

2021-2022 University Place Rates

TACOMA POWER

TACOMA S WATER

TACOMA CITY COUNCIL MEETING FEBRUARY 23, 2021





• University Place Utility Tax

The City of University Place approved a utility tax on gross revenue from Tacoma Power and Water customers in that jurisdiction.

• Effective Date

The tax is 3% effective April 1, 2021 to March 31, 2022, and 6% effective April 1, 2022 and thereafter.

• Request

Rate adjustment to pass through the additional tax to University Place customers as a cost of service.

• If No Action

The cost of the University Place taxes will be borne by all Tacoma Power and Tacoma Water customers, instead of only customers in the University Place jurisdiction. This would violate rate-making principles and guidance regarding tax treatment.



CASE LAW & LEGAL CONSIDERATIONS

• Lakehaven Water & Sewer District v. City of Federal Way

Rejected a challenge to a City's authority to impose water utility taxes on Public Utility Districts

• Tacoma Public Utility Board | Resolution No. U-11237

Costs associated with utility tax increases should be passed on as rate increases to customers of the relevant jurisdiction (aligns with cost-of-service principles)

• City of University Place | Ordinance No. 737

Imposes a utility tax on electrical services, sewerage and water services within University Place

• TPU Request

Approval of revised 2021-2022 University Place power and water rates

3





Cost-of-service utilities set rates based on cost causation:

- Tax on Tax Impact
 - Tax is on *gross* revenues, which include revenues that will be used to pay taxes
 - All taxes are applied concurrently, so if revenue is increased to pay one tax (UP), additional tax liability will be incurred for other revenue taxes (GET, State Utility Tax)
- Effective Tax Rates
 - Power: UP rates must increase by 3.50% to make up for a 3.0% additional tax, and by 7.26% to make up for a 6.0% additional tax
 - Water: UP rates must increase by 3.6% to make up for a 3.0% additional tax, and by 7.4% to make up for a 6.0% additional tax

4







