPRINGDALE AS FOLLOWS:

Section 1. Adoption. Springdale Town Code, Title 8, Chapter 7, Community Clean Energy Program, which is published as a code in book form, is adopted in accordance with Exhibit A herein, copies of which have been filed for use and examination in the Office of the Springdale Town Clerk (the “Community Clean Energy Program Ordinance”).

Section 2. Savings Clause. In the event one or more of the provisions of this Community Clean Energy Program Ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under applicable laws, such unenforceability or invalidity shall not affect any other provision; and in such an event, this Community Clean Energy Program Ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

Section 3. Effective Date. This Community Clean Energy Program Ordinance shall take effect immediately upon the date of its first publication.

APPROVED, ADOPTED, AND PASSED and ordered published by the Springdale Town Council, this 8th day of, 2026.

ATTEST:

Springdale Town Council

Robin Romero
Town Clerk

Barbara Bruno
Mayor

VOTING OF COUNCIL

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APPROVED AS TO FORM:

J. Gregory Hardman
Town Attorney

EXHIBIT A

TITLE 8

CHAPTER 7

COMMUNITY CLEAN ENERGY PROGRAM

8-7-1: PARTICIPATION IN COMMUNITY CLEAN ENERGY PROGRAM

Springdale hereby establishes its participation in the Community Clean Energy Program (“Program”) as approved by the Public Service Commission of Utah (“Commission”).

- A. On **March 4, 2026**, the Commission issued an order in Docket No. 25-035-06 (“Commission Order”) approving the Program. The Commission Order is on file with the Commission. The Program’s rates, Rules, and requirements are governed by the Commission Order, and may be modified from time to time by subsequent Rules and orders adopted by the Commission. To the extent that the Commission Order or any subsequent rule or order adopted by the Commission contradicts any portion of this Title, the Commission order or rule or order adopted by the Commission shall govern.

- B. **ELIGIBLE CUSTOMERS.** Pursuant to Utah Code § 54-17-905(5), residential customers participating in the net metering program under Utah Code Title 54, Chapter 15, Net Metering of Electricity, **Rocky Mountain Power Schedule 135**, are not eligible to participate in the Program. All other retail electric customers of Rocky Mountain Power within the current and future boundaries of Springdale, including all residential, commercial, and industrial customers, are eligible to participate in the Program (“Eligible Customer”). **Eligible Customers include rooftop solar customers on Rocky Mountain Power Schedules 136 and 137, which are compensated through an export credit rather than a net metering credit.**

- C. **IMPLEMENTATION DATE.** The Program shall be implemented on the date that RMP sends out the first Notices identified in Section 2, below (“Program Implementation Date”). Eligible Customers shall be enrolled in the Program if they receive the Notices and decline to opt out of participation in the Program by the date set forth in the Notices. Consistent with the Act and the Rules, the Notices shall be sent to each Eligible Customer before the commencement date that applies to each such customer (“Customer Commencement Date”), as set forth in the Rules.

8-7-2: CUSTOMER PARTICIPATION IN COMMUNITY CLEAN ENERGY PROGRAM.

- A. Each Eligible Customer shall be automatically enrolled in the Program unless the customer opts out of the Program prior to the Customer Commencement Date.

- B. **NOTICES.** As set forth in the Act and the **Rules** before any Eligible Customer becomes a participant in the Program, Rocky Mountain Power first shall deliver to each Eligible

Customer certain notices (collectively, the “Notices”) containing content and in the form, manner, and delivery method as required by the Act and Rules and other orders and Rules.

C. OPT-OUT. Each Eligible Customer may elect not to participate in the Program and instead to pay applicable existing electric rates by giving notice to Rocky Mountain Power in the manner and within the time period set forth in the Notices.

1. FIRST OPT-OUT NOTICE. Rocky Mountain Power shall provide a First Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within Springdale, no earlier than sixty (60) days and no later than thirty (30) days before the Customer Commencement Date applicable to each customer. The First Opt-Out Notice shall, in all material respects, use the form and content of the First Opt-Out Notice as approved by the Commission.

2. SECOND OPT-OUT NOTICE. Rocky Mountain Power shall provide a Second Opt-Out Notice, separate from standard monthly bills, to each Eligible Customer within Springdale, at least fifteen (15) days after the First Opt-Out Notice was provided and at least seven (7) days before the Customer Commencement Date applicable to such customer. The Second Opt-Out Notice shall, in all material respects, use the form and content of the Second Opt-Out Notice as approved by the Commission.

3. Each Eligible Customer that receives the First Opt-Out Notice and the Second Opt-Out Notice as described herein and declines to opt out of the Program by the customer’s Customer Commencement Date will be enrolled in the Program.

D. CUSTOMER OPTION TO OPT IN TO PROGRAM. An Eligible Customer located within Springdale that is not enrolled in the Program may at any time elect to participate in the Program by providing notice to Rocky Mountain Power in the form and content approved by the Commission. Following such notice to opt in to the Program, the customer will be enrolled in the Program starting with the billing period following the notice in which it is reasonably practicable for Rocky Mountain Power to enroll such customer. The reasonably practicable billing period shall be based on when the notice was received from the customer and the customer’s billing cycle. Following enrollment in the Program, the customer shall be subject to all Program requirements.

E. CUSTOMER OPTION TO EXIT PROGRAM. Customers enrolled in the Program may exit the Program by giving notice to Rocky Mountain Power.

8-7-3: TERMINATION FEES

A. If a customer declines to opt out of the Program prior to the applicable Customer Commencement Date, but subsequently exits the Program, the exiting customer may be required to pay a termination fee, as set forth in this Section.

- B. **When** applicable, the amount of the termination fee shall be based on the rate schedule of the exiting customer **as approved by the Commission** and may be modified from time to time by subsequent orders of the Commission.
- C. CIRCUMSTANCES IN WHICH TERMINATION FEE SHALL NOT APPLY: A Termination Fee shall not apply in the following circumstances:
 - 1. **Any customer that opts out of the Program within the “Cancellation Period” applicable to that customer, as defined in the Rules.**
 - 2. Any customer that ceases to be an electric customer of Rocky Mountain Power;
 - 3. Any customer that moves to a new location that is not within the boundaries of a community that participates in the Program;
 - 4. Any customer that seeks protection through bankruptcy proceedings;
 - 5. Any customer enrolled in Schedule 3 bill assistance (“Low-Income Lifeline Program”).

8-7-4: ACQUISITION OF CLEAN ENERGY RESOURCES

- A. For purposes of this section, “clean energy resource” shall have the definition set forth in the Act.
- B. Rocky Mountain Power may adopt or procure one or more clean energy resources to serve the needs and goals of the Program. The acquisition of any such clean energy resource must follow solicitation application and evaluation criteria approved by the Commission.
- C. Any clean energy resource adopted or procured by Rocky Mountain Power to serve the needs and goals of the Program must be approved by the Commission based on a finding the same is reasonable and in the public interest.
- D. The Commission shall determine the method of cost recovery for any clean energy resource acquired to meet Program needs and goals, and the Commission’s determination regarding cost recovery may affect Program rates.

8-7-5: PROGRAM RATES AND RATE ADJUSTMENT FILINGS

- A. Program rates will be determined by the Commission.
- B. The initial Program rates were determined by the Commission in the Commission Order.

- C. Program rates may be adjusted by the Commission from time to time, consistent with the procedures approved by the Commission for adjusting Program rates.

8-7-6: UTILITY BILLING FOR PARTICIPATING CUSTOMERS

- A. Rocky Mountain Power shall bill each Participating Customer on a monthly basis and shall:
 - 1. include information in its monthly bills to participating customers identifying the Program cost; and
 - 2. provide notice to participating customers of any change in rates for participation in the Program.

8-7-7: TOWN OF SPRINGDALE PARTICIPATION IN PROGRAM

- A. Through its membership in the Community Renewable Energy Agency, Springdale participated in the design and approval of the Program and shall participate in future decisions regarding clean energy resource solicitation, clean energy resource acquisition, and certain other Program issues.
- B. Consistent with Utah Code § 54-17-903(2)(a), Springdale entered into an agreement with Rocky Mountain Power (“RMP”) regarding the facilitation of the Program (“Utility Agreement”). Pursuant to the Utility Agreement, Springdale:
 - 1. Shall pay for the costs of third-party expertise contracted for in connection with the Program’s development and initial approval by the Commission;
 - 2. Shall pay its proportional costs associated with RMP providing the Notices to the Springdale’s customers as discussed in Section 2, above;
 - 3. Termination charges not paid by a participating customer shall be included in participating customer rates and shall not be paid by Springdale;
 - 4. There shall be no initially proposed “Replaced Asset” as that term is defined by Utah Code § 54-17-902(15).
- C. Springdale has already approved the appropriation of funds and has already paid those funds to the Agency for the Agency to make payments for the costs of third-party expertise contracted for in connection with the Program’s development and initial approval by the Commission pursuant to the Governance Agreement.
- D. Springdale hereby approves the appropriation of funds to pay its proportional costs associated with RMP providing the Notices to Springdale’s customers as discussed in Section 2, above.
- E. Springdale shall not be obligated to pay any costs of the Program other than those costs

set forth herein and any costs that Springdale may bear as a utility customer that participates in the Program, if applicable.



UTAH
RENEWABLE
COMMUNITIES

100% Committed to Clean Energy

Information briefing: Community Clean Energy Program approval

Discussion and consideration of Ordinance [name/number] Enacting the Community Clean Energy Program

April 8, 2026 - Randy Aton / Kyla Topham

Outline



- Refresher: what is the Community Clean Energy Program?
- PSC order approving the program and program rates
- Anticipated timeline
- Program ordinance
 - Ordinance details: what does it do?
 - Discussion and consideration of ordinance

The 19 communities involved in this effort adopted “Utah Renewable Communities” (URC) as an informal name for this work. It should be noted that the formal name of the program is the Community Clean Energy Program.

The two terms will be used interchangeably in this presentation.

About the URC program

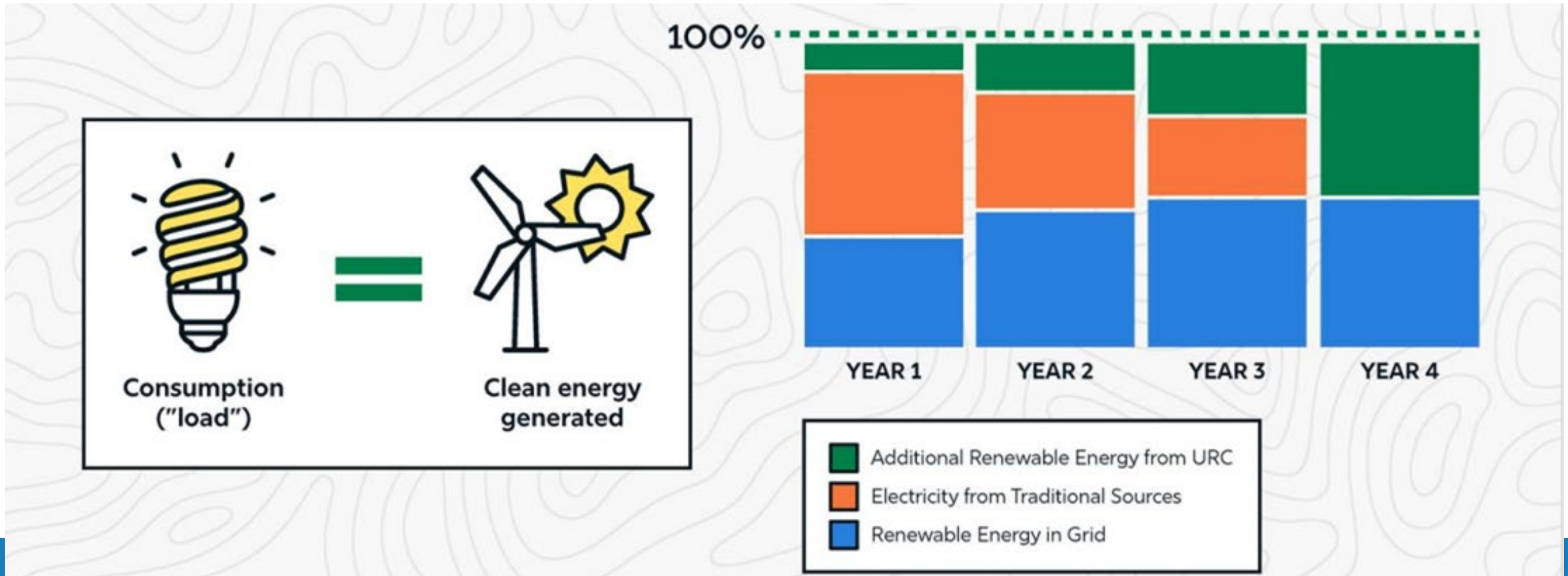


- The Community Clean Energy Program is a brand new program giving Utahns the ability to choose clean, reliable, affordable clean energy through Rocky Mountain Power (RMP)
- The Community Clean Energy Program was designed through a partnership between RMP and the Community Renewable Energy Agency (aka the URC, of which we are a member), and in March 2026, the program was approved by the Utah Public Service Commission (PSC)
- If we adopt the program, all eligible RMP customers in our community will have a new option for choosing clean energy through their power bill
- By investing in clean energy, URC will help meet Utah's growing energy needs while keeping power reliable and air cleaner for generations

Driving clean energy development

Goals

- Drive the development of clean energy while keeping the program affordable and accessible
- Build enough program resources to match the amount of electricity used annually by participants



Renewable options comparison

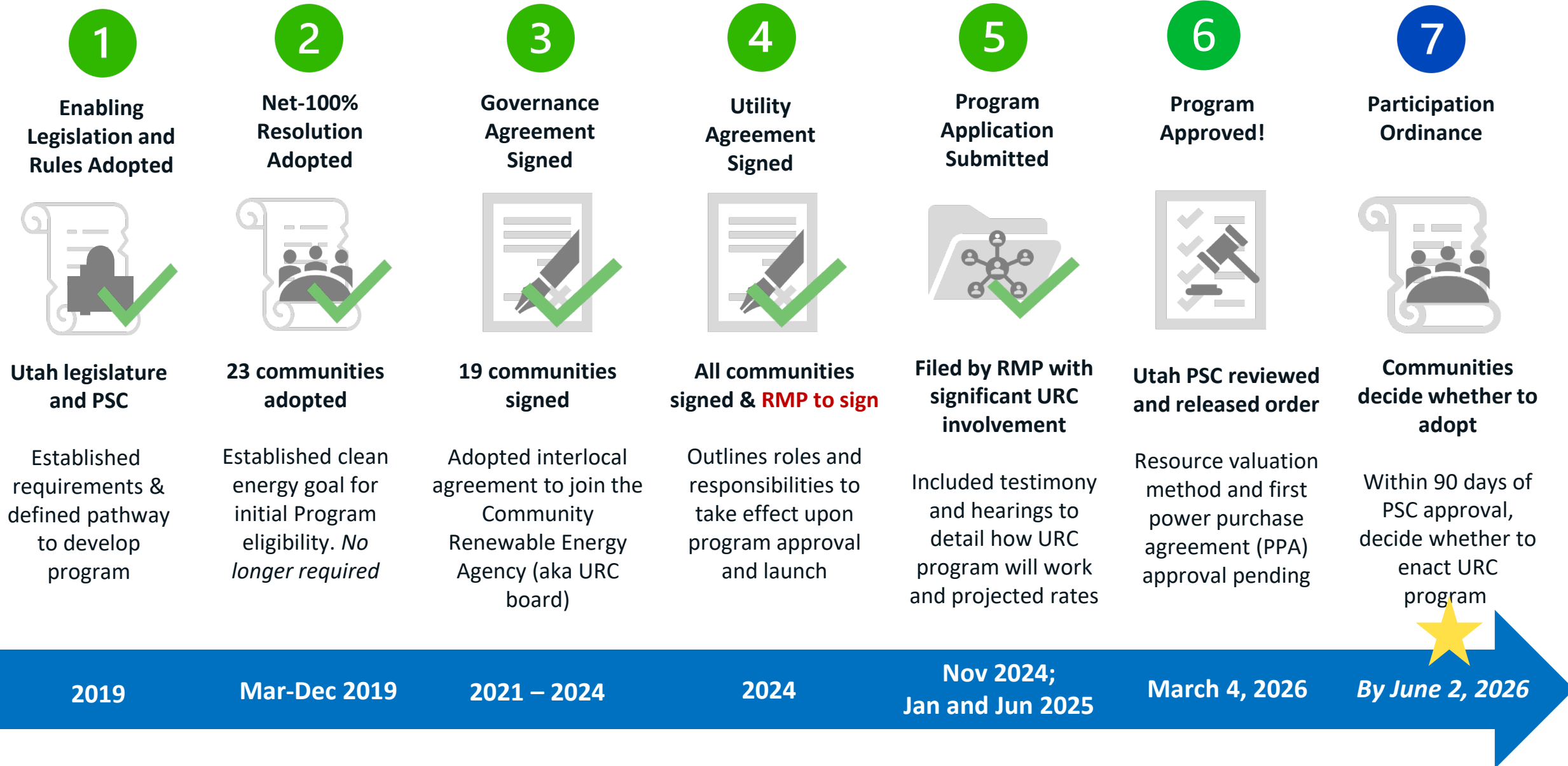


The Community Clean Energy Program developed by URC and RMP offers a unique option for customers who want to access clean energy:

- Blue Sky allows participants to voluntarily contribute \$1.95 per 100 kWh “block” or 1.95 cents per kWh to support renewable energy by:
 - Supporting grants to help organizations offset the cost of rooftop solar and
 - Fund the purchase of renewable energy certificates (RECs) nationwide
- Subscriber Solar offers shares in an existing 20 MW solar farm in Southern Utah. Participation is capped and RMP has not indicated they plan to build more projects for this program
- Customers with the resources that own their home or business can install rooftop solar. Doing so supports renewable energy growth and directly lowers monthly bills by producing at least a portion of the electricity used by the home or business

By supporting the development of **large-scale, new, and regionally based** clean energy projects, the Community Clean Energy Program can create impact that is unique to other clean energy options.

Program development process



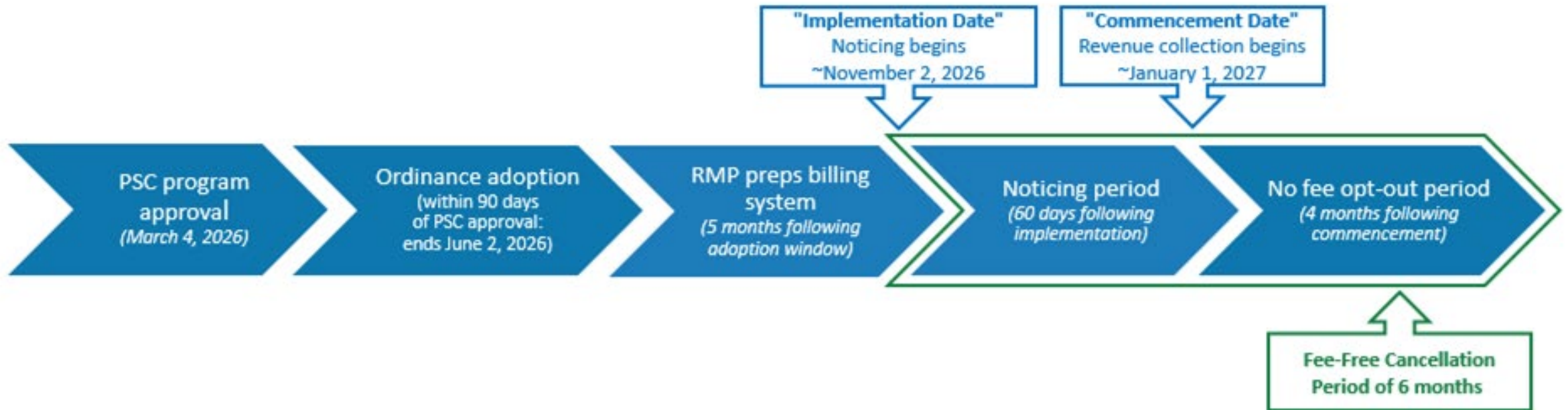
PSC order



- On March 4th, the PSC [issued an order](#) approving the Community Clean Energy Program
- The order addressed key details like the initial program rate and customer opt out details, while leaving more complex issues for a follow up ruling
- What does this mean?
 - The order allows the URC program to move forward!
 - **The 90-day clock for communities to consider the ordinance has begun (until June 2)**
 - While the program is readied for launch, the URC board and support staff and RMP will continue collaborating with the other Parties* in the docket to propose solutions to remaining issues to the PSC
 - At the same time, URC and RMP will conduct negotiations with clean energy developers towards executing a contract for the first URC program resources

*Other Parties includes: Division of Public Utilities, Office of Consumer Services, Sierra Club, and Western Resource Advocates

Anticipated timeline



“Implementation” = when customer noticing begins. *Currently estimated in late 2026*

“Commencement” = when rate collection begins. *Currently estimated in early 2027*

Initial program rate: residential flat fee



**Eligible residential customers:
\$4 per month**

\$3.88 monthly program participation fee +
\$0.12 monthly surcharge for low income program
= \$4.00 per month

**Qualifying low income residential
customers: \$0 per month**

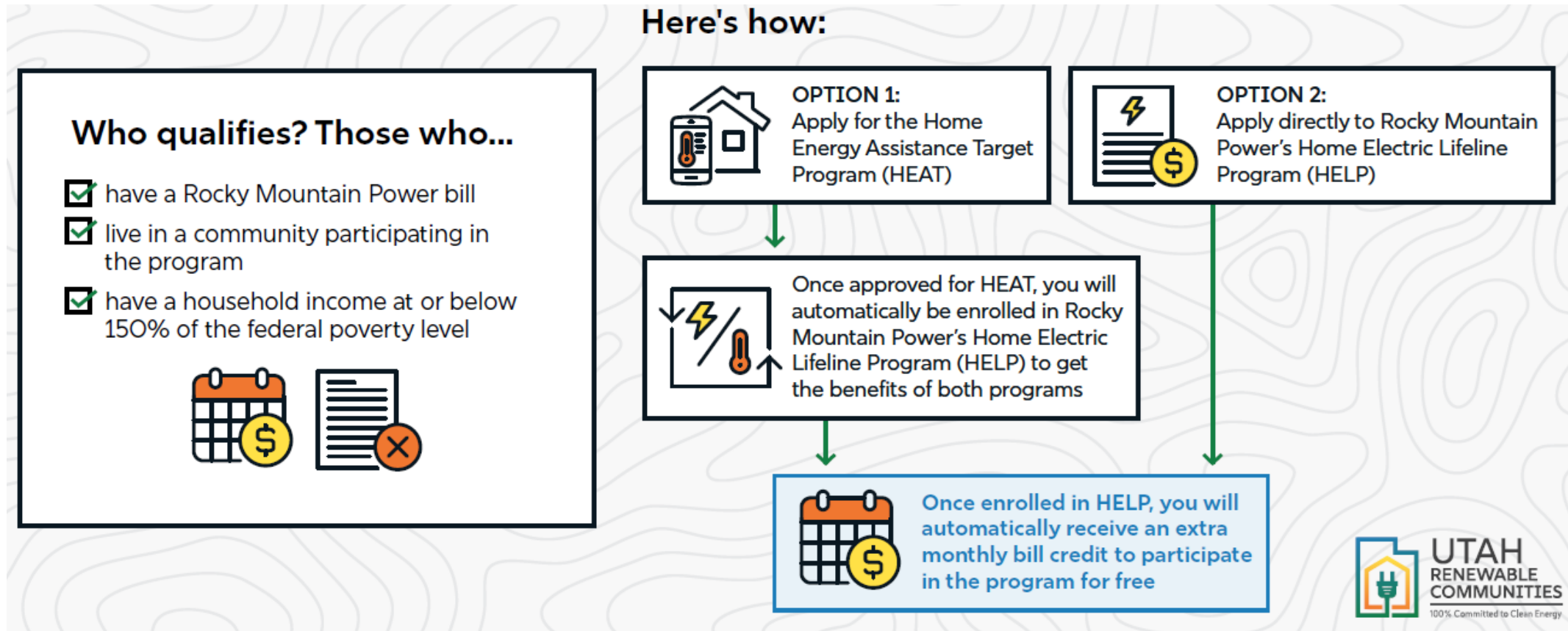
\$3.88 monthly program participation fee -
\$3.88 monthly enhanced bill credit
= \$0.00 per month



Eligibility

All residential customers in participating communities are eligible to participate *except those on Schedule 135*. Residential customers in participating communities with rooftop solar on Schedule 136 or 137 are eligible to participate.

How do customers qualify for the low income offerings?



- Qualified low income customers can:
- Participate for free
 - Opt out any time with no termination fee

Initial program rate: non-residential volumetric rate



Non-residential customers: **\$0.00609 per kWh** used per month + **\$0.12 monthly surcharge** for low income program per month.

The total monthly cost depends on the amount of electricity used.

Example scenario: a medium office building used 6,880 kWh in May
Without the program, their total RMP bill is \$847.39 for the month
With the program, the bill is an additional \$42.02 for a total of \$889.41, a ~5% increase



Eligibility

All non-residential customers in participating communities are eligible to participate *except those with rooftop solar on Schedule 135*. Non-residential customers in participating communities with rooftop solar on Schedule 136 or 137 are eligible to participate.

Program rates: long term

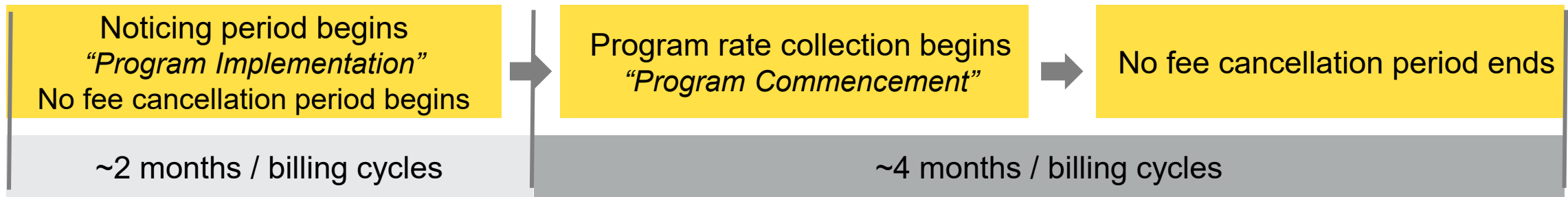
- Like all utility rates, the rates for the Community Clean Energy Program will be periodically adjusted and communicated accordingly
- Adjustments will occur no more than annually per the statute
- The [PSC order](#) says the following:

"While future Program rates may diverge from those under RMP's proposal contingent on later determinations regarding Resource Valuation and changes to other underlying variables, **no evidence in the record suggests that Program rates are likely to meaningfully increase from the initial rates approved in this order. Instead, under RMP's proposal, they would decrease rather significantly after the first two years.** At the Program's inception, customers will be deciding whether to opt-out with reference to rates that are likely to be higher than rates charged later, after the reserve balances are sufficiently established."

Customer opt out

Program-eligible customers can opt out at any time

There is no termination fee if a customer opts out within the six month “cancellation period”



- Customers can opt out at any time
 - If during the cancellation period, there is no fee to exit
 - After the cancellation period, a \$30 termination fee for residential customers
 - The termination fee varies depending on rate Schedule for non-residential customers
- Customers moving into or annexed into a participating community will be provided with a similar noticing and cancellation period, and can also exist the program any time

Ordinance [name/number] requirement



- Per Community Clean Energy Act and Utah Code § 54-17-903(3) governing the program: **“an eligible community identified in the application must pass an ordinance...in order to become a participating community”** and **“the local ordinance...shall be adopted by the municipality or county within 90 days after the date of the commission order approving the community clean energy program”**
- Therefore, we and the other 18 URC members have until June 2nd to adopt the ordinance if we want to enact the approved program within our boundaries

About ordinance 2026-11



- URC and RMP were required to include a draft of the ordinance in the Program Application filed with the PSC in 2025
 - URC's outside attorney, Phil Russell, drafted the ordinance in 2022 with input from several URC board members and their municipal attorneys on the URC Program Design Committee. The board adopted this as the draft model ordinance through Resolution 23-01 in January 2023
 - Ahead of the Program Application being filed, the board adopted an updated model resolution in January 2025 through Resolution 2025-02. The updates reflected changes to Utah code made during the 2024 legislative session and other minor changes
- Following the PSC order on March 4th, the ordinance was updated one more time to reflect the order, and was then distributed to all 19 communities to finalize

Ordinance preamble



The preamble lays out the history and context for the development of the Community Clean Energy Program, and the steps our community took to be eligible to enact the program:

- 2019 passage of HB 411 Community Renewable Energy Act, later changed to the Community “Clean” Energy Act, creation of rules adopted by the PSC
- Requirement that interested communities had to come together under a governance agreement to enable cooperative decision-making among communities and with RMP
- The requirement that interested communities sign a Utility Agreement with the utility and then adopt an ordinance following adoption of the program by the PSC
- Optional details about our community’s health, safety, welfare, environmental stewardship, and other motivations to participate in the program

Ordinance details



- The ordinance adopts the Community Clean Energy Program
 - Put another way: by vote of our Council, our community is opted in, then all eligible RMP customers in our community have the choice whether to stay in the program or opt out
- Details covered in Exhibit A to the ordinance:
 - All customers except those on Schedule 135 are eligible
 - Program implementation begins the day that RMP sends the first notices. RMP must provide two notices to each customer, each separate from the monthly bill
 - Customers are automatically enrolled and can opt out anytime by providing notice to RMP
 - There are circumstances in which a customer does not pay a termination fee for opting out: during the “cancellation period”, ceasing to be a RMP customer or moving out of a participating community, undergoing bankruptcy proceedings, or being enrolled in Schedule 3 bill assistance
 - Clean energy resources can be acquired by RMP for the program
 - The PSC determines the program rate and can approve adjustments to the rates
 - RMP is responsible for billing customers and notifying them of changes to the program rate

Ordinance details (continued)



Communities that adopt the program are responsible for:

- Entering into a utility agreement (we have already signed the utility agreement)
- Reimbursing RMP for the cost of providing two notices to all customers
- Contributing funds to pay for third-party consultants used by the Office of Consumer Services and Division of Public Utilities to evaluate the program (we completed this when we signed the governance agreement and contributed funds to the Agency's budget)
- No other costs associated with the program, including termination fees not paid by a customer within our boundaries

The ordinance does not spell out every detail regarding how the URC program works, instead, it refers to the PSC order, administrative rules, and legislative act (HB 411) for specific details

Policy analysis/recommendation



- As part of RMP's service territory, our community's options for supporting clean energy through the utility are limited. The Community Clean Energy Program has been designed to provide a new choice for all homes and businesses to choose clean energy through RMP by supporting clean energy development at scale
- The Act and Rules created a pathway for communities to come together and with RMP apply to the PSC to launch this new program. It has been a careful and intentional process
- The Community Clean Energy Program is our community's best choice for making clean energy available to the entire community. If we do not adopt the ordinance, the choice to participate in the Community Clean Energy Program goes away
- Working to support clean energy aligns with our community's mission of promoting the health, safety, and welfare of the community

Summary and next steps



Key takeaways & requested action

- The Community Clean Energy Program, should we choose to enact it, will provide a new opportunity for all eligible homes and businesses within our community to choose clean energy through their RMP bill
- The Program was recently approved by the Utah Public Service Commission which starts a 90-day clock for us to decide whether to enact the approved program by adopting an ordinance
- Ordinance [name/number] is available for [our council/commission] to discuss and consider adopting
 - If we adopt the ordinance, we will officially bring the Community Clean Energy Program to our community and we will continue to be part of the URC board, collaborating with RMP to launch and operate the program
 - If we do not adopt the ordinance, the Community Clean Energy Program will not be an option for our community and we will no longer be part of the URC board



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