

Service Regulations



LINCOLN ELECTRIC SYSTEM

Effective January 1, 2016

**SUMMARY OF SERVICE REGULATIONS REVISIONS
FOR JANUARY 1, 2016**

- (1) The addition of a purpose statement and board action date in the introduction to the document.
- (2) The addition of paragraph G1c and renumbering of current G1c to G1d. This adds information in G1 – EXTENSION POLICY, Service Voltages, concerning the Downtown underground network.
- (3) Clarification of totalized meters/services in J2 – INSTALLATION AND EQUIPMENT, Multiple Services
- (4) Add the requirement the Customer and Property Owner must have a U.S. Mailing address to GENERAL DEFINITIONS and new section M1 Mailing Requirement. Renumber remaining sections in M – BILLING RESPONSIBILITY AND SERVICE CONNECTIONS.
- (5) Remove reference to Field Collection in N3a1 – DISCONNECTION OF SERVICE By the SYSTEM With Appropriate Notice and SUMMARY OF LES SERVICE FEES Addendum.

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SERVICE REGULATIONS
Effective: January 1, 2016
Supersedes: January 1, 2015

These Service Regulations are officially approved by the LES Administrative Board and are intended to provide the governance for LES customer and staff interactions. Where required, internal LES Policies/Standards may provide further governance to specific situations not covered herein.

These Service Regulations were most recently reviewed and approved on December 18, 2015, and are effective January 1, 2016.

Contact the Vice President and CFO or the Vice President, Customer Services at 402-475-4211, for additional information or questions.

A. GENERAL DEFINITIONS

Certain terms used, for the purposes of and subject to the other provisions and conditions of the Rate Schedules and Service Regulations, unless otherwise indicated, are defined as follows:

1. **SYSTEM:** Shall be defined as the Lincoln Electric System acting through the elected city officials, duly appointed board members, agents and employees within the scope of their duties and responsibilities.
2. **CUSTOMER:** Any person, partnership, association, firm, corporation (public or private) or governmental agency, requesting and/or taking service from the SYSTEM at a specific location, whether the service at that address be in their name or someone else's. The CUSTOMER must have a U. S. mailing address.
3. **SERVICE AREA:** The area defined generally by a three-mile limit outside the Lincoln City limits. A map depicting the exact area may be obtained at the SYSTEM offices.
4. **SERVICE WIRES:** The wires, owned by the SYSTEM, connecting the SYSTEM'S distribution system to a CUSTOMER'S service terminals or conductor.
5. **POINT OF DELIVERY:** The point where the SYSTEM supplies service to a CUSTOMER and which, unless otherwise agreed upon between the SYSTEM and the CUSTOMER, shall be the point where the SYSTEM SERVICE WIRES are joined to the CUSTOMER'S service terminals or conductor. For flat rate underground secondary service without a meter, the CUSTOMER-owned disconnecting means/overcurrent protective device will be the POINT OF DELIVERY. Exception: public traffic signal service.
6. **METER:** The device or devices including all auxiliary equipment necessary to measure and register an electrical quantity (energy, demand and reactive power) that is supplied by the SYSTEM to a CUSTOMER at a POINT OF DELIVERY. For underground secondary service, the METER will be the POINT OF DELIVERY.

7. **BILLING PERIOD:** Bills for metered services are rendered on the basis of the scheduled meter reading dates or a date agreeable with the SYSTEM for final readings. Under normal conditions, BILLING PERIODS typically range from 27 to 35 days. Non-metered service billing periods are based on a monthly schedule set by the SYSTEM.
8. **COGENERATION AND SMALL POWER PRODUCTION:** For the purpose of these Regulations, COGENERATION AND SMALL POWER PRODUCTION shall be defined as all forms of electrical generation that are or could be in parallel operation with the SYSTEM. Such equipment may include, but may not be limited to, conventional facilities as well as renewable generation. See Section L.2. CUSTOMER OPERATION OF GENERATING EQUIPMENT Cogeneration and Small Power Production Facilities – (Qualifying).
9. **FACILITIES INVESTMENT COST:** The total cost to the SYSTEM, including design, material, equipment, labor and labor overheads to build and install additional facilities above and beyond existing plant, or to reinforce existing facilities, in order to serve the CUSTOMER'S load or additions to load.
10. **AID-TO-CONSTRUCTION:** A payment required from the CUSTOMER to the SYSTEM involving a portion of construction costs. Such payment does not entitle the CUSTOMER to a right of ownership of equipment or facilities. The amount and manner of payment of this cost will be determined by the Energy Delivery Division.
11. **PROPERTY OWNER:** Any person, partnership, association, firm, corporation (public or private) or governmental agency, holding title to and represented by that title as having all rights and privileges of the property described in the title will be considered by Lincoln Electric System as the PROPERTY OWNER. The PROPERTY OWNER may be represented by an Agent and upon written notice by the PROPERTY OWNER, rights and privileges may be exercised by the Agent. The PROPERTY OWNER, or Agent, must have a U. S. mailing address.
12. **CONTRACT CUSTOMER:** A CUSTOMER who requests special services that are not included within the published retail rate classes of service, which shall include cogeneration and small power production, as defined by the Public Utility Regulatory Policies Act (PURPA), wheeling services, certain interruptible services, and general wholesale power transactions.
13. **AUTHORITY HAVING JURISDICTION:** This title is defined in the National Electric Code as an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure. As used in this document, this title refers to such authority functioning in the City of Lincoln's Building and Safety Department.
14. **CUSTOMER-OWNED GENERATION:** This includes any equipment or device which produces electric energy and is owned and operated by a CUSTOMER or any other entity within the SYSTEM'S service area. This generation equipment or device may be powered by combustible fuel, hydro, wind, solar, cogeneration, or other sources. Refer to Section L. CUSTOMER OPERATION OF GENERATING EQUIPMENT.

B. AVAILABILITY AND CHARACTER OF SERVICE

1. Availability and Character of Service

The availability of service and the equipment to be used in providing electric service shall be determined by the SYSTEM before electrical plans for service connections are finalized. An AID-TO-CONSTRUCTION may be required for facilities the SYSTEM installs in excess of what is normally required for service to a CUSTOMER as governed by these Service Regulations. The SYSTEM shall advise the CUSTOMER of the available phase and voltage for that service. The CUSTOMER shall be responsible for operation, maintenance, replacement and renewal expenses on all CUSTOMER-owned equipment.

2. Removing Limbs and Trees

The SYSTEM retains the right to trim trees including the removal of limbs, to the extent that such trimming shall be reasonably necessary to prevent interference with the SYSTEM'S lines and equipment. With PROPERTY OWNER approval, the SYSTEM will remove trees to prevent interference with the SYSTEM'S lines and equipment (including the METER).

In the instance of street trees and park trees, the City of Lincoln as PROPERTY OWNER permits the SYSTEM to trim trees, including the removal of limbs, to the extent that such trimming shall be reasonably necessary to prevent interference with the SYSTEM'S lines and equipment. Also, in the instance of street trees and park trees, with the approval of the City of Lincoln as PROPERTY OWNER, the SYSTEM may remove trees or may work in cooperation with Parks and Recreation Department staff to remove trees to prevent interference with the SYSTEM'S lines and equipment. The SYSTEM and the City of Lincoln Parks and Recreation Department will work cooperatively to manage public trees for the benefit of the SYSTEM'S lines and equipment and the health of Lincoln's public trees.

3. Limb and Wood Disposal

Trees or limbs that have fallen from standing trees due to storms or other acts of force majeure outside of LES' control are the responsibility of the property owner. In the event of a power outage where trees or limbs in the natural path of falling are suspended onto LES lines, transformers or any other LES facility, LES will not be responsible for any damage which may occur as a result of freeing the tree or limb and continuing the natural fall path. The property owner is also responsible for the disposal of all limbs and wood, as well as property damage resulting from the trimming of storm damaged trees for LES' service restoration efforts.

4. Access to LES Equipment

It is the PROPERTY OWNER'S responsibility to provide and maintain unobstructed access to METERS and other SYSTEM equipment at all times. See Section N.3.b.2. DISCONNECTION OF SERVICE By the SYSTEM With Appropriate Notice. The SYSTEM retains the right to access the METER and other equipment for maintenance and control purposes.

C. REQUIREMENTS FOR SERVICE CONNECTIONS

1. Application for Service (less than 200 amps, secondary voltage)

An "Application for Electric Service" for service entrance sizes of 200 amps and below and 600 volts or less must be received by the SYSTEM at least 14 calendar days before final inspection by the appropriate AUTHORITY HAVING JURISDICTION if primary distribution facilities are in place, and 45 calendar days if primary distribution facilities must be extended. The Application for Electric Service originates at the City of Lincoln's Building and Safety Department or office of the appropriate AUTHORITY HAVING JURISDICTION.

2. Application for Service (between 200 and 1,000 amps, secondary voltage)

An "Application for Electric Service" for service entrance sizes larger than 200 amps and no larger than 1,000 amps and 600 volts or less must be received by the SYSTEM at least 45 calendar days prior to final inspection by the appropriate AUTHORITY HAVING JURISDICTION. The Application for Electric Service originates at the City of Lincoln's Building and Safety Department or office of the appropriate AUTHORITY HAVING JURISDICTION.

3. Application for Service (greater than 1,000 amps or primary voltage)

An "Application for Electric Service" for service entrance sizes larger than 1,000 amps and any primary metered service (greater than 600 volts) must be received by the SYSTEM as far in advance as possible. The electrical connection date will be subject to the availability of the transformer and other equipment needed and having sufficient time to schedule and complete work required (this, in some cases, can be 6 months and longer). The Application for Electric Service originates at the City of Lincoln's Building and Safety Department or office of the appropriate AUTHORITY HAVING JURISDICTION.

4. Easements

The CUSTOMER, without expense to the SYSTEM, shall provide or procure the easements necessary to furnish service to the CUSTOMER and the SYSTEM will not be required to make installation of service connections until all necessary easements have been given. No service shall be connected or continued unless all easements requested by the SYSTEM have been granted.

5. AUTHORITY HAVING JURISDICTION and SYSTEM Inspection

The SYSTEM will proceed with the connection of a service entrance as soon as practical after final inspection notice from the appropriate AUTHORITY HAVING JURISDICTION is received, provided specified requirements are met by the final inspection date. These requirements include, but are not limited to: the above lead times, filing of easements, establishment of final grade, lot pins, removal of all obstacles (fences, brick/wood/dirt piles, retaining wall, underground obstructions, etc.), installation of the required conduit, transformer pad and other items as deemed necessary by the SYSTEM.

D. POINT OF DELIVERY AND SPECIAL BILLING APPLICATIONS

1. Point of Delivery

The rates of the SYSTEM are based upon the supply of permanent service to the entire premises through a single POINT OF DELIVERY. If the SYSTEM agrees to supply service to a premise at more than one POINT OF DELIVERY, the service measured by the METER at each POINT OF DELIVERY will be considered a separate service.

Equipment which can transfer load between separately metered services will not be allowed, except in situations approved by the SYSTEM for services at the same location and on the same rate code.

2. Initial Rate Schedule Assignment

Newly installed temporary and permanent services for non-Residential CUSTOMERS will be initially assigned a rate code according to the following table. When usage history is established, the rate code may change in accordance with the APPLICABLE section of the appropriate rate schedule.

Service Size (Amps)	208V or 240V 1-phase	208V or 240V 3-phase	480V 1-phase	480V 3-phase	12,470V 1- or 3-phase
200 or less	GS	GS	GS	GS	GSD
201 to 399	GS	GS	GS	GSD	LLP
400 to 599	GS	GS	GSD	GSD	LLP
600 to 999	GS	GSD	GSD	GSD	LLP
1,000 or greater	GS	GSD	GSD	GSD	LLP

3. Testing of CUSTOMERS' Equipment

A CUSTOMER must arrange in advance with the SYSTEM for a special consideration to be made concerning abnormal billing demands that result from the CUSTOMER'S testing of equipment. The CUSTOMER should contact the Customer Services Division at least 7 calendar days in advance of each expected abnormal billing occurrence. The SYSTEM will inform the CUSTOMER in writing under what conditions and provisions special billing consideration will be allowed (i.e., time, duration and frequency of occurrence, and who must be present during the testing process).

E. CUSTOMER RESALE AND REDISTRIBUTION OF ELECTRIC SERVICE

It is the policy of the SYSTEM to require separate metering for electric power serving each new individual dwelling unit, new industrial or commercial unit, and future subdivisions of existing buildings as provided for in the policy for Master Metering established by the Administrative Board (Master Metering Standard 800.01.ST). Consideration on a case-by-case basis will be discussed when a written request is presented, citing issues that may cause the project to be cost prohibitive. A decision on the request will be rendered within 15 days of the receipt or as further communication warrants. Electric service purchased by a CUSTOMER shall be for the sole use of such CUSTOMER in and upon the premises to which such service is supplied, and shall not be sold directly nor a bill rendered, on a metered basis, by a CUSTOMER to lessees, tenants or others. Existing sub-metered facilities can

remain, as is, if the end user does not pay more for electric consumption than the applicable LES rate. Violations will result in legal recourse.

F. TEMPORARY SERVICE

1. Charges

A one-time Temporary Service charge (see the Summary of LES Service Fees) will be made for each temporary overhead or underground single-phase service connection, consisting of SERVICE WIRES and self-contained METER only.

Should a contractor become delinquent in paying the charges for temporary service, no additional temporary services will be provided to that party until all amounts due are paid in full. Payment in advance may be required prior to providing additional service. When a requested temporary service exceeds typical costs, the CUSTOMER shall pay for the additional cost to the SYSTEM. The temporary extension charge will be a non-recoverable charge, payable in advance of any construction. The CUSTOMER will provide an identifiable address on site before temporary service is connected.

2. Conversion to Permanent Service

When the temporary service is for a building contractor and service may be furnished later on a permanent basis, material in the temporary service may be used in the permanent connection. Any material and associated labor proposed to be used in the permanent connection will not be considered in determining the connection charge for the temporary service.

3. Special Cases

At the SYSTEM'S discretion, it may apply a special procedure for handling temporary service to short term or seasonal retail locations (i.e., fireworks stands, Christmas tree stands, special events). This procedure will provide flat fees for kWh consumption and service connection charges based on projections approved by the SYSTEM.

G. EXTENSION POLICY

Permanent single-phase or three-phase extensions will normally be built in the most direct route from the nearest source of supply and to one service entrance location. Multiple points of service are not standard and if permitted, may require an AID-TO-CONSTRUCTION.

1. Service Voltages

Normal 60 Hertz alternating current service voltage extensions which can be provided under the appropriate load conditions and availability as determined by the SYSTEM are:

- a. from overhead secondary distribution lines:
 - 120 volts, single-phase, two wire
 - 120/208 volts, single-phase, three wire
 - 120/240 volts, single-phase, three wire
 - 120/240 volts, three-phase, four wire
 - 120/208 volts, three-phase, four wire
 - 277/480 volts, three-phase, four wire
- b. from underground secondary distribution lines:
 - 120 volts, single-phase, two wire
 - 120/208 volts, single-phase, three wire
 - 120/240 volts, single-phase, three wire
 - 120/208 volts, three-phase, four wire
 - 277/480 volts, three-phase, four wire
- c. from Downtown Lincoln underground network secondary distribution lines:
 (The Downtown Lincoln underground network is bounded roughly from 9th to 17th and M to P Streets).
 - 125 volts, single-phase, two wire
 - 125/216 volts, single-phase, three wire
 - 125/216 volts, three-phase four wire
 - 277/480 volts, three-phase, four wire
- d. from primary distribution lines:
 - 7,200/12,470 volt, three-phase, four wire
 - 34,500 volt, three-phase, three wire

If deemed appropriate by the SYSTEM, other voltage service extensions can be made available for approved loads upon application by the CUSTOMER.

2. Service Installation Cost

Subject to all other requirements of the Service Regulations:

- a. Service will be installed at no charge if the FACILITIES INVESTMENT COST to the SYSTEM will not exceed 2.5 times the estimated additional annual revenue resulting from providing the service.
- b. Service will be installed with an AID-TO-CONSTRUCTION, to be paid by the applicant in the amount and manner determined by the Energy Delivery Division of the SYSTEM, if the FACILITIES INVESTMENT COST to the SYSTEM will exceed 2.5 times the estimated additional annual revenue resulting from providing the service.

Estimates of revenue shall be based upon calculations or upon averages of historical records of similar types of service.

H. UNDERGROUND AND RELOCATION

The SYSTEM actively encourages the installation of its electric facilities underground. Major new construction of primary and secondary systems will be installed underground if determined to be feasible by the Energy Delivery Division.

1. Arterial Street Widening

The SYSTEM will install the distribution circuit underground if the existing pole line must be removed or if the poles will be less than a reasonable distance from the back of the curb after the arterial is widened. The SYSTEM'S Energy Delivery Division will be responsible for determining a reasonable distance from the back of the curb.

2. New Primary Distribution Systems

The SYSTEM, when determined by the Energy Delivery Division to be feasible, will install all new feeders underground where there is not an existing pole line. If there is an existing pole line the SYSTEM'S Energy Delivery Division will be responsible for determining the feasibility of installing the feeder underground, using a base factor such that the cost of underground is not more than two times the cost of installing the feeder overhead.

3. Underground Service in New Residential Areas (Single-Family Dwellings, Townhouses, Duplexes with a Meter Center and Mobile Homes)

The SYSTEM will own, install, operate, and maintain an adequate underground distribution system including the SERVICE WIRES to the METER socket on the outside of the house or structure.

- a. In subdivisions the CUSTOMER or developer will contribute an AID-TO-CONSTRUCTION (see the Summary of LES Service Fees for Underground Extension fees).
- b. In mobile home parks the CUSTOMER or developer will contribute an AID-TO-CONSTRUCTION for an adequate underground distribution system and will also own, install and maintain the meter pedestal (see the Summary of LES Service Fees for Underground Extension fees).
- c. In either a. or b. above, a 100 percent AID-TO-CONSTRUCTION payment will be required 30 calendar days before the beginning date of the SYSTEM'S construction. The SYSTEM may accept a 20 percent payment of the AID-TO-CONSTRUCTION cost and a payment bond or escrow account for the 80 percent balance. The balance will be due, if applicable, upon completion of the project or project phase. Payment is delinquent if not paid in 10 calendar days following billing by the SYSTEM.
- d. New residential developments shall be coordinated with the SYSTEM to minimize the permanent electric facilities required to serve the development. The CUSTOMER or developer will contribute an AID-TO-CONSTRUCTION for any temporary facilities and any facilities in excess of what would otherwise be minimally required to serve the development.

- e. When the CUSTOMER or developer requests construction which exceeds the scope of the LES Underground Electric Distribution System Installation Agreement, the CUSTOMER or developer will contribute an AID-TO-CONSTRUCTION.
- f. In either d. or e. above, the AID-TO-CONSTRUCTION is a non-recoverable charge, payable in advance of any construction.

4. Conversion of Existing Overhead Facilities to Underground and Relocation of Existing Overhead and Underground Facilities

Public and private groups or individuals requesting existing overhead facilities to be installed underground or requesting the relocation of existing overhead or underground facilities may be required to pay the AID-TO-CONSTRUCTION cost of doing this work. The SYSTEM'S Energy Delivery Division will be responsible for determining the AID-TO-CONSTRUCTION cost and feasibility of such conversions or relocations.

5. Underground Service in Existing Residential Areas for New Construction (Single-Family Dwellings, Townhouses and Duplexes with a Meter Center)

The SYSTEM will own, install, operate and maintain the underground SERVICE WIRES to the CUSTOMER-owned meter socket wherever direct burial access is feasible. The SYSTEM will be responsible for determining the feasibility of the installation.

6. Underground Service to Newly Constructed Multi-Family Dwellings, Condominiums and Commercial Buildings (Excluding Duplexes with a Meter Center)

- a. The SYSTEM will own, install, operate and maintain the primary and secondary conductors to the point of termination of the CUSTOMER'S switchgear, bus duct, or metering point.
- b. The CUSTOMER will supply, install and maintain the secondary conduit(s), bus duct and transformer pad or vault, subject to the SYSTEM'S specifications and approval. Service from transformer vaults is not standard and may require an AID-TO-CONSTRUCTION. In cases where the SYSTEM does not require a transformer pad or vault, the CUSTOMER will supply and install the secondary conduit(s) to a point designated by and subject to the SYSTEM'S specifications and approval.

7. Grade Changes, Settlement and Erosion

The PROPERTY OWNER shall be liable to the SYSTEM for all costs incurred in the relocation and repair of SYSTEM overhead and underground facilities necessitated by grade changes, settlement and erosion on the property.

I. INSTALLATION OF SERVICE WIRES AND POINT OF SERVICE CONNECTION

The route of the service, the location of the service connection and metering equipment shall be determined by the SYSTEM in coordination with the CUSTOMER. Any wiring installed without first determining the location of the service connection and/or METERS will have to be brought into conformance upon notification by the SYSTEM. See Section N3b. DISCONNECTION OF SERVICE By the SYSTEM With Appropriate Notice.

J. INSTALLATION AND EQUIPMENT

1. Service Entrance

Prior to connection with the SYSTEM'S equipment, the CUSTOMER'S wiring and other electrical equipment must conform to all requirements of the City of Lincoln's Municipal Code or such other requirements of the applicable AUTHORITY HAVING JURISDICTION.

It is the CUSTOMER'S responsibility to obtain from the SYSTEM the maximum fault current available at the point of connection for use in design of the CUSTOMER'S protection equipment.

It is the CUSTOMER'S responsibility to provide and maintain unobstructed access to the METER and all SYSTEM equipment at all times. See Section N.3.b.2. DISCONNECTION OF SERVICE By the SYSTEM With Appropriate Notice. The SYSTEM retains the right to access the METER for maintenance and control purposes.

The point of service attachment of the overhead SERVICE WIRES on a building shall be of sufficient height to provide the required clearances listed in the latest edition of the National Electrical Safety Code. It shall be the responsibility of the CUSTOMER to maintain proper clearances between the overhead SERVICE WIRES and tree growth or other obstructions. A service mast or other approved structure to terminate service conductors or reinforcement of the building for adequate anchorage shall be provided and installed by the CUSTOMER or their contractor.

All instrument transformer enclosures, meter enclosures, meter sockets and conduits or raceways for meter wiring shall be furnished and installed by the CUSTOMER and shall be of a type approved by the SYSTEM.

Each CUSTOMER service shall have a disconnecting means and overcurrent protective device(s) for services less than 600 volts. The disconnecting means and overcurrent protective device may be one device.

For CUSTOMERS taking primary voltage service, the disconnecting means, overcurrent protective device and POINT OF DELIVERY will be mutually agreed upon by the SYSTEM and the CUSTOMER.

2. Multiple Service

The SYSTEM will not totalize metering of separate services. Where the SYSTEM contracts to provide multiple services or multiple voltages for the mutual benefit of the SYSTEM and the CUSTOMER, metering and billing shall be either by separate accounts at secondary voltage or consolidated at primary voltage. Grandfathered services may be permitted until such time such services are altered, changed or upgraded.

If the CUSTOMER chooses to take the service through primary metering, then the CUSTOMER will own all equipment, including transformers on the load side of the primary METER.

3. Purchase of SYSTEM-Owned Equipment

At the CUSTOMER'S option, the CUSTOMER may purchase the equipment on the load side of a primary METER if the CUSTOMER chooses to take the service through primary metering. A lump sum payment for the remaining value of the equipment, or a lease/purchase agreement of monthly payments not to exceed 60 payments, including an annual carrying charge, will be made to the SYSTEM. The SYSTEM will furnish metering equipment required to measure the service supplied, and will keep said equipment accurate within reasonable limits. The CUSTOMER shall furnish, without cost to the SYSTEM, adequate space in a suitable location for the SYSTEM'S metering equipment.

4. Electronic Data Acquisition From Billing METERS

The SYSTEM will provide at the CUSTOMER'S request energy data pulses from SYSTEM-owned revenue METERS equipped with pulse initiators via an isolation relay. The CUSTOMER will be responsible for all costs incurred by the SYSTEM to purchase and install any equipment necessary, and the SYSTEM will own, operate and maintain such devices. The SYSTEM assumes no liability for any CUSTOMER losses and damages resulting from subsequent failure of this equipment or the operation thereof.

5. Fire Alarms and Exit Lights

All fire alarm systems, fire water pumps and exit lights must be metered even if the CUSTOMER must install a meter socket exclusively for these circuits. The installation must conform with all applicable code requirements.

6. Pole Attachments and Joint Trench Occupancy

The SYSTEM will not allow CUSTOMER-owned equipment on SYSTEM facilities or in SYSTEM-provided trenches. However, the SYSTEM will allow joint pole attachments and joint trench occupancy with other utilities and certain entities which have the right to occupy public rights-of-way. Joint use agreements will be executed when necessary.

7. Notification of Load Increase

The CUSTOMER shall be responsible for notifying the SYSTEM'S Customer Services Division of expected load increases that are more than 20 percent of the highest kW demand recorded for that service in the previous 12 BILLING PERIODS. Examples of load increases include instantaneous electric water heaters, electric vehicle charging and addition of commercial or industrial equipment. Upon receiving such notice, the SYSTEM will inform the CUSTOMER of what lead time is necessary, if any, to provide adequate improvement to LES facilities to serve the new load level. The CUSTOMER shall be held responsible for all damages to SYSTEM-owned and/or privately-owned property and/or any injuries that are the result of a CUSTOMER'S service having been loaded above its designed limit. The CUSTOMER shall be solely responsible for understanding the terms, conditions and billing impacts of any rate change resulting from a service expansion.

8. Protection of CUSTOMER Equipment

The CUSTOMER shall be responsible for providing any devices necessary to protect the CUSTOMER'S equipment from loss or damage due to disturbances as set forth in Section O. SYSTEM SERVICE RESPONSIBILITIES.

9. Metering Equipment

- a. Measurement of Electric Usage – Shall be provided in accordance with the SYSTEM'S Electric Service Requirements. All metered services will require a SYSTEM approved metering device with no exceptions. The SYSTEM reserves the right to implement new metering technology at the SYSTEM'S sole discretion.
- b. Testing and Inspection of Metering – The SYSTEM reserves the right to test and maintain existing METERS and associated metering devices at any time. Removed METERS are not required to be tested prior to retirement and recycling.

K. SYSTEM DISTURBANCES

In cases where the SYSTEM determines the operation of the CUSTOMER'S equipment has or will result in excessive SYSTEM disturbances or costs to the SYSTEM not otherwise recovered through established rates, the SYSTEM will require the CUSTOMER to take corrective action, as approved by the SYSTEM, to resolve the disturbances or pay the costs incurred by the SYSTEM as a result of the SYSTEM disturbance.

L. CUSTOMER OPERATION OF GENERATING EQUIPMENT

1. Policy and Guidelines

Information regarding and copies of the SYSTEM'S "POLICY AND GUIDELINES FOR CUSTOMER-OWNED GENERATION" can be obtained from the Customer Services Division. A CUSTOMER who operates electric generating equipment shall only be allowed to parallel such equipment with the SERVICE WIRES upon meeting the requirements of the SYSTEM'S policy and guidelines for COGENERATION AND SMALL POWER PRODUCTION. The Guidelines comply with and refer to Public

Utility Regulatory Policy Act (PURPA – Public Law 95-617) Sections 201 and 210. They provide that only those generating facilities that meet the Federal Energy Regulatory Commission (FERC) criteria for qualifying status (see Section L.2. CUSTOMER OPERATION OF GENERATING EQUIPMENT Cogeneration and Small Power Production Facilities – (Qualifying)) will be considered for parallel operation. Such qualifying facilities must meet all provisions of the SYSTEM Policy and Guidelines and the CUSTOMER shall make no connections to the SYSTEM without specific inspection and approval by the SYSTEM and shall enter into a Parallel Operation, Power Sale and Interconnection Agreement with the SYSTEM. Any unapproved installations shall be grounds for immediate disconnection of SYSTEM'S service. Non-qualifying generating facilities will be allowed only as outlined in Section L.3. CUSTOMER OPERATION OF GENERATING EQUIPMENT CUSTOMER-Owned Non-Qualifying Generation (e.g., standby and emergency).

2. Cogeneration and Small Power Production Facilities - (Qualifying)

Pursuant to the LES Administrative Board's determination regarding PURPA (Public Law 95-617) Section 210, the SYSTEM has adopted the aforementioned Guidelines which pertain to the interconnection with, and the purchase and sale of, energy and power to qualifying facilities. The requirements for qualifying status under the SYSTEM Policy are the same as those outlined by the FERC rules, Cogeneration and Small Power Production facilities-qualifying status as found in Subpart B, Part 292, Subchapter K, Chapter I, Title 18, Code of Federal Regulations.

Small Power Production is generally defined as a facility that 1) produces electric energy solely by the use, as a primary energy source, of biomass, waste, renewable resources, or any combination thereof, and 2) has a power production capacity which, together with any other facilities located at the same site is not greater than 80 megawatts. Small Power Production facilities must satisfy the FERC size and fuel requirements described in Section 292.204 (a) and (b), the owner requirements of Section 292.206, and other applicable requirements outlined in the FERC rules and regulations.

Cogeneration is generally defined as a facility which produces electric energy and forms of useful thermal energy (such as heat or steam) which are used for industrial, commercial, heating or cooling purposes through the sequential use of energy. Cogeneration facilities must satisfy the FERC requirement for ownership described in Section 292.206, and the operating and efficiency standards described in Section 292.205 (a) and (b), and other applicable requirements outlined in the FERC rules and regulations.

3. CUSTOMER-Owned Non-Qualifying Generation (e.g., standby and emergency)

If the CUSTOMER does not meet the above criteria and has or wishes to install generation capacity for supplying needs during a SYSTEM service interruption, then an approved transfer switch shall be installed in the CUSTOMER'S wiring as specified in the Policy Statement and Guidelines Regarding Non-Qualifying Generation (e.g., standby and emergency). The transfer switch shall be capable of disconnecting the load from wiring connection to the SERVICE WIRES and transferring the load to the non-qualifying generator. The transfer switch shall break the circuit with the SERVICE WIRES before making the circuit with the CUSTOMER'S generation or be

a SYSTEM-approved closed transition switch. The CUSTOMER must prepare and submit to the SYSTEM an "Application for Electric Service" form. The Application for Electric Service originates at the City of Lincoln's Building and Safety Department or office of the appropriate AUTHORITY HAVING JURISDICTION. Installations will not be connected without SYSTEM approval.

M. BILLING RESPONSIBILITY AND SERVICE CONNECTIONS

1. Mailing Requirement

CUSTOMERS and PROPERTY OWNERS must have a U. S. mailing address.

2. Orders for Connections

The SYSTEM requires each connected electrical service to be in the name of the CUSTOMER who is responsible for charges relating to the rendering of electric service to a POINT OF DELIVERY. The SYSTEM will accept orders for connection and/or to change the name of the responsible party for billing with verbal or written notice from the CUSTOMER.

A New Service Fee (see the Summary of LES Service Fees) is applicable to each new account, move, transfer, etc., upon the request for service initiation. This fee will be waived if it is covered under the Landlord's Agreement or if temporary service is being replaced by permanent service. Additionally, in the event of construction of an apartment building, the fee will only be imposed on the house METER.

The SYSTEM will impose a New Service Fee to the PROPERTY OWNER, when a reconnection of electric service at an address is made. In the case of current transformer metering installations or if a conductor reconnection is required, a charge to cover the actual labor, material and equipment expenses required for performing the reconnection will be assessed (see the Summary of LES Service Fees).

3. Tenant/PROPERTY OWNER Provisions

Upon termination of service to a tenant, the SYSTEM will place the account in the name of the PROPERTY OWNER if the PROPERTY OWNER has previously requested, in writing, the service to be placed into his/her name. If no such request has been provided, this service will be disconnected until such time that the PROPERTY OWNER or new tenant has made an application for service in writing. The PROPERTY OWNER will not be responsible for any amount owed to the SYSTEM for electric service furnished the tenant during the tenant's occupancy. In subdivided situations that are not separately metered as required in Section E. CUSTOMER RESALE AND REDISTRIBUTION OF ELECTRIC SERVICE, the PROPERTY OWNER shall be the financially responsible party for the electric service furnished to the tenants therein.

4. Security Deposits

To guarantee payment on an account, a CUSTOMER may be required to pay a security deposit or provide some other accepted proof of adequate credit. At the time of account origination, this security deposit may be a flat amount or an amount

determined based on the location's billing history or projected usage, according to a schedule approved by SYSTEM management. Additionally, after account origination, a security deposit may be assessed on the account if a good payment history is not maintained.

5. Mislabeled or Improperly Connected Wiring to Service Entrance

The SYSTEM shall not be responsible for erroneous billing resulting from mislabeled meter sockets, improperly assigned meters or cross-wiring within the building's electrical system. The SYSTEM will not adjust or compensate CUSTOMER billing resulting from mislabeled meter sockets. SYSTEM staff may be available to provide consultation in these matters to the PROPERTY OWNER or the PROPERTY OWNER'S designated representative. SYSTEM staff will under no circumstances open or remove a CUSTOMER-owned cover which would result in exposure of electrical components or wiring. SYSTEM staff will also not operate CUSTOMER-owned circuit breakers or electrical main switches. If the investigation requires these procedures, the PROPERTY OWNER must provide, at his/her expense, a qualified electrical worker to perform these duties. All administrative costs associated with mislabeled meter sockets or improperly connected CUSTOMER wiring to the service entrance will be charged to the PROPERTY OWNER.

6. Billing Demand Responsibility

A new CUSTOMER taking service from an account with an existing demand history will not be responsible for the billing demands of the previous CUSTOMER. If the new CUSTOMER only represents a name change for the existing PROPERTY OWNER, they will be responsible for the billing demand established by the previous CUSTOMER unless waived by the Vice President of Customer Services.

7. Bank Card Payments

The SYSTEM will accept bank card payments from CUSTOMERS billed on Residential, General Service, Security Light and Heating Service (not including Large Heating Service) Rate Schedules. Bank card payments will not be accepted from CUSTOMERS billed on all other Rate Schedules.

8. Bill Adjustments

When a CUSTOMER has been overcharged for service as the result of reasons other than tampering, diversion, or subterfuge, the amount of the overcharge will be adjusted, refunded or credited to the CUSTOMER without interest and the period of adjustment will be for (a) the entire period of inaccuracy, (b) the period of occupancy, or (c) four (4) years, whichever is less.

When a CUSTOMER has been undercharged for service as the result of reasons other than tampering, diversion, or subterfuge, the amount of the undercharge may be billed to the CUSTOMER and the period of adjustment will be for (a) the entire period of inaccuracy, (b) the period of occupancy, or (c) twelve (12) months, whichever is less.

9. Transfer of Final Bills to Active Accounts

The SYSTEM has the right to transfer any delinquent bill balance to (a) any other premises or SYSTEM account for which the CUSTOMER is or becomes liable in any manner or (b) any other premises or SYSTEM account at or from which the CUSTOMER receives the benefit of electric service.

10. Meter Tampering/Bypass

Pursuant to Neb. Rev. Stat. §25-21,275 et seq., METER tampering or bypassing is prohibited by law and may be subject to criminal prosecution. Only authorized personnel or agents of the SYSTEM may adjust METERS.

Pursuant to Neb. Rev. Stat. §25-21,275, METER tampering means the act of damaging, altering, adjusting or in any manner interfering with or obstructing the action or operation of any METER or other device provided for measuring, registering, determining or limiting the amount of energy consumed.

Pursuant to Neb. Rev. Stat. §25-21,275, bypassing a METER means the act of attaching, connecting or in any manner affixing any wire, cord, socket, motor, pipe, or other instrument, device or contrivance to the utility supply system or any part of the system in such a manner as to transmit, supply or use any utility service without passing through an authorized METER or other device provided for measuring registering, determining, or limiting the amount of electricity without paying for the use at the rate established by the SYSTEM.

Any CUSTOMER who tampers with or bypasses a METER will be subject to immediate disconnection of service. The SYSTEM may recover all reasonable expenses and costs incurred due to the bypassing, tampering or unauthorized metering, including, but not limited to, disconnection, reconnection, service calls, equipment, investigation, costs of the suit and reasonable attorneys' fees.

Adjustment of prior billing for energy consumption for the periods of time affected by the METER tampering or bypass will be calculated by the SYSTEM based on the average seasonal usage from the METER premises for the two most recent years prior to the suspected METER tampering or bypass. If the METER premises has existed for less than two years, then the SYSTEM will average three comparable METER premises to determine consumption.

11. Interior Electric METER Locations – “One Door Access”

In order to effectively inspect, test, maintain, and read electric METERS on a regular schedule, the SYSTEM requires that metering equipment be located on the exterior of new and rewired building construction, with limited exception. Interior METER locations in existence prior to January 1, 1996, will be grandfathered as exceptions to this requirement, except that if the building has been rewired subsequent to said date the requirement for exterior METER location shall apply. Other exceptions will be considered where existing building design or structural factors make compliance with this SYSTEM requirement economically unfeasible as solely determined by the SYSTEM.

Written request for exception to the SYSTEM'S exterior METER location requirement must be directed to the SYSTEM Manager, Meter Services for approval. If the request for exception is approved by the SYSTEM, interior METER locations must allow for direct, unobstructed access to all METERS through no more than one keyed or lockable door. Only one keyed or lockable door will be allowed between a public access area and the SYSTEM METERS. It is the PROPERTY OWNER'S responsibility to assure that the SYSTEM is at all times in possession of, or has twenty-four hour access to, the key granting access to the SYSTEM METERS.

N. TERMINATION OF SERVICE

1. At the PROPERTY OWNER'S Request

The SYSTEM will remove or physically disconnect a service only after notice has been received from the CUSTOMER, provided the CUSTOMER is the PROPERTY OWNER.

2. By the SYSTEM Without Notice

Service may be refused or disconnected by the SYSTEM without notice for any of the following reasons:

- a. In the event of a condition determined by the SYSTEM to be hazardous. Such conditions include, but are not limited to: temporary wiring connecting service wires to a permanent meter socket; conduit or other approved ducts containing SYSTEM wires that have pulled away from a structure, become disjointed, become broken, or separated from metering equipment; attachments supporting overhead service wires that are damaged or pulled out of the structure; CUSTOMER-owned wires or equipment in conflict with SYSTEM wires or equipment; insufficient working clearance; etc.
- b. In the event of CUSTOMER use of equipment in such a manner as to adversely affect the SYSTEM'S equipment or the SYSTEM'S service to others.
- c. In the event of tampering with the equipment furnished and owned by the SYSTEM.
- d. In the event of energy theft or any unauthorized use.

3. By the SYSTEM With Appropriate Notice

- a. Service may be disconnected by the SYSTEM in the situations identified below.
 1. For nonpayment of any account, provided the SYSTEM has made a reasonable attempt to effect collection and has given the CUSTOMER prior written notice to make settlement on the account(s) or have service disconnected. Disconnection will be made at a service location for all electric service notwithstanding the fact that a CUSTOMER may have more than one account for service at such location.

If disconnected, the SYSTEM will impose a Disconnection Charge. In the case of current transformer metering installations or if a conductor disconnection is required, the SYSTEM may charge the cost of actual labor, material and equipment requirements for performing the disconnection and reconnection (see the Summary of LES Service Fees).

2. For failure or refusal by the CUSTOMER to provide a requested deposit.
 3. For failure to furnish, or withdrawal by the CUSTOMER of such permits or rights-of-way as shall have been specified by the SYSTEM for rendering service.
 4. In the event the CUSTOMER files a petition of bankruptcy and no arrangements prior to the filing of the petition have been made with the SYSTEM with respect to the payment of future electric bills, provided that at least 20 days have elapsed since the filing of the bankruptcy petition and the CUSTOMER has not reached an agreement with the SYSTEM during that period to provide assurance of payment if service is continued.
- b. The SYSTEM will make three attempts to communicate the following violations to the CUSTOMER. If no action is taken by the CUSTOMER, a disconnection order will be issued and the service will be subject to the applicable SERVICE FEE.
1. For violation or noncompliance with the SYSTEM'S Service Regulations, except those listed in Section N.2. DISCONNECTION OF SERVICE By the SYSTEM Without Notice.
 2. For failure of the CUSTOMER to provide and maintain to the SYSTEM unobstructed access to its equipment (including the METER). Obstructions include, but are not limited to, vegetation and enclosures built around METERS.
 3. If metered service is dormant for 12 consecutive BILLING PERIODS or more, the METER and SERVICE WIRES may be removed. For a service reconnection see Section C. REQUIREMENTS FOR SERVICE CONNECTIONS.
 4. For failure of the CUSTOMER to adhere to the SYSTEM'S "POLICY AND GUIDELINES FOR CUSTOMER-OWNED GENERATION" when interconnecting a generator in accordance with Section L. CUSTOMER OPERATION OF GENERATING EQUIPMENT.

O. SYSTEM SERVICE RESPONSIBILITIES

The SYSTEM will endeavor to supply, but does not guarantee, uninterrupted service of a generally accepted standard. The SYSTEM does not guarantee uninterrupted service for dual primary service. The SYSTEM shall not be responsible for any loss or damages caused by (1) the negligence of the SYSTEM'S employees, servants or agents, resulting in the change of phase rotation, discontinuity of three-phase current, wave form, or for any other

disturbances in service, or (2) any interruption of service for repairs, alterations, want of reasonable and economic supply, or (3) any disconnection initiated by the SYSTEM as set forth in Sections N.2. DISCONNECTION OF SERVICE By the SYSTEM Without Notice and N.3. DISCONNECTION OF SERVICE By the SYSTEM With Appropriate Notice, or (4) failure of service or damage to CUSTOMER property by SYSTEM equipment due or as a result of, but not limited to, an Act of God, fire, strike, riot, flood, lightning, storm, civil disturbance, war, animals, vehicle accidents, construction work, or action of public authority. The protection of CUSTOMER equipment is the CUSTOMER'S responsibility as set forth in Section J.8. INSTALLATION AND EQUIPMENT Protection of CUSTOMER Equipment.

P. BURIED CABLE LOCATIONS

Nebraska Statutes (One-Call Notification System Act) require any person who excavates to first notify the State One-Call Notification Center at least two business days, but not more than 10 days, before they start to excavate. The Center notifies each underground facility member/owner (including LES) to either mark its facilities, issue a clearance that no facilities are nearby, or offer to meet jointly with the excavator to discuss the request. There are civil penalties, fines, and strict liability repair assessments for failure to call before excavating.

The State One-Call Center and LES have information available regarding the request process.

**Addendum to Service Regulations
SUMMARY OF LES SERVICE FEES**

Following is a listing of service fees with a reference to the Section(s) in which the fee is described:

<u>Item</u>	<u>Fee</u>	<u>Reference</u>
AID-TO-CONSTRUCTION:	A fee charged for a portion of construction cost	A.10., B., G., G.2.b., H.4., H.6.b.
Temporary Service:	\$130.00 minimum	F.1.
Underground Extension (Subdivisions):	\$472.00 for lots with rear lot lines 100 ft. in width or less \$4.72 per rear lot foot for lots with rear lot line greater than 100 ft. in width, not to exceed \$944.00 per lot	H.3.a.
Underground Extension (Mobile Home Parks):	\$175.00 per lot	H.3.b.
Disconnection Charge for Nonpayment:		
Without use of a SYSTEM Operation's line crew:	\$60.00	N.3.a.1.
SYSTEM Operation's line crew required:	\$110.00 minimum	N.3.a.1.
CUSTOMER Requested Outage:	Administratively designated	
Security Deposit:	Administratively designated	M.3.
Returned Payment:	\$30.00	
New Service Fee:	\$25.00	M.1.
Late Payment Fee:	3.0 percent of past due amount	
Inaccessible METERS:	\$75.00 per attempt to read or service an inaccessible METER	N.3.b.2.
Rereads:	\$20.00	