

Utilities Financial Policies  
Department of Public Utilities, Los Alamos County

I. Purpose

The Department of Public Utilities (DPU) operates the Los Alamos County-owned electric, gas, water, and sewer utility systems under jurisdiction and control of the Board of Public Utilities. This policy is intended to ensure adequate cash is available for effective and efficient operations of all County-owned utilities. For budgeting, rate-setting, and operational planning purposes, DPU shall adhere to the following guidance in regard to cash reserves. DPU shall first consider the terms of the Los Alamos County Charter (LAC Charter) and the Los Alamos County, NM Code of County Ordinances (County Code) in managing these cash reserves.

II. Background

- A. The LAC Charter, Article V, Section 509 Priority of Budgeted Expenditures states: “In order that the Department of Public Utilities can plan and utilize its proceeds for the maintenance, improvement and extension of the utilities system before any part of such proceeds is diverted to general County purposes, all funds derived from the operation of the utilities shall be managed and expended in accordance with the following policies. From the proceeds of the operation of the Department:
1. There shall first be set aside the funds required for current operation.
  2. There shall next be set aside the funds required to redeem and pay interest on any bond issue for the utility which shall become due and payable during the next fiscal year.
  3. There shall next be provided an adequate reserve to finance replacements required by normal depreciation of the utility plant or equipment as provided in the Schedule of Funds. These reserves may not be used by the County for financing County operations.
  4. There shall be paid to the General fund those amounts set forth in the budget as payment to be made to the County in lieu of franchise fees and taxes that would be normally assessed against privately owned gas and electric utilities.
  5. There shall next be a provision for additions and improvements foreseen as necessary to meet future requirements for the utility systems as provided in the Schedule of Funds.
  6. All remaining operating profits shall be transferred to the County General Fund.”
- B. The County Code, Chapter 40, Article II, Division 2., Section 40-65, Schedule of Funds states, “The schedule of funds, and any amendment of the schedule, as proposed by the board, shall be referred to the council for consideration for adoption. The schedule of funds shall prescribe the necessary yearly funding of reserves for replacements, additions and improvements, and other reserves authorized by Charter, bond

ordinances and bond indentures or other governing instrument and shall be consistent with the needs of the utilities systems. The replacement reserve shall cover (among other things) tools, equipment, vehicles and system replacements. The schedule of funds shall reflect separate reserve allocations for separate utility systems.” Currently vehicle replacement reserves are handled by the LAC Fleet Fund.

C. Fundamental Considerations

1. Operations and maintenance should be budgeted and covered through operating revenues.
2. DPU should have adequate cash reserves, achieved through operating revenues, to cover most unplanned or corrective maintenance that may be required for continued operations.
3. With the adoption of this policy, the users benefitting from a major utility system or plant replacement shall bear the costs of that system or plant. This is a shift from historical DPU practice in which customers did not contribute to major system replacement reserves when existing utility systems were transferred from the Department of Energy (DOE) to Los Alamos County (LAC). As a result of this shift in practice, large system replacements should be funded through debt financing. Customers benefitting from the new facilities will contribute to the cost through debt service. Examples of major utility system or plant replacements include wastewater treatment plants, replacements of large segments of the water distribution or wastewater collection systems, or electric substations.
4. For smaller capital projects, a capital replacement reserve should be funded. Examples of such projects include replacement of a single section of water line, and replacement of a motor control or switchgear. If the urgency or magnitude of a capital project or group of projects exceeds available reserves, and if funding through rates would result in unacceptable rate fluctuations, debt financing will be considered.
5. Rates should be just, reasonable and comparable to those in neighboring communities [LAC Charter, Article V, Section 504]. In determining comparability, consideration will be given to topography, age and complexity of systems.
6. Rates should also be non-discriminatory with consideration given to social necessity. The goal is to serve the interests of DPU, LAC, and utility customers. While rates can be used and designed to achieve specific conservation or other social goals, they should be carefully evaluated to avoid undesired consequences.
7. All debt must be funded with adequate coverage to achieve or maintain the best credit rating available to a public utility with the operational characteristics of DPU.
8. All statutory, contractual or prudent retirement obligations must be funded on a planned schedule to achieve appropriate funding levels at obligatory due dates.

III. Cash Reserve Guidelines

- A. For purposes of this policy, cash is defined as both unrestricted and restricted equity in pooled cash and investments, cash and cash equivalents, and investments.

- B. Rates will be established to cover budgeted operations and maintenance costs, projected commodities costs when and if a pass-through rate structure is not in place, and reserve requirements. To the extent practical, rates will be designed to recover costs according to cost drivers, with consideration for other political or social objectives identified in rate analysis.
- C. Rates will be just, reasonable and comparable to those in neighboring communities. [LAC Charter, Article V, Section 504.] In determining comparability, consideration will be given to topography, age and complexity of systems.
- D. Immediate implementation of this policy upon adoption may not be practical due to pre-existing deviations from the targets specified. Upon adoption by the Board of Public Utilities, DPU management will assess current cash balances, develop a plan and determine a time frame for implementation. The plan will be presented to the Board no later than the third regular Board meeting from the policy adoption date.
- E. In each of the utility sub funds:
  - 1. Operations Reserve: A target cash balance for operations will be established. This balance should equal 180 days of budgeted operations and maintenance expenditures as identified in the annual LAC budget book. A floor, or lowest acceptable balance, will also be established, equaling 90 days of budgeted operations and maintenance expenditures as identified in the annual LAC budget book.
    - a. This reserve may be utilized for correcting deposits to or from other reserves.
    - b. If the cash balance falls below target, DPU will initiate corrective action and determine the following:
      - i. Can the balance be expected to recover by the end of the subsequent fiscal year through the normal course of business?
      - ii. Is the curtailment of expenditures warranted?
      - iii. Is immediate rate action required?
    - c. If the cash balance falls below the floor, immediate action must be taken to first curtail expenditures and then, if necessary, adjust rates to restore cash to the floor level within 180 days.
  - 2. Capital Expenditures Reserve: A 10-year capital plan for projects not financed through debt will be maintained. An annuity will be included in the annual budget to ensure availability of funds for the capital plan. Through this capital plan and associated annuity, funds will accrue toward future planned capital expenditures, with a target minimum reserve in each sub fund equal to annual depreciation plus 2.5 percent to provide for inflationary or technology evolution pressures. Due to the long-term, future-focused nature of the capital plan as well as the opportunity for periodic adjustments as warranted, no funding floor is necessary.

3. Contingency Reserve: A contingency reserve will be established and maintained for each sub fund. The reserve will be equal to the replacement cost of the single largest piece of equipment with potential for failure, as defined by DPU's asset management team for that sub fund. In the event that a contingency reserve is used, the reserve amount will be restored from insurance, grant, or disaster recovery funds, if applicable, as soon as those funds become available. Otherwise DPU will establish a plan within 90 days to reestablish contingency reserves by the end of the subsequent fiscal year through curtailment of other expenditures or through rate actions.
4. Debt Service Reserve: Debt service reserves will be established to sufficiently fund all debt service requirements as required by the Charter, bond ordinances and bond indentures, or any other debt agreement (County Code, Chapter 40, Article II, Division 2., Section 40-63,(c)(2). The debt coverage ratio, based on total debt, is a key bond rating criteria. If the balance of this required reserve falls below required amounts, the reserve will be restored immediately by transfer of funds from the Operations Reserve [Cash Reserve Guidelines, Section III.E.1.a].
5. Retirement/Reclamation Reserve: Retirement/reclamation reserves will be funded to meet all statutory and contractual requirements and schedules and to satisfy prudent utility practices. If required by contractual agreements, reserves will be placed in trust funds set up for specified purposes. Otherwise, reserves will be accounted for as restricted and will not be available to supplement other reserves. When funding targets are based on future dates, monthly annuities designed to accumulate the required future fund balances will be established. When project cost analysis necessitates an adjustment to reserve requirements, funds will be transferred to or from the Operations Reserve [Cash Reserve Guidelines, Section III.E.1.a] to adjust the reserve accordingly.
6. Rate Stabilization Reserve: A rate stabilization reserve will be maintained when a pass-through rate mechanism for commodities is not in place. The rate stabilization reserve will be maintained with a target balance equal to the 10-year historical average cost of the commodity per unit times 12 months average projected consumption. A funding floor will be established equal to the 10-year historical average cost of the commodity per unit times 180 days average projected consumption. Should the cash balance drop below the target, DPU will initiate corrective action by determining the following:
  - a. Can the balance be expected to recover by the end of the subsequent fiscal year through the normal course of business?
  - b. Is the curtailment of expenditures warranted?
  - c. Is immediate rate action required?

- d. If the cash balance of the rate stabilization reserve falls below the floor, immediate action must be taken to first curtail expenditures and then, if necessary, adjust rates to restore cash to the floor level within 180 days.
  - 7. Consideration of the funding of these reserves, as projected in the Schedule of Funds, should take into account the following priority order:
    - a. Operating Reserve
    - b. Debt Service Reserve
    - c. Retirement/Reclamation Reserve
    - d. Capital Expenditure Reserve
    - e. Rate Stabilization Reserve
    - f. Contingency Reserve
  - 8. If excess cash balances exist in relation to targets, DPU will establish plans to spend down or adjust the excess cash within three fiscal years. The plans may include rate reductions, acceleration of the 10-year capital plan, or prudent increase in maintenance activities. When necessary, use of cash in one sub-fund may include transfer to another sub-fund only as a loan subject to a market rate of interest and with approval of both the Board of Public Utilities and the Los Alamos County Council.
  - 9. Rates will be established to cover budgeted operations and maintenance costs, projected commodities costs in the absence of a pass-through rate structure, and all reserve requirements. Rates will, to the extent possible, be designed to recover costs according to cost drivers, with consideration for other political or social objectives identified in rate analysis.
- F. Financing for each of the utility sub funds will adhere to the following:
- 1. Improvements to the system will be scheduled and budgeted with consideration of any rate impacts that may result. DPU will avail itself of below-market-rate loans or financing when available. DPU management will evaluate financing alternatives including phasing, deferral, or debt financing as project funding methods.
  - 2. Replacement projects of smaller subsystems will normally be funded from the capital annuity and replacement reserve. If the inclusion of the capital annuity in the annual budget would result in rate impacts that would force rates beyond pre-determined standards [Cash Reserve Guidelines, Section II.C.5-6; III, E, 9], DPU management will evaluate alternatives to total rate financing, including phasing or deferral of projects or debt financing.
  - 3. Large system replacements will be funded through debt financing. Examples of such replacements include a new wastewater treatment plant, a large segment of the

water distribution or wastewater collection system, or an electric substation. When cash reserves have already been established and are supported through rates, such as for water well replacements, those funding mechanisms for future plant replacements will be continued. This determination and funding method will be reviewed by the Board of Public Utilities and the Los Alamos County Council as part of the normal budget review process.