

SERVICE REGULATIONS



Effective November 1, 2018

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A. INTRODUCTION AND DEFINITIONS

A.1. INTRODUCTION

Lincoln Electric System (LES) is proud to be able to serve your electric energy needs. For over 50 years, LES has provided reliable, low-cost, efficient electric energy to Lincoln and surrounding communities, encompassing over 200 square miles of Service Area, currently serving over 135,000 Customers.

The LES Administrative Board has officially adopted these Service Regulations to ensure LES meets your electric energy expectations and fully informs you of what is required of LES and of you in order to receive electric service. These Service Regulations will guide both you and LES staff in Customer interactions, from the inception of an idea to locate a business or residence in the LES Service Area throughout the time you are a Customer of LES. During this relationship, LES will strive to provide you reliable, low-cost, efficient electric energy and will work to meet the needs of your business and residence in a fair and non-discriminatory manner.

These Service Regulations may be revised, amended, superseded, or repealed at any time by the LES Administrative Board. Where applicable within these Service Regulations, reference will be made to additional LES documentation that provides more detailed governance. Where there is conflict, an agreement or contract for electric service, the Rate Schedules, or an LES Administrative Board resolution will supersede the Service Regulations.

A.2. DEFINITIONS

The following defined terms are used throughout these Service Regulations. Unless otherwise indicated, the terms defined in this section have the meanings assigned.

Aid-to-Construction – A payment required from the Customer to LES involving a portion of construction costs. Such payment does not entitle the Customer to a right of ownership of LES equipment or facilities. The amount and manner of payment of the Aid-to-Construction cost will be determined by LES.

Authority Having Jurisdiction – 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.

Billing Period – Bills for metered service are rendered on the basis of the scheduled Meter reading dates or a date agreeable with LES for final readings. Under normal conditions, Billing Periods typically range from 27 to 35 days. Billing Periods for non-metered services are based on a monthly schedule set by LES.

Customer – Any person or entity requesting and/or taking service from LES at a specific location.

Customer-Owned Generation – Any equipment or device that produces electric energy and is owned and operated by a Customer or entity within the LES Service Area.

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 LES to a Customer at a Point of Delivery.

Point of Delivery – The point where LES supplies service to a Customer. Unless otherwise agreed upon between LES and the Customer, the Point of Delivery is the point where the LES 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 with the exception of public traffic signal service. For underground secondary service, the Meter socket and/or the Customer's current transformer (CT) cabinet will be the Point of Delivery.

Property Owner – Any person, partnership, association, firm, corporation (public or private), or government agency holding title to and represented by that title as having all rights and privileges of the property described in the title.

Qualifying Facilities – Defined by the Public Utility Regulatory Policies Act (PURPA) as cogeneration and small power production facilities.

Rate Code – A designation assigned to every electric service account, based on size and type of service, which determines the applicable Rate Schedule for Customer bills. LES assigns Customers to the appropriate Rate Code.

Rate Schedules – The document that defines the rates, charges, and rules that apply to LES Customers. Rate Schedules are approved by the LES Administrative Board and the Lincoln City Council.

Service Area – The area in which the Nebraska Power Review Board has authorized LES to exclusively provide retail service.

Service Drop – For overhead conductors, the Service Drop is the Service Wires extending from the last pole or other aerial support, including splices, if any, connecting to the Point of Delivery at the Customer's building or other structure. For underground conductors, the Service Drop is the Service Wires between the pedestal, transformer, riser pole, or other last point of supply and the first point of connection to the Service Entrance conductors in a terminal box, Meter, or other enclosure inside or outside of a building.

Service Entrance – The single Point of Delivery through which LES delivers electricity. The Service Entrance includes the necessary equipment, usually consisting of a circuit breaker(s) or switch(es), fuse(s), and Meter socket(s) and accessories, connected to the load end of service conductors to a building or other structure, or otherwise designated area, and intended to constitute the main control and cutoff of supply.

Service Wires – The LES lines connecting the LES distribution system to a Customer's Point of Delivery.

B. SERVICE REGULATIONS – GENERAL

B.1. GENERAL GUIDELINES

The following describes the overall guidelines for the day-to-day operation of LES.

B.1.1. Duty to Provide Service to All

LES, as a publicly-owned municipal electric utility, has a duty to provide electric service to every location in the LES Service Area where LES' service requirements and standards are met for purposes of interconnection.

B.1.2. Cost of Service Rate Design

LES' rates are developed and implemented based on the principle of cost of service. LES has published Rate Schedules which are based on the cost to serve each Rate Code group. LES will measure and charge for all electricity usage, with minor exceptions (see Section B.2.7.6. – Non-Metered Services), as noted within these Service Regulations and in the Rate Schedules.

B.1.3. System Disturbances and Service Disruptions

LES does not guarantee uninterrupted service, is not liable for service interruptions that may occur, and is not responsible for any loss or damages caused by, but not limited to:

- 1) Failure of service or damages to a Customer's property due to or as a result of, but not limited to, fire, strike, riot, flood, lightning, storm, civil disturbance, war, cyber attacks, acts of terrorism, animals, vehicle accidents, construction work, action of a public authority, failure of equipment on LES lines, and other unforeseeable events;
- 2) Interruptions of service for repairs, alterations, or inability of LES to obtain power in a reasonable and economic manner;
- 3) Disconnection of electric service initiated by LES, with or without notice, for legal and justifiable reasons as set forth in the Disconnection of Electric Service provisions contained within these Service Regulations (see Section B.7.1. – Disconnection of Electric Service);
- 4) Interruption of service to a dual service (primary and secondary); and
- 5) Actions or omissions of LES employees, contractors/vendors, or agents that result in a disturbance or disruption of service, including change of phase rotation or discontinuity of three-phase current.

When LES determines the operation of the Customer's equipment has or will result in disturbances or costs to LES not otherwise recovered through established rates, LES will require the Customer to take corrective action, as approved by LES, to resolve the disturbances or pay the costs incurred by LES as a result of these disturbances. LES may immediately disconnect service if disturbances are disrupting LES operation or if the Customer has not taken corrective actions within an appropriate timeframe as determined by LES (see Section B.7.1. – Disconnection of Electric Service).

The Customer is responsible for providing any devices necessary to protect the Customer's equipment from loss or damage due to LES disturbances. The Customer is responsible for the installation, operation, maintenance, replacement, and renewal expenses of all Customer-owned equipment. The Customer is also responsible for loss or damage to the Customer-owned equipment caused by the Customer-owned equipment's failure or disturbances. Appendix A provides an example of a typical residential scenario depicting LES-owned and maintained equipment and Customer-owned and maintained equipment.

B.1.4. Service Response

LES strives to meet all Customer needs in a timely manner. However, LES will not complete any electrical interconnection until all required conditions have been met. This may include, but is not limited to: obtaining the proper inspections, approvals, and easements; making payments for Aid-to-Construction; obtaining approval from other jurisdictional entities to authorize requested electrical services; or acquiring special electrical equipment.

B.1.5. Illegal or Prohibited Acts

B.1.5.1. Meter Tampering

Tampering with, bypassing, or in any way altering, damaging, misusing, or interfering with an LES Meter is prohibited by law. The discovery of a Customer tampering with, bypassing, or otherwise misusing an LES Meter will result in the immediate disconnection of electric service without notice to the Customer (see Section B.7.1. – Disconnection of Electric Service). LES will bill the Customer for expenses incurred due to the tampering, bypassing, or unauthorized metering as well as costs associated with disconnection, reconnection, service calls, equipment, investigations, and any legal actions, including damages and reasonable attorney's fees. Additionally, a Meter tampering fee will be assessed (see Section B.4.2.7. – Meter Tampering Fee). Meter tampering and bypassing is illegal under state law and LES will advise appropriate authorities for potential prosecution.

B.1.5.2. Data Transmission on the Distribution System

Third-party use of LES electric power lines for the purposes of data transmission, control, and communication is prohibited. The discovery of a Customer misusing LES electric power lines will result in the immediate disconnection of electric service without notice to the Customer (see Section B.7.1. – Disconnection of Electric Service).

B.1.5.3. Unauthorized Distributed Generation

Unauthorized grid-connected Customer-owned distributed generation is prohibited. All grid-connected Customer-Owned Generation, including, but not limited to, net-metered solar generation, must go through any required submission and approval process of LES and the Authority Having Jurisdiction. See Section C.1. – Customer-Owned Generation for information on interconnection of Qualifying Facilities and non-qualifying facilities.

B.2. CONNECTING TO LES

Customers should contact LES as soon as it is known that a connection for electric service is going to be required. Providing LES with the specifics of the planned project and timing needs will allow LES to obtain the necessary equipment and properly schedule the work. An additional benefit of early contact with LES is that it provides LES the opportunity to advise Customers on all aspects of the planned service connection, including determining availability of service and the equipment to be used, available phase and voltage for the electric service, Service Entrance specifications, Meter locations, and costs for any required Aid-to-Construction.

B.2.1. Customer Requirements for Service Connection

B.2.1.1. Application for Electric Service

Before a service connection to LES can be made, the Customer must submit an Application for Electric Service. This application can be obtained from the City of Lincoln Building and Safety Department, other Authority Having Jurisdiction, or LES. It is the Customer's responsibility to submit a copy of the Application for Electric Service to LES or verify that the Authority Having Jurisdiction has submitted a copy of the application to LES.

The Application for Electric Service is required for new service connections as well as rewires involving any LES metering and/or service work. For information regarding how a Customer can put an existing service connection in their name, see Section B.3. – LES Customer Services.

B.2.1.2. Required Notice Period

LES must receive notice of an Application for Electric Service according to the timeframes listed below. The interconnection date is subject to availability of equipment and LES' work schedule.

- **200 Amps or Less, Secondary Voltage (600 Volts or Less)**
 - 14 calendar days before final inspection if primary distribution facilities are in place
 - 45 calendar days before final inspection if primary distribution facilities must be extended
- **Between 201 and 1,000 Amps, Secondary Voltage (600 Volts or Less)**
 - 45 calendar days before final inspection
- **Greater Than 1,000 Amps (600 Volts or Less) or Primary Voltage (601 Volts to 34,500 Volts)**
 - As much advance notice as possible (six months or more may be required)

B.2.1.3. Disconnecting Means and Overcurrent Protective Devices

Each service must have a disconnecting means and overcurrent protective device(s) for service less than 600 volts. These may be one device. For Customers taking primary voltage service, the disconnecting means and overcurrent protective device(s) must be mutually agreed upon by LES and the Customer.

B.2.1.4. Additional Requirements

LES will make the service connection as soon as practical after final inspection notice from the Authority Having Jurisdiction, provided certain requirements are met. These include, but are not limited to, the requirements listed below.

- LES has received the Application for Electric Service according to the timeframe noted within these Service Regulations.
- All easements (if required) have been obtained and provided to LES.
- Final grade is established.
- Lot pins are in place.

- All obstacles have been removed to provide unobstructed access to the Service Entrance.
- Conduit (if required) is in place.
- A transformer pad (if required) and any other required items are in place.
- Aid-to-Construction payments (if required) have been received.

B.2.2. LES Service Voltages

LES provides service voltage extensions of 60 Hertz alternating current under the appropriate load conditions and availability as follows:

- 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
- 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

- From the downtown Lincoln underground network secondary distribution lines (approximately 9th to 17th, 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
- From primary distribution lines:
 - 7,200/12,470 volt, three-phase, four wire
 - 34,500 volt, three-phase, three wire

If a service connection at a voltage other than those listed above is required, contact LES to determine if other voltages can be made available for appropriate loads. LES will provide dual primary service in certain situations. Contact LES for more information.

B.2.3. Rate Code Assignment

All LES Customers are assigned a Rate Code. This assignment is made when LES receives and processes the Application for Electric Service prior to Meter installation. The assigned Rate Code is based on the size and type of the installed service and may be changed at a later date if an error in Rate Code assignment is identified or when usage and/or load characteristics change. In the event a Customer’s usage is determined to be different than initially determined, the Customer will be assigned a new Rate Code (see the LES Rate Schedules).

Newly installed temporary and permanent services for non-residential Customers will be initially assigned a Rate Code based on the following table.

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

(GS is General Service, GSD is General Service-Demand, and LLP is Large Light & Power.)

Commercial and industrial Customers will be advised in writing of their Rate Code assignment.

B.2.4. Easements

Customers, without expense to LES, must provide LES with any required easements on their property. LES will not be required to install service connections until all necessary easements have been provided. LES may disconnect an existing service if necessary easements have not been granted (see Section B.7.1. – Disconnection of Electric Service).

Easement documents are filed within the office of the Lancaster County Register of Deeds. LES will coordinate with other utilities and entities such as cable or communications companies for any necessary inclusion within an easement to the extent that the needs are known and consistent with LES' needs.

B.2.5. Service Entrance

Permanent single-phase or three-phase extensions will normally be built in the most direct route from the nearest source of supply to one Service Entrance location. Multiple points of service are not standard and, if permitted, may require an Aid-to-Construction. If one location has more than one Point of Delivery, the electrical use will be measured by the Meter at each point and each will be considered a separate service. Customer-owned equipment that can transfer load between separately metered services will not be allowed unless approved by LES for services at the same location and on the same Rate Code.

If the Service Entrance is installed without regard to the location of LES facilities and the Service Entrance equipment could have been planned for and installed closer to LES facilities, an Aid-to-Construction will be required for the additional cost to LES.

B.2.5.1. Mislabeled Meter Sockets or Cross-Wiring to a Service Entrance

LES is not responsible for and will not adjust erroneous Customer billing resulting from mislabeled Meter sockets or cross-wiring to a Service Entrance within the building's electrical system. Administrative costs associated with mislabeled Meter sockets or cross-wiring to a Service Entrance may be charged to the Property Owner at LES' discretion.

LES may be available to provide consultation about these matters to the Property Owner or a designated representative. LES will under no circumstances open or remove a Customer-owned cover which would result in exposure of electrical components or wiring with the exception of LES-sealed enclosures containing LES metering equipment. LES will not operate Customer-owned circuit breakers or electrical main switches. If the investigation requires these procedures, the Property Owner must provide, at their own expense, a qualified electrical worker to perform these duties.

B.2.6. Installation and Equipment

The route of the service, the location of the service connection, and the metering equipment will be determined by LES in coordination with the Customer. Any wiring installed without first determining the location of the service connection and/or Meters must be brought into conformance upon notification from LES or disconnection of electric service may be initiated (see Section B.7.1. – Disconnection of Electric Service).

Prior to connection with LES equipment, the Customer's wiring and other electrical equipment must conform to all requirements of the City of Lincoln's Municipal Code or the requirements of any applicable Authority Having Jurisdiction.

It is the Customer's responsibility to obtain information from LES regarding the maximum fault current available at the Point of Delivery. This information is utilized in the design of the Customer's protection equipment.

The attachment at the Point of Delivery of the overhead Service Wires on a building must be of sufficient height to provide the required clearances listed in the latest edition of the National Electrical Safety Code. It is the responsibility of the Customer to maintain proper clearances between the overhead Service Wires and tree growth or other obstructions (see Section B.5. – LES Access to Equipment). It is the responsibility of the Customer and/or contractor to provide and install a service mast or other approved structure to terminate service conductors. The termination structure must be of adequate strength to support the service conductors as per loading requirements supplied by LES.

All instrument transformer enclosures, Meter enclosures, Meter sockets, and conduits or raceways for Meter wiring must be furnished and installed by the Customer and must be an LES-approved type (see the Meter Services Specification Guide located on the LES website at www.les.com).

B.2.7. Metering

Metering requirements not otherwise contained in these Service Regulations are set forth in the LES Meter Services Specification Guide located on the LES website (www.les.com).

B.2.7.1. Metering Devices and Technology

All electric usage must be measured by an LES-owned metering device. LES has the right to implement any metering technology deemed to accurately and adequately measure electrical usage at LES' sole discretion. This includes Meters for purposes of interval recording for load survey. When the safety of LES personnel is potentially compromised, metering with remote disconnect capabilities will be used. LES retains the right to access, test, and maintain its Meters and metering devices at any time. LES also retains the right to remove dormant Meters and other vacant assets at any time.

B.2.7.2. Data Acquisition from Billing Meters

At the Customer's request, LES will provide energy data pulses from LES-owned Meters equipped with pulse initiators via an isolation relay. The Customer is responsible for all costs incurred by LES to purchase and install any equipment necessary to provide this data. LES will own, operate, and maintain the equipment. LES is not liable for any Customer losses and damages resulting from subsequent failure of this equipment or the operation thereof. Pulses may be interrupted during periods of annual Meter testing conducted by LES.

B.2.7.3. Location of Meters and Metering Equipment

Metering equipment must be located on the exterior of new and rewired building constructions. LES may grant exceptions under certain circumstances. Interior Meter locations in existence prior to January 1, 1996, are grandfathered as exceptions until the electric wiring is modified subsequent to this date. Other exceptions may be granted for an LES-approved interior location that allows for direct, unobstructed access to all Meters through no more than one keyed or lockable door. The Property Owner must ensure that LES is in possession of or has 24-hour access to the key granting access to LES Meters. If the manner of access changes, LES must be notified of the change and provided with information regarding the modified access. Contact LES for information on how to apply for approval for an interior Meter location.

Customers taking electric service through primary metering will own all equipment, including transformers on the load side of the primary Meter. LES will furnish metering equipment required to measure the electricity and will maintain equipment accuracy within reasonable limits. Customers must furnish adequate space and access in a suitable location for LES metering equipment. The Customer is responsible for installing the LES metering equipment in accordance with the Meter Services Specification Guide (located on the LES website at www.les.com). LES will wire the metering equipment.

All Meter locations obtaining service from an overhead Service Drop must meet National Electrical Safety Code requirements for overhead clearances.

B.2.7.4. Vacant Meter Sockets

Meter sockets that have had the Meter removed for longer than a two-year period will require an inspection from the Authority Having Jurisdiction prior to Meter installation and reenergization. LES also reserves the right to have the Customer-owned Meter socket and service inspected by the Authority Having Jurisdiction at any time prior to Meter installation. The Customer will be required to pay for the inspection and any required repair.

B.2.7.5. Meter Billing

LES will not totalize metering of separate service connections. Where LES has contracted to provide multiple services or multiple voltages for the mutual benefit of LES and the Customer, metering and billing will be either by separate accounts at secondary voltage or consolidated at primary voltage. Grandfathered services may be permitted until such services are altered, changed, or upgraded.

B.2.7.6. Non-Metered Services

LES only allows the non-metered services listed below.

- Security lighting (see Section C.5.5. – Area Security Lighting and Rate Schedule Security Lighting – 20)
- Festoon outlets (see Section C.5.7. – Banner, Sign Attachments, and Festoon Outlets and Rate Schedule Security Lighting – 20)
- Traffic lighting for publicly-owned and maintained traffic lighting service conforming to LES traffic lighting specifications (see Rate Schedule Traffic Lighting Service – 24)
- Street lighting to public agencies for street lighting service conforming to LES street lighting specifications (see Rate Schedule Street Lighting Service – 26)

NOTE – This is applicable for lighting of vehicle accessible public streets and alleyways as well as pedestrian/bike accessible tunnels under public streets.

- Civil defense sirens (outdoor storm warning devices) (see Section B.7.7. – Fire Alarms, Fire Water Pumps, Exit Lights, and Civil Defense Sirens)
- Lights on driver information signage where energy consumption is fixed and the signage is constantly lit or controlled by a photocell

NOTE – Signage where the lights are only lit occasionally or the energy usage changes must be metered.

LES reserves the right to periodically coordinate with the responsible entity to ensure accuracy in service and billing details for non-metered services.

B.3. LES CUSTOMER SERVICES

LES requires each service connection to be in the name of the Customer who is responsible for the bill. Customers moving into or out of a property in the LES Service Area must have the electrical service put in or taken out of their name by contacting LES or by completing a Start/Stop Service form located on the LES website (www.les.com). Property Owners and/or managers are also allowed to put service in the name of a tenant (see Section B.6. – Landlord/Tenant Information for additional Property Owner information).

B.3.1. Residential Service

LES will own, install, operate, and maintain the Service Wires to the Customer's Point of Delivery. For mobile homes, LES provides service to the Customer-owned Meter pedestal or Meter loop. The Customer owns, installs, and maintains all conductors to the mobile home. Meter centers will be required where two or more mobile homes are placed on the same lot; LES will serve up to the Meter center.

LES will, over time, eliminate existing Customer ownership of Service Wires. The most common occurrence of this is when LES has assumed new service territory in rural areas where Customers have electric poles with Meter sockets located on their property. In some cases, one Meter provided service to one or more residences, along with services to barns, outbuildings, wells, and yard lights. Existing Customer ownership of Service Wires is grandfathered until the Customer replaces/rewires the service equipment, at which time the installation must comply with current LES service requirements. LES will manage this circumstance as outlined below.

Where there is a Customer-owned Meter socket and a main disconnect on a pole, pedestal, or current transformer (CT) cabinet, LES will maintain existing residential Service Wires from the Meter point to the residence if there are no other conductors to yard lights, outbuildings, wells, or other structures on the load side of the Meter. Where there are multiple loads past the Meter, Meter pedestal, or CT cabinet, the Customer will continue to own and maintain the Meter socket, CT cabinet, pedestal, disconnect switch, and Meter loop along with all conductors to residences, yard lights, outbuildings, and other structures.

In existing underground residential distribution subdivisions, LES will continue to own and maintain pedestals (with more than one Meter) and Meter sockets installed by a predecessor electric utility. In the event the conductor to the residence from the pole, pedestal, or CT cabinet fails and there are no other connected conductors, LES will pay for an electrician to install a Meter socket on the residence as well as install replacement underground service at no charge to the Customer. The Meter socket will thereafter be owned and maintained by the Customer.

B.3.1.1. Meter Pole Ownership

LES will not install a Meter pole for new services. Customer-owned equipment is not allowed on LES poles. If a Meter pole is located on a Customer's property and ownership is unclear (not clearly marked as LES' or LES has more than a Service Drop attached to it), LES will consider it to be an LES pole. If a Meter pole needs to be replaced or relocated or if the pole can be removed, LES will install underground service at no charge if the Customer moves the Meter to their residence and all other secondary service requirements are met, including, but not limited to, providing a clear path, any required easements, and Service Entrance equipment to accommodate underground service.

At LES' discretion, LES will consider other options for the Customer-owned equipment to be removed from the pole at the least possible cost to the Customer. Such options include, but are not limited to: setting a new LES pole to be used for LES equipment and using the Customer's existing pole exclusively for metering purposes; paying for an electrician to install a Meter socket on the residence to save LES the cost of setting and owning an extra pole; or replacing the existing pole and transferring the Customer's metering equipment to the new pole, with the pole thereafter owned by the Customer.

B.3.1.2. Emergency Repair of Customer-Owned Equipment on/past Meter Poles and Meter Pedestals

In the event an emergency situation occurs on or past Meter poles, pedestals, or current transformer (CT) cabinets and it is possible to do so in a safe manner, LES will make temporary repairs to restore service to the residence or correct other service problems, provided there is a working main breaker (overcurrent protection) that has not been bypassed. The Customer will be required to hire an electrician, at their own expense, when an electrical inspection is required. LES will follow up with the Customer within two weeks to ensure corrections and/or repairs have been made. If corrections and/or repairs have not been made, LES will initiate disconnection of electric service (see Section B.7.1. – Disconnection of Electric Service).

B.3.2. Residential Overhead to Underground Conversion

If a Customer requests a conversion of overhead residential Service Drops to underground and such work is feasible as determined by LES, the Customer is responsible for providing Service Entrance equipment to receive an LES underground service lateral with a minimum conductor size of #1/0 stranded aluminum. The Customer is also responsible for repair of damage to flowers, garden shrubs, tree roots, sprinkler systems, hard-surface paving, or other incidental damage resulting from the service installation as well as removal of all obstructions, trench settling, resodding, or reseeding. LES will offer the option of installing the service using directional boring equipment, in which case the Customer will be billed the boring costs. LES will provide the exact cost if a Customer chooses this option.

If a clear path is not provided, the Customer must provide conduit for the cable path around or under present and future obstructions such as patios, driveways, sidewalks, tree roots, and retaining walls. The Customer must also provide a separate conduit for communication wires, if necessary. All conduits are installed, owned, and maintained by the Property Owner. Listed PVC electric conduit must be gray. Coilable smooth-wall conduit must meet LES specifications and be black with red stripes. Other exterior or interior conduit color is not acceptable.

If an overhead Service Drop restricts the use of a residential Customer's property, including, but not limited to, the inability to maintain National Electrical Safety Code clearances, LES will relocate the Service Drop at no charge to a Customer-provided attachment point.

If legal clearances cannot be met by an overhead Service Drop, LES will install the service underground at no charge. The Customer, at their expense, will need to remodel the Service Entrance to accept an underground service, provide a clear path on their property, including providing a conduit if required, and restore the trench.

If the Service Drop in question crosses another Customer's property line, relocation will normally be done at no charge. However, approval from LES is required due to the potential of encountering unusual circumstances, such as a requirement to obtain an easement to set a yard pole.

If the Service Drop relocation is initiated by LES as part of a larger project, LES will pay for the relocation costs.

B.3.3. Underground Service in New Residential Areas (Single-Family Dwellings, Townhouses, Duplexes with a Meter Center, and Mobile Homes)

LES will own, install, operate, and maintain an underground distribution system, including the Service Wires and Meter, on the outside of the house or structure. In mobile home parks, the Customer or developer must own, install, and maintain the Meter pedestal or Meter center. An Aid-to-Construction is required (see Section C.3.3. – Underground Service in New Residential Areas).

B.3.4. Underground Service in Existing Residential Areas for New Constructions (Single-Family Dwellings, Townhouses, and Duplexes with a Factory-Assembled Duplex Meter Socket)

LES will own, install, operate, and maintain the underground Service Wires to the Customer-owned Meter socket wherever there is a clear path, as determined by LES, allowing for direct burial access. If there is not a clear path, the Customer is responsible for providing other means for LES to install service cable.

B.3.5. Underground Service to Newly Constructed Multi-Family Dwellings, Condominiums, and Commercial Buildings (Excluding Duplexes with a Factory-Assembled Duplex Meter Socket)

LES will own, install, operate, and maintain the primary and secondary conductors to the point of termination at the Customer's switchgear, bus ducts, or metering point.

The Customer must supply, install, and maintain the secondary conduit(s), bus duct, and transformer pad or vault which must meet LES specifications (see the Meter Services Specification Guide located on the LES website at www.les.com). In cases where LES does not require a transformer pad or vault, the Customer must supply and install the secondary conduit(s) to a point that meets LES specifications. Service from transformer vaults is not standard and, if allowed, may require an Aid-to-Construction.

B.3.6. New Overhead Commercial Service Initiated by a Customer

For overhead service, the Customer must own, install, and maintain the Meter loop. The Meter loop is comprised of the Meter socket or current transformer (CT) cabinet, conduit from the Meter socket/CT cabinet up to the weatherhead, the weatherhead, conduit from the Meter socket/CT cabinet into the service disconnect, and all the conductor inside the conduit. The Customer must also own, install, and maintain an approved attachment with sufficient anchorage for the LES service conductors. LES will own, install, and maintain the overhead service conductors, Meter, and other required metering equipment.

B.3.7. New Underground Commercial Service, Overhead to Underground Conversion, and Rewire to Underground Initiated by a Customer

For underground service from a pole, the Customer must own, install, and maintain the conduit from the pole to the metering point. The Customer must also own, install, and maintain the first 10 feet of conduit up the pole. This conduit must be rigid galvanized steel. LES will own, install, and maintain the service conductor and Meter. LES will not assume responsibility for any future problems attributable to the installation of the service conduit.

For underground service from a padmount transformer, the Customer must own, install, and maintain the transformer pad and conduit from the pad to the metering point. LES will own, install, and maintain the padmount transformer, service conductor, and Meter. LES will not assume responsibility for any future problems attributable to the installation of Customer-installed facilities.

Requests for commercial rewire require approval from LES. For approved requests, LES will install an underground secondary service lateral at no charge to the Customer if the Customer installs Service Entrance equipment to receive an LES underground service lateral and installs conduit to LES specifications. These specifications are determined on a case-by-case basis.

B.3.8. Service Relocation Initiated by LES

There may be circumstances where it is necessary to relocate a Customer's service. This may require an overhead service to be relocated underground. Such circumstances could include, but are not limited to, road/street widening where the entire LES distribution line is relocated or placed underground.

For overhead to underground conversions and underground relocations initiated by LES, LES will install the transformer pad and conduit. For residential service, LES will also hire an electrician to complete the Service Entrance work, if required. For commercial service, the Customer is required to hire an electrician to complete any required Service Entrance work and LES will reimburse the Customer for the cost of the hired electrician. LES will contact the Customer to identify the conduit route, pad location, and any required Service Entrance work. The Customer will own and maintain the transformer pad and conduit. LES will not assume responsibility for any future problems attributable to the installation of the transformer pad and service conduit.

B.3.9. Temporary Service Installation

An identifiable address is required before temporary service is provided. A one-time charge for installation and removal will be made for each temporary overhead or underground service connection. Overhead temporary service consists of the LES Service Wires and Meter. Underground temporary service consists only of connecting Customer-owned temporary service wires to an LES source and installing an LES Meter. LES has the right to disconnect service for non-payment of charges for temporary electric service installations (see Section B.7.1. – Disconnection of Electric Service). If the Customer and/or contractor becomes delinquent in paying the charges for temporary service, payment in advance may be required prior to providing additional service. An Aid-to-Construction may be required (see Section C.3.6. – Temporary Service Installation).

LES may establish special procedures for handling temporary service to short-term or seasonal retail locations, such as fireworks stands, holiday displays, or special events. Fees for kilowatt hour usage and service connection charges will be determined by LES.

B.4. BILLING

B.4.1. General Billing Information

LES requires each service connection to be in the name of the Customer who is responsible for the bill. The Customer must have a U.S. mailing address. LES bills all Customers for the electricity used during the previous billing cycle according to their Billing Period.

A new Customer taking service from an account with an existing demand history will not incur demand charges based on the previous Customer's load. However, if the new Customer only represents a name change for the existing Property Owner, historical demand will be used in calculating demand charges unless waived by the LES Vice President of Customer Services.

LES will accept credit card payments from Customers in the following Rate Codes (credit card payments will not be accepted from Customers billed on any other Rate Code):

- Residential (Rate Code 01 and Rate Code 03)
- General Service (Rate Code 10 and Rate Code 13)
- Security Light and Heating Service (Rate Code 20 and Rate Code 21, excluding Large Heating Service)

The LES website (www.les.com) provides a convenient means of electronic bill payment, including automated clearing house (ACH) payments for Customers in Rate Codes for which credit card payments are not accepted. Residential Customers can also access information on the LES website and sign up for Budget Billing, a way to levelize bill payments throughout the year to avoid unexpected high bills during periods of high electricity use. Additional billing and payment information can also be found on the LES website.

B.4.2. LES Service Fees

In addition to requiring payment for the amount billed per the applicable Rate Code, LES also assesses certain fees pursuant to the LES Rate Schedules. LES service fees include, but are not limited to, the following fees/charges.

B.4.2.1. New Service Fee

A new service fee is applied to each new account, including circumstances where an existing Customer moves to a new address or transfers electric service to another name at a current address. In the event of construction of an apartment building, the new service fee will only be imposed on the Meter that supplies service to the common area of the apartment building.

A new service fee is also applied to a bill when a service reconnection is required. In the case of a current transformer (CT) Meter installation or if a conductor reconnection is required, the Customer will be assessed a fee in addition to the new service fee to cover actual labor, material, and equipment expenses.

The new service fee is waived only when a tenant transfers service to a landlord who has a Landlord Options form on file with LES (see Section B.6. – Landlord/Tenant Information) or if temporary service is being replaced by permanent service.

B.4.2.2. Security Deposit

LES will assess a security deposit to a residential Customer if the Customer:

- Has been disconnected for non-payment of an electric bill;
- Has an unpaid debt to LES that has been sent to a collection agency or has resulted in a write-off; and/or
- Knowingly provided inaccurate information when establishing service with LES.

LES will assess a security deposit to a non-residential Customer under certain conditions (e.g., the Customer has an unpaid debt to LES that has resulted in a write-off or the Customer has a demonstrated history of slow or missed payments) as determined by LES management.

B.4.2.3. Disconnection Charge for Non-Payment

A disconnection charge for non-payment of an electric bill will be assessed on the account at the time the disconnection is entered into LES' system. The charge will be billed on the next regular billing (see Section B.7.1. – Disconnection of Electric Service).

B.4.2.4. Late Payment Fee

A late payment fee will be assessed after the due date of an unpaid electric bill.

B.4.2.5. Returned Payment Fee

A returned payment fee will be assessed when payment is returned to LES from a financial institution.

B.4.2.6. Inaccessible Meter Fee

An inaccessible Meter fee may be assessed for each attempt by LES to read or service an obstructed or inaccessible Meter (see Section B.5.1. – Unobstructed Access).

B.4.2.7. Meter Tampering Fee

A Meter tampering fee will be assessed each time LES discovers a tampered, bypassed, or otherwise misused Meter (see Section B.1.5.1. – Meter Tampering).

B.4.2.8. Mislabeled Meter Sockets or Cross Wiring Fee

A fee will be assessed to the Property Owner each time LES is required to correct a mislabeled Meter socket or cross-wiring to a Service Entrance within a building's electrical system (see Section B.2.5.1. – Mislabeled Meter Sockets or Cross-Wiring to a Service Entrance).

B.4.2.9. Temporary Meter Fee

A temporary Meter fee will be assessed when a Customer requests a temporary service installation (see Section B.3.9. – Temporary Service Installation).

B.4.3. Billing Adjustment

If a Customer is found by LES to have been inappropriately overcharged for electric service as the result of reasons other than tampering, diversion, subterfuge, mislabeled Meter sockets, or cross-wiring to a Service Entrance within the building's electric system, LES will adjust the bill going forward and refund or credit amounts due, without interest, to the Customer for whichever is the least of the following:

- The entire period of the inaccurate billing;
- The period of occupancy; or
- The four years prior to the discovery of the overcharge, in accordance with state statute.

If a Customer is found by LES to have been undercharged for electric service as the result of reasons other than tampering, diversion, subterfuge, mislabeled Meter sockets, or cross-wiring to a Service Entrance within the building's electric system, LES will bill the Customer for whichever is the least of the following:

- The entire period of the inaccurate billing;
- The period of occupancy; or
- Twelve months.

B.4.4. Delinquent Account Balance

LES retains the right to transfer any delinquent account balance to any other service location or LES account for which the Customer with a delinquent balance is liable or becomes liable.

B.4.5. Special Billing Considerations

A Customer must arrange with LES in advance for any special billing considerations to be made concerning abnormal electric demands resulting from the Customer testing equipment. The Customer must contact LES at least seven calendar days before each expected abnormal electric demand occurrence. LES will inform the Customer in writing of any allowed conditions and provisions for special billing consideration, including, but not limited to, time, duration, and frequency of occurrence as well as any LES representatives required to be present during the testing process. (See Section B.7.4. – Notification of Load Increase.)

B.5. LES ACCESS TO EQUIPMENT

It is the Customer's and/or Property Owner's responsibility to ensure that LES has unobstructed access to Meters and any other underground or overhead electrical equipment (e.g., transformers, overhead/underground lines, etc.) as well as transmission line corridors. This means that LES must have a clear path and full access to such equipment, unimpeded by domestic animals, vegetation, fencing, and other structures. Additional information regarding the required clearances, correct placement of vegetation and structures, transmission line corridor restrictions, and other informational materials are located on the LES website (www.les.com) or by contacting LES.

B.5.1. Unobstructed Access

In an emergency, LES will take whatever steps are necessary to access obstructed LES equipment, including, but not limited to, contacting Animal Control, removing vegetation, and dismantling structures to the extent necessary to access equipment. LES is not responsible for replacement or repair of vegetation or structures that were impacted by the steps LES took to access equipment.

If obstructed access is found during the course of routine Meter reading, maintenance, testing, or inspection, LES will ask the Customer and/or Property Owner to remove the obstruction. This may require the installation of a gate, the removal of panels, or other acts to facilitate LES access or operation of its equipment. If unobstructed access is not provided, LES will take necessary steps to ensure access or initiate disconnection of service (see Section B.7.1. – Disconnection of Electric Service). An inaccessible Meter fee will be assessed for each attempt by LES to read or service an obstructed and inaccessible Meter (see Section B.4.2.6. – Inaccessible Meter Fee).

B.5.2. Placement of Vegetation, Fencing, Structures, and Equipment

If a Customer and/or Property Owner contacts LES about the placement of vegetation, fencing, or structures around, under, or adjacent to LES equipment, LES will work with the Customer and/or Property Owner to ensure that the planting or construction complies with LES' operating needs.

Whenever LES installs new or replacement equipment, such as a transformer, every attempt will be made to place the equipment on or near an area free from existing vegetation, fencing, or structures in order to facilitate future access. If this is not possible, LES will work with the Customer and/or Property Owner to determine the best option while also ensuring system reliability and safety.

Residential transformers are typically sited by LES in rear lot areas. Customers and/or Property Owners must ensure that fencing, landscaping, drainage installations, and other structures do not hinder LES access. Commercial transformer locations include Customer-owned conduits and concrete pads. LES works with commercial Customers for the placement of the transformer pad to avoid some of the difficulties associated with service restoration and replacement. See Section B.2.7.3. – Location of Meters and Metering Equipment for information on the location of Meters and associated equipment.

B.5.3. Vegetation Management

LES has a vegetation management program to ensure that trees and other vegetation do not interfere with LES lines and equipment. LES has the legal right to trim and remove trees, including removing limbs, to avoid vegetation-related outages, system interference, or other system interruptions. All trimming is completed by certified arborists. LES makes every effort to notify Customers when tree trimming will occur. LES will clean up debris that occurs due to routine LES maintenance.

If trees, limbs, or other debris have fallen as a result of storm conditions or other unavoidable events, it is the Property Owner's responsibility to clean up the debris so LES has access to its equipment at all times. If trees, limbs, or other debris in the natural path of falling are suspended onto LES lines, transformers, or other LES equipment/facilities, LES is not responsible for any damage that may occur as a result of freeing the tree, limb, or debris and continuing the natural fall path. The Property Owner is responsible for any property damage resulting from the trimming of storm damaged trees for LES' service restoration efforts.

LES works cooperatively with the City of Lincoln and other jurisdictions within the Service Area and in rights-of-way outside the Service Area to maintain all vegetation in order to avoid system interruptions.

B.5.4. Transmission Corridor Restrictions

LES has transmission corridor restriction guidelines prohibiting certain items and activities within transmission corridors to ensure reliability and capacity of transmission lines, access by LES personnel, and public safety. Trees and shrubs, non-LES activities (e.g., kites, drones), and non-LES structures, including, but not limited to, play structures, sheds, garages, barns, decks, trampolines, and swimming pools, are not allowed within transmission corridors. The storage of objects (e.g., hay bales, large equipment) within a transmission corridor is also prohibited. LES reserves the right to periodically patrol its transmission lines to ensure compliance with the corridor restriction guidelines and will work with the Property Owner to ensure any identified issues are corrected. Contact LES or visit the LES website (www.les.com) for additional information on rural and urban transmission corridor restrictions.

B.6. LANDLORD/TENANT INFORMATION

B.6.1. General Information

Electric service must be in the name of the Customer who is responsible for the electric bill. A new service fee will be charged when a service transfer occurs unless covered under a Landlord Options form which can be obtained from LES upon request (see Section B.4.2.1. – New Service Fee).

A Customer must notify LES regarding disconnection of service in their name, at which time LES will place the service in the name of the Property Owner or their agent if a Landlord Options form is on file with LES. If there is no Landlord Options form on file, electric service will be disconnected until LES receives, in writing, a new request for service.

Landlords are not responsible for unpaid bills by a tenant while the service is in the tenant's name.

B.6.2. Property Manager Service

Property Manager Service is a service provided by LES that allows Customers who manage or own commercial properties (apartments or retail business units) to securely monitor the electric service of the properties. Property Manager Service provides access to information regarding the party responsible for the service address account, name changes for the service address, power status (on/off), a 14-month electricity use and bill amount history, as well as average billing and Budget Billing amounts. Customers can access information regarding Property Manager Service on the LES website (www.les.com) or by contacting LES for eligibility and enrollment requirements.

B.7. ADDITIONAL INFORMATION

B.7.1. Disconnection of Electric Service

LES will remove or disconnect service at the request of and upon notice from the Property Owner if the Property Owner occupies the service address or the service address is vacant (see Section B.6. – Landlord/Tenant Information).

LES will disconnect electric service with notice to the Customer due to:

- Non-payment of an account;
- Failure to provide and maintain unobstructed access to LES Meters or other LES equipment (see Section B.5.1. – Unobstructed Access);
- Failure or refusal to provide a required security deposit (see Section B.4.2.2. – Security Deposit);
- Withdrawal of or failure to furnish required permits, easements, and rights-of-way (see Section B.2.4. – Easements);
- Improper interconnection of Customer-Owned Generation (see Section C.1. – Customer-Owned Generation);
- Failure to provide assurance of payment for future electric bills in a timely manner after filing a petition of bankruptcy;
- A Meter registers no consumption (if the Meter is associated with a current Customer of record who has paid the monthly service charges for at least 12 Billing Periods); and/or
- Violation or non-compliance with any provision of these Service Regulations except those conditions where notice of disconnection is not required as outlined below.

LES will disconnect electric service without notice to the Customer due to:

- Apparent hazardous conditions or safety concerns as determined by LES or an Authority Having Jurisdiction, including, but not limited to, the following:
 - Temporary wiring that connects Service Wires to a permanent Meter socket;
 - Conduit or other approved ducts containing LES wires that have pulled away from a structure or have become disjointed, 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 that interfere with LES wires or equipment; and/or
- Inadequate or insufficient working clearance.
- Improper use of equipment that may affect LES equipment or LES' service to others; and/or
- Apparent theft or unauthorized use of service in whatever form it may take, including, but not limited to, tampering with LES equipment, as defined by state law (see Section B.1.5. – Illegal or Prohibited Acts).

LES will disconnect or interrupt service without notice to the Customer or a third-party designee and without providing the Customer an opportunity for a hearing for a disputed electric bill when such disconnection or interruption of service is necessary for reasons of repair or maintenance or to protect the health or safety of the Customer, the general public, or the integrity of the LES distribution system (see Section B.1.3. – System Disturbances and Service Disruptions).

LES will notify Customers prior to disconnection of service as required by state law and allow eligible Customers the right to appeal a notice of intent to disconnect electric service. LES can provide additional information regarding the process of disconnection of electric service upon request.

B.7.2. Resale and Redistribution of Electric Service

Electric service purchased by a Customer is for the sole use of the Customer in and upon the premises to which such service is supplied. Customers are prohibited from reselling energy as well as rendering a bill on a metered basis to lessees, tenants, and 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 may result in legal recourse. The Nebraska Power Review Board should be consulted for further guidance regarding a non-utility providing electricity to third parties.

LES will, in general, require separate metering for electric power to each individual residential, industrial, or commercial unit. Exceptions can be requested and will be considered through an application process under limited circumstances. LES can provide additional information regarding master metering upon request.

B.7.3. Claims Processing

Claims against LES for incidents of suspected bodily injury or property damage due to LES activities must be filed with the Lincoln City Clerk within one year from the date the damage or loss was discovered pursuant to the Nebraska Political Subdivisions Tort Claims Act. LES can provide Customers with a Damage Claim Report and instructions on filing with the Lincoln City Clerk upon request.

B.7.4. Notification of Load Increase

A Customer must notify LES of expected load increases that are more than 20 percent of the highest kilowatt demand recorded for that service in the previous 12 Billing Periods. Examples of when this notification may be required include, but are not limited to, situations in which a Customer installs or adds new equipment, expands operations, or is testing equipment.

The Customer is responsible for any damage to Customer-owned equipment and LES equipment related to a load increase that was not disclosed. The Customer is also responsible for personal injuries resulting from failing to notify LES of changes and failing to provide LES with adequate time to engineer and install the required electrical equipment as well as damage or injury that results from the Customer's service having been loaded above its designed limit. The Customer is solely responsible if changes in load result in a change in Rate Code and billing-related modifications (see Section B.4.5. – Special Billing Considerations).

B.7.5. Painting Padmount Transformers

Property Owners may paint an LES padmount transformer if the requirements listed below are met.

- The paint is environmentally safe and suitable for use on metallic surfaces in outdoor locations.
- The transformer is sanded in a manner that allows the new paint to adhere properly.
- Spray paint or a paint roller is used (applying paint with a brush is not allowed).
- LES-installed numbers and decals are masked prior to painting and the masking is removed after painting has been completed.

NOTE – Customer-installed decals or other decorations are not allowed on the transformer.

B.7.6. Buried Cable (Call Before You Dig)

State statutes pertaining to the One-Call Notification System Act require any person who excavates to first notify the statewide one-call notification center (at 811 or 800-331-5666) at least two business days, but not more than 10 business days, before they start to excavate. There are civil penalties, fines, and strict liability repair assessments for failure to call before excavating.

The one-call notification 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. LES and the one-call notification center have information available regarding the request process.

B.7.7. Fire Alarms, Fire Water Pumps, Exit Lights, and Civil Defense Sirens (Outdoor Storm Warning Devices)

All fire alarm systems, fire water pumps, and exit lights must be metered. This may require the Customer to install a Meter socket exclusively for these circuits. The installation must conform to all applicable code requirements and LES specifications (see the Meter Services Specification Guide located on the LES website at www.les.com).

A Customer requesting service to a civil defense siren (outdoor storm warning device) must submit an Application for Electric Service obtained from the City of Lincoln Building and Safety Department, other Authority Having Jurisdiction, or LES. It is the Customer's responsibility to submit a copy of the Application for Electric Service to LES or verify that the Authority Having Jurisdiction has submitted a copy of the application to LES. Civil defense sirens are generally non-metered (see Section B.2.7.6. – Non-Metered Services) and the account is billed on the current General Service Rate Schedule. Civil defense sirens that have a rectifier for battery operation or other load in addition to the motor must be metered.

B.7.8. Joint Trench Occupancy and Pole Attachments

Customer-owned equipment is not allowed on LES facilities or in LES-provided trenches. However, LES will allow joint trench occupancy and joint pole attachments with other utilities and certain entities that have the right to occupy public rights-of-way. Joint use agreements must be executed prior to joint occupancy. Payment for pole attachments is subject to Rate Schedule Pole Attachment – 50 (see the LES Rate Schedules for applicable conditions and fees). Any powered equipment must comply with these Service Regulations and LES specifications (see the Meter Services Specification Guide located on the LES website at www.les.com).

B.7.9. Grade Changes, Settlement, and Erosion

The Property Owner is responsible for all costs incurred for the relocation and repair of LES overhead and underground facilities necessitated by grade changes, settlement, and erosion on the property.

C. SERVICE REGULATIONS – SPECIAL

C.1. CUSTOMER-OWNED GENERATION

The Federal Energy Regulatory Commission (FERC), pursuant to the Public Utility Regulatory Policies Act (PURPA), sets forth the requirements and guidelines for Customer-Owned Generation. The LES Administrative Board, as required by the law, has considered and approved the PURPA guidelines that apply to Qualifying Facilities as defined below.

C.1.1. Qualifying Facilities (Cogeneration and Small Power Production)

Under the PURPA guidelines, cogeneration and small power production facilities are considered Qualifying Facilities. A cogeneration Qualifying Facility is a generating facility that sequentially produces electric energy and another form of useful thermal energy (e.g., heat or steam) in a way that is more efficient than the separate production of both forms of energy. A small power production Qualifying Facility is a generating facility of 80 megawatts or less whose primary energy source is renewable (i.e., hydro, wind, or solar), biomass, waste, or geothermal resources. Cogeneration and small power production Qualifying Facilities include, but are not limited to, conventional facilities as well as renewable generation.

Cogeneration and small power production Qualifying Facilities are covered by PURPA and have specific requirements for interconnection with LES. In order to operate in parallel with LES, the Qualifying Facility must meet all applicable LES interconnection requirements, including, but not limited to, submission of an application for parallel operation as well as entering into an interconnection agreement. Contact LES or visit the LES website (www.les.com) for additional information on Customer-Owned Generation.

C.1.2. Non-Qualifying Facilities (Standby and Emergency)

Generating facilities that do not meet the criteria for Qualifying Facilities are generally only allowed to operate in parallel with LES for periodic testing purposes. Any generation produced during testing that is in excess of a Customer's/entity's load will not be compensated by LES. On a case-by-case basis, LES may allow a Customer/entity to contract to operate in parallel for more than testing purposes under agreement with LES to generate only at times of LES' request.

All non-qualifying facilities operating in parallel for both periodic testing purposes or for more than testing purposes must meet all applicable LES interconnection requirements, including, but not limited to, submission of an application for parallel operation as well as entering into an interconnection agreement. Contact LES or visit the LES website (www.les.com) for additional information on Customer-Owned Generation.

C.2. JURISDICTIONAL FILINGS RELATED TO ELECTRICAL FACILITIES

There are a variety of laws, regulations, committees, commissions, districts, and boards that may have jurisdiction over specific projects involving the installation of electrical facilities. Required submissions of plans or designs to these entities may delay or otherwise impact construction and development timelines. Coordination with these entities should be factored into every project's schedule.

C.2.1. Urban Design Committee, Historic Preservation Commission, and Nebraska Capitol Environs Commission

The City of Lincoln Planning Department coordinates work with the Urban Design Committee, Historic Preservation Commission, and the Nebraska Capitol Environs Commission.

The Urban Design Committee reviews projects involving construction of buildings, substations, and padmount switchgear. It also reviews all new construction within a historic district or within 300 feet of a historic landmark. Review is not required for work that involves only the replacement of comparable facilities.

The Historic Preservation Commission reviews projects in historic areas with the goal of preventing the obstruction of scenic vistas.

The Nebraska Capitol Environs Commission reviews activities regarding height restrictions and beautification work in the street corridors as they extend from the State Capitol Building. This includes the following areas:

- 15th Street Corridor (Goodhue Boulevard/Centennial Mall) – Washington Street to R Street
- J Street Corridor – 10th Street to Capitol Parkway including J Street beyond Capitol Parkway to 35th Street

LES will prepare an estimate for review by the Nebraska Capitol Environs Commission to bury electric lines when there is a project to rebuild lines in these areas.

C.2.2. Nebraska Public Service Commission

Approval from the Nebraska Public Service Commission is required for any new extensions and/or alterations of existing lines (e.g., an increase in voltage, phasing, number of wires, or relocation of lines) greater than 700 volts located outside the limits of any incorporated city (Lincoln and Waverly) or village. Cheney, Emerald, Prairie Home, and Walton are not incorporated and will require approval from the Nebraska Public Service Commission.

Approval from the Nebraska Public Service Commission is not required to extend service to a single Customer between an existing transmission or distribution line on the same side of the road as the Customer's transformer location if no part of it is along a section line, public road, or property owned by another. This only covers primary voltage extensions to a single Customer; the line cannot be extended to serve another Customer.

C.2.3. Utilities on State Highway Right-of-Way

LES must meet the requirements for filing with the Nebraska Department of Transportation to use and occupy a state right-of-way. LES will work with the Nebraska Department of Transportation to obtain and submit any applicable permits. LES must also meet the requirements for filing with the Nebraska Department of Environmental Quality for projects in which more than one acre of ground is disturbed.

C.2.4. Railroad Crossing

LES must obtain an easement or agreement from the railroad to cross any railroad right-of-way. LES will take into account all railroad crossings even if the crossing is in a public right-of-way. LES will work with the appropriate railroad to meet any applicable policies, procedures, and application processes.

C.2.5. Lincoln Municipal Airport

Height permits may be required for the construction of electrical facilities in defined zones around the Lincoln Municipal Airport. Applicable regulations and applications can be obtained from the Lincoln Airport Authority and the City of Lincoln Building and Safety Department.

C.2.6. Federal Aviation Administration

There may be requirements to file with the Federal Aviation Administration for the proposed construction of electrical facilities. Applicable requirements and applications can be obtained from the Federal Aviation Administration.

C.2.7. Salt Creek Levee Protection Zone

Construction work associated with providing new service within the Salt Creek Levee Protection Zone as identified by the U.S. Army Corps of Engineers will, at a minimum, require coordination with the Lower Platte South Natural Resource District but could further require full review in accordance with federal law. Construction work requiring this type of review includes, but is not limited to, excavation, installation of drainage structures, and directional drilling. Coordination with the proper regulatory review body and the associated review process can take up to eight weeks. The development of required documentation for regulatory review involves a more extensive timeframe and should be factored into the project schedule. Special requirements and work practices may be required for construction activities in the Salt Creek Levee Protection Zone, including, but not limited to, grouting bores, soil sampling, and sealed submittals.

LES is responsible for restoration and stabilization of any soil that is disturbed. An Aid-to-Construction from the Customer may be required for costs related to the use of a third-party consultant specializing in soil restoration and stabilization.

A map of the Salt Creek Levee can be obtained from the Lower Platte South Natural Resource District.

C.2.8. West Haymarket Redevelopment Area

Construction work associated with providing new service within the City of Lincoln's West Haymarket Redevelopment Area must conform to the West Haymarket Area Environmental Operations and Maintenance Plan and any use limitations applicable to the work area. The construction activity must, at a minimum, be coordinated with the City of Lincoln but could further require coordination with the Nebraska Department of Environmental Quality. Construction work requiring this type of coordination includes, but is not limited to, excavation, installation of drainage structures, and directional drilling. As a result of regulatory coordination, special requirements and work practices may be required for construction activities in the West Haymarket Redevelopment Area.

LES is responsible for restoration and stabilization of any soil that is disturbed. An Aid-to-Construction from the Customer may be required for costs related to the use of a third-party consultant specializing in soil restoration and stabilization.

A map of the West Haymarket Redevelopment Area can be obtained from the City of Lincoln Public Works Department.

C.3. AID-TO-CONSTRUCTION CHARGES

In most cases, LES supplies electric service to Customers by providing the Service Drop from the LES electric pole to a Customer's Point of Delivery. In many cases, this service is provided only with a new service fee (see Section B.4.2. – LES Service Fees). However, LES may require an Aid-to-Construction in some cases, such as for a major construction project, specialized equipment, work that must be completed or installed in order for the Customer to receive service, or relocations not initiated by LES. The Aid-to-Construction may be charged to private entities or to public entities, depending on the project.

C.3.1. Electrical Facility Conflict and Coordination

There may be times when existing electrical facilities conflict with proposed projects. The conflict may require coordination with City, County, or State Engineering or with developers. When a conflict is identified, an Aid-to-Construction may be required to cover LES costs in providing the electric service. LES will determine the amount of the required Aid-to-Construction and will notify the affected party or parties of the amount that must be received prior to scheduling the work or ordering materials. The amount will be determined based on the cost of replacing comparable facilities in order to complete the project.

C.3.2. Facilities Investment Cost

LES takes into consideration a facilities investment cost when determining which projects will require an Aid-to-Construction. The facilities investment cost is a calculation that considers the total cost to LES, including design, material, equipment, labor, and labor overheads, to build and install additional facilities above and beyond the existing facilities or to reinforce existing facilities in order to serve a Customer's load or additional load.

Subject to all other requirements of these Service Regulations, electric service will be installed at no charge for new or existing services up to 10 MW if the facilities investment cost to LES will not exceed 2.5 times the estimated additional annual revenue resulting from providing the service. Electric service facility investment costs for new or expanded services above 10 MW are subject to negotiation with LES. Generally, if the facilities investment cost to LES will exceed 2.5 times the estimated additional annual revenue resulting from providing the service, an Aid-to-Construction will be charged. The Aid-to-Construction for services up to 10 MW that will be charged will be the difference between the facility investment cost and 2.5 times the estimated additional annual revenue from providing the service. Revenue estimates to determine the required Aid-to-Construction are based upon projected electric usage calculations or upon LES records of average usage for similar types of service. LES will notify the Customer of the required Aid-to-Construction. No equipment will be ordered and no work will be scheduled until this payment is received from the Customer.

C.3.3. Underground Service in New Residential Areas

An Aid-to-Construction is required from the Customer or developer for subdivisions as well as mobile home parks to facilitate underground installation of electrical distribution lines. Payment is non-recoverable and must be made in full at least 30 calendar days prior to the start of LES construction. LES may accept a 20 percent payment of the Aid-to-Construction cost if a payment bond or escrow account is established for the 80 percent balance. LES will bill the Customer at the completion of the project for the balance due and payment in full will be required within ten calendar days following the billing date.

LES will coordinate with the Customer or developer to minimize the permanent electric facilities required to serve a new residential development. The Customer or developer will be required to provide an Aid-to-Construction for any temporary facilities and for any facilities in excess of what would otherwise be required to provide electric service to the development.

C.3.4. Underground Residential Service Relocation

An Aid-to-Construction equivalent to the cost of replacing comparable facilities is required for underground relocations. LES will provide payment quotes for the Customer's consideration. The Customer is responsible for all restoration work, including, but not limited to, resodding, reseeding, trench settling, and hard-surface paving repair.

C.3.5. Overhead to Underground Line Construction or Relocation

C.3.5.1. City of Lincoln

City of Lincoln projects may require an Aid-to-Construction for:

- Relocation of an LES facility in an easement area that falls within a City of Lincoln right-of-way due to the City expanding the right-of-way;
- Relocation of street lights;
- Relocation of an LES facility not in a City of Lincoln right-of-way; and
- Relocation of an LES facility in a City of Lincoln right-of-way when: the relocation is a result of a City water/sanitary sewer project not related to a City road project; the relocation is a result of an executive order requiring construction of streets or other infrastructure (the Aid-to-Construction will be billed to the applicable private entity); or the LES facility is on a state right-of-way.

C.3.5.2. City of Waverly

LES operates pursuant to a franchise agreement inside the city limits of the City of Waverly. There is no charge to the City of Waverly when the City of Waverly requests the relocation of an LES facility in a City of Waverly right-of-way/property. This includes relocations required due to the City of Waverly widening or improving its public rights-of-way.

City of Waverly projects may require an Aid-to-Construction for:

- Relocation of an LES facility in an easement area that falls within a City of Waverly right-of-way/property due to the City expanding the right-of-way/property; and
- Relocation of an LES facility not in a City of Waverly right-of-way/property.

C.3.5.3. Natural Resources District

Natural Resources District projects may require an Aid-to-Construction for the relocation of an LES facility in a Natural Resources District right-of-way/property. Joint City and Natural Resources District projects will be reviewed on a case-by-case basis to determine any required Aid-to-Construction.

C.3.5.4. Rural Arterial Roads and Existing Urban Arterial Widening and Rehabilitation

New, rebuilt, and relocated lines for rural arterial roads are installed or remain overhead unless the area is developed at final grade and underground lines can be in an easement 60 to 75 feet from the street center line. An Aid-to-Construction may be required from the applicable government agency.

For existing urban arterial widening, LES 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, as determined by LES, from the back of the curb after the arterial is widened. If feasible, overhead lines will be converted to underground lines when the pole line conflicts with a four-lane widening. Poles of overhead lines that cross the arterial are generally relocated and remain overhead. An Aid-to-Construction may be required from the applicable government agency.

For existing urban arterial rehabilitation, when a project has a conflict with poles, LES will move or replace the affected poles to avoid conflict. LES will assess the feasibility of underground conversion. An Aid-to-Construction may be required from the applicable government agency.

C.3.5.5. Discretionary Projects and Requests

The LES Administrative Board, through the annual budget process, approves an amount dedicated to discretionary overhead to underground rebuild or relocation projects. Projects are recommended by LES and may or may not be in conjunction with other projects associated with a public entity. There is no Aid-to-Construction required for this process. The City of Lincoln, through the Comprehensive Plan, encourages a program, whenever feasible and affordable, to relocate existing overhead utility lines underground.

Public or private entities 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 an Aid-to-Construction. LES will determine the feasibility of such conversions or relocations as well as the associated Aid-to-Construction cost.

C.3.6. Temporary Service Installation

Temporary service may require an Aid-to-Construction if LES has to extend facilities and the extension will not be used for permanent service. The Aid-to-Construction is non-recoverable and must be paid in full prior to the start of LES construction. Material used in providing temporary service may be used in the permanent connection when conversion to a permanent service is requested. Total charges for the permanent connection will not be considered in determining the connection charge for the temporary service.

C.3.7. Miscellaneous Accounts Receivable

Payment will be required for miscellaneous accounts receivable items that are not retail electric service or wholesale energy sales. This includes charges to Customers for materials purchased from LES or services provided by LES, charges to appropriate individuals for damage to LES property, as well as charges to responsible parties for routine monthly billings and/or contractual arrangements.

C.4. CONSTRUCTION BILLING GUIDELINES

C.4.1. No Billing

LES will not bill the Customer for costs incurred for work initiated by LES or for work that is a benefit to LES which must be completed outside of normal LES working hours. Such work includes, but is not limited to:

- Distribution rebuilds;
- Replacing an overloaded transformer;
- Repairing a damaged transformer or damaged secondary/service conductors;
- Installation of service conductors for new or rewired service if the work is completed according to LES' schedule; and
- Replacing bar connectors inside a transformer and current transformer (CT) cabinet to accommodate an additional service if the work is completed according to LES' schedule.

NOTE – Whenever possible, this work will be scheduled to occur during normal LES working hours. All non-emergency construction work for residential Customers will be done during normal LES working hours.

LES will also not bill the Customer for costs incurred for work that is initiated by a Customer or electrician when the Customer/electrician needs minor assistance from LES to work safely on their own facilities. Such work includes, but is not limited to:

- Standby, switching, or barricading LES equipment when LES personnel are not required to be on-site at a specific time or to remain on-site;
- De-energizing primary and secondary underground cable; and
- Applying a protective cover to an overhead line to facilitate Customer construction or non-electrical maintenance to the Customer's own facilities for situations that last less than a week and which meet LES' operating requirements.

C.4.2. Billing

LES will bill for all costs incurred for work that is initiated by a Customer or electrician that is not a benefit to LES and/or that occurs outside of normal LES working hours. Such work includes, but is not limited to:

- Standby, switching, or barricading LES equipment when LES personnel must be on-site at a specific time according to the Customer's/electrician's schedule or remain on-site;
- Switching or de-energizing LES equipment because the Customer does not want to operate the Customer-owned equipment that would de-energize the same equipment;
- Raising conductors to move houses;
- Installation of service conductors for new or rewired service that the Customer/electrician requests be installed ahead of LES' schedule;
- Authorized work on Customer-owned electric utility equipment (e.g., a substation transformer);
- Installation of permanent service that the Customer/electrician requests be installed outside of normal LES working hours to avoid de-energizing temporary construction service; and
- Customer requests for LES to perform work outside of normal LES working hours in order for the Customer to avoid having an outage during their normal working hours even though the LES work would take a short amount of time (i.e., less than one hour) if the LES work for this only affects the service of the requesting Customer and does not require other Customers to be de-energized.

C.5. OUTDOOR LIGHTING

LES installs, operates, and maintains the street light systems in the Cities of Lincoln and Waverly as well as within the Service Area for the Lancaster County Board and Nebraska Department of Transportation. LES designs street light facilities in a manner that encourages energy conservation while also providing for public safety. Standard street lights are installed on a wood pole with a mast arm luminaire at predetermined interval spacing. All City of Lincoln street lighting will adhere to the City of Lincoln's Design Standards for Outdoor Lighting. LES installs, replaces, and maintains standard street lighting wherever provisions have not been made for other types of lighting installations. LES bills the appropriate government agency per Rate Schedule Street Lighting Service – 26.

C.5.1. Requests for Standard Residential Street Lighting

Individuals can request additional lighting on a street or alley. Upon receipt of a request, LES will inspect to determine if there is a need for additional lighting. If a need is identified, the individual submitting the request will receive information explaining the petition street light process. This information will include a map, addresses of homes that will be directly affected by the additional lighting, and a petition form. The individual submitting the request will need to obtain the signatures of the Property Owners in the affected area. If 100 percent of the affected Property Owners approve, a street light will be installed.

If a request is approved through the petition process, LES will install a standard street light at no cost to the requesting individual or other Property Owners. However, if the individual is requesting an underground feed to the new light in an overhead distribution area, the individual must pay the difference in costs between the overhead and underground service. If the individual is requesting something other than a standard street light, the individual must pay the difference in costs. If an individual requests a new street light in an area that already has ornamental (i.e., non-standard) lighting, there will be no charge to provide the matching luminaire if the current spacing of street lights warrants the installation of a new pole.

C.5.2. Ornamental Street Lighting

When a new subdivision is approved, the developer of the subdivision is required to designate a lighting design on the plans. The developer must post a bond guaranteeing the installation of the street lights by a specified date. To obtain ornamental street lighting, the developer has the options of obtaining an executive order, in which case the developer is responsible for all lighting installation costs (this is the majority of cases), or establishing an Ornamental Lighting District, in which case the entity requesting the Ornamental Lighting District pays all lighting installation costs and assesses the installation costs to the benefited properties.

In existing subdivisions or neighborhoods, Ornamental Lighting Districts can be set up by Property Owners or developers if they obtain approval from 51 percent of front footage Property Owners through a petition process. The street lights will either match the neighboring area or the style will be designated by the developer. All designs must be approved by LES and meet LES' minimum standards. The entity requesting the Ornamental Lighting District is billed for LES engineering and design services as well as for LES to stake, make final connections to obtain service, and inspect the completed project. The requesting entity or the Customer and/or developer will be billed for all distribution extension costs for Ornamental Lighting Districts that exceed the amount assessed to the City of Lincoln for street lights.

C.5.3. Street Light Relocation

Individuals can initiate requests for street light relocation via a phone call, a plan for development, or other project plan. The individual requesting the relocation will be required to pay the full cost of the project. The costs will be reviewed with the individual and must be paid in full prior to any work being performed. Relocation requests made by public entities are billed to the public entity for the full cost of the project. Contact LES for more information on street light relocation requests.

C.5.4. Arterial Lighting

Arterial lighting projects are initiated by the public entity. LES works with the requesting entity by completing drawings and design details for interconnection, removing and replacing existing street lights, and making final connections. Once the construction is complete, LES operates and maintains the arterial lighting. If there are existing unlit arterials within the City of Lincoln, LES will work with the City to determine required lighting installations.

C.5.5. Area Security Lighting

LES will consider requests for area security lighting. Residential area security lighting may require approval from Property Owners adjacent to the light location through a petition process. Commercial area security lighting normally does not require a petition if such lighting is requested unless the location of the requested light is immediately adjacent to a residential area. Area security lighting will be installed only on existing utility-owned poles. Payment for area security lighting is subject to Rate Schedule Security Lighting – 20 (see the LES Rate Schedules for applicable conditions and fees).

C.5.6. Private Roadway Lighting

LES will work with the Customer and/or developer to ensure private roadway lighting designs meet the same standards as those of a public street. All costs are paid by the Customer and/or developer. The lighting circuit must be terminated at the Customer-installed Meter pedestal. The developer or homeowners association is responsible for Meter charges as well as all maintenance and upkeep costs for the lighting system.

If areas with existing private roadway lighting or subdivision with no street lighting are annexed by the City, existing or newly installed lighting remains privately owned and the Property Owner is responsible for maintenance and operation unless the public entity provides written acceptance agreeing to ownership, in which case the public entity is responsible for all energy and maintenance expenses.

Newly annexed subdivisions with public streets with no existing lighting will not be required to install lighting. Private roadway lighting requests may be initiated either through a petition request or the Ornamental Lighting District process (see Section C.5.2. – Ornamental Street Lighting).

C.5.7. Banner, Sign Attachments, and Festoon Outlets

Attaching anything to an LES or City-owned pole without the express written approval of LES is prohibited. Government or private entities authorized to attach banners or signs to LES or City-owned poles are determined solely by LES. Any entity requesting the placement of an attachment to a pole must meet LES' minimum standards. These standards will be explained by LES to the entity prior to LES' authorization.

Payment for festoon outlets is subject to Rate Schedule Security Lighting – 20. Customers must contact LES for specific guidelines for a festoon outlet installation.

APPENDIX A – ELECTRIC SUPPLY GRAPHIC

TYPICAL RESIDENTIAL SCENARIOS

