

BAY CITY ELECTRIC LIGHT & POWER



STANDARD RULES AND REGULATIONS GOVERNING ELECTRIC SERVICE

Adopted: _____

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**BAY CITY ELECTRIC LIGHT & POWER
STANDARD RULES AND REGULATIONS
GOVERNING ELECTRIC SERVICE**

1. GENERAL PROVISIONS

The Standard Rules and Regulations contained herein have been adopted by the Utility to govern its relationship with customers and have been approved by the City Commission as an integral part of its Electric Rate Schedule. All Components of these Rules & Regulations are subject to the approval of the Electric Director and may be modified at his or her discretion.

1.1.Rules and Regulations

In the event a published document or verbal directive is in conflict with the Rules and Regulations for Electrical Service, the Rules and Regulations shall take precedence. The Electric Utility Director will resolve omissions or perceived conflicts within the Rules and Regulations. Owner(s), customer(s), and/or contractor(s) must perform that which is necessary to meet the requirements of the Utility. Existence of a conflict or omission is not authorization to abridge the related Rules and Regulations or proceed based upon a personal interpretation.

1.2.Invalidity of Oral Agreements or Representations

When a written contract is required, no employee or agent of the Utility is authorized to modify or supplement the terms and conditions of the contract by oral agreement or representation, and no such oral agreement or representation shall be binding upon the Utility.

1.3.Rate Revision

All rates are subject to revision at any time upon approval of the City Commission. Electric rate information is available for public inspection at the City Clerk's office at 301 Washington Avenue or the BCELP office or at the City's website.

1.4.Liability

The Utility shall endeavor, but does not guarantee, to furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits.

The Utility shall not be liable for interruptions in the service, phase failure or reversal, or variations in the service characteristics, or for any loss or damage of any kind or character due to causes or conditions beyond the Utility's reasonable control. Such causes or conditions shall be deemed to specifically include, but not be limited to, the following acts: acts or omissions of customers or third parties; operations of safety devices except when such operation is caused by the negligence of the Utility; absence of an alternate supply of service; failure, malfunction, breakage, necessary repairs, equipment replacement, or inspection of machinery, facilities, or equipment when the Utility has carried on a program of maintenance consistent with the general standards prevailing in the industry; act of God; war; action of the elements; storm or flood; fire; riot; labor dispute or disturbance; or the exercise of authority or regulation by governmental or military authorities.

2. CUSTOMER RESPONSIBILITY

2.1. Use of Service

2.1.1. Purchase of Equipment

Before purchasing equipment or installing wiring, the customer shall obtain from the Utility the characteristics of the service available at the desired premises. Not all voltages may be available at every location.

No ownership rights in facilities provided by the Utility shall pass to any person or other entity as a result of any deposit or contribution made under these rules.

Deposits or contributions made by customers toward facilities shall not be refundable unless expressly provided in these rules.

2.1.2. Disturbances

The customer shall use the service so as not to cause a safety hazard, affect frequency or voltage, add harmonics, or endanger the Utility's facilities or the customers' equipment or to disturb the Utility's service to other customers. If the Utility notifies customer of such a condition, customer shall discontinue operation of equipment causing the disturbance until the customer remedied the condition(s). If the customer does not remedy the condition(s) within the Utility's timeframe, the Utility may discontinue service until the customer has remedied the situation and has paid the costs associated with subsequent investigations and reconnections. The Utility will not restore service until the inspection authority having jurisdiction has inspected and approved the installation or repairs. All costs associated with alterations to the Utility system required to continue proper operation of the Utility system in conjunction with the customer's equipment will be charged to the customer.

2.1.3. Parallel Operation Requirements

The following guidelines are provided to assure the safety of BCEL P employees as well as to maintain reliable electric service to all customers. These requirements include all customer systems 20 kW or less. Systems over 20 kW will be addressed by BCEL P on an individual basis.

The following rules apply to existing and newly proposed installations:

- (a) The Utility shall not furnish service in parallel with a customer's generating facilities when, in the opinion of the Utility, such parallel operation may create a hazard, disturb, impair or interfere with communication circuits or with the Utility's service to other customers. In the event of the parallel source affecting voltage, frequency or harmonic content of the BCEL P distribution system, the customer will cease parallel generation until the condition has been corrected. In such cases, the customer will be charged for all costs associated with any modification of BCEL P equipment required for proper operation of the customer's generating equipment in parallel with the BCEL P distribution system.
- (b) The Utility may agree to parallel operation when the customer provides adequate protective equipment and has sufficiently trained personnel to perform the necessary operations. Adequate protective equipment includes, but is not limited to:

- 1) Automatic separation from BCEL P distribution system in the event of a fault.
 - 2) Automatic paralleling equipment. Manual paralleling with BCEL P distribution system is not permitted.
 - 3) Under/Over frequency and Under/Over Voltage Control.
 - 4) Disconnecting device with visible break suitable for use as a protective tag location to be accessible by BCEL P personnel or its agents and in close proximity to the billing meter. The device shall accept a BCEL P padlock and shall be located on the outside of all buildings. In no case will the customer tamper with or attempt to bypass the disconnect switch with the BCEL P lock installed.
- (c) The completed installation must meet all local, state and national codes and is subject to inspection and test by BCEL P and local code enforcement authorities before initiation of parallel operation. Moreover, said installation may be periodically inspected by BCEL P as needed.
 - (d) The customer is required to pay the cost of and maintain private communication connections with the offices of the Utility to assure continuity of service to other customers.
 - (e) The customer shall submit for BCEL P approval detailed electrical diagrams and equipment data, including interface and protection devices, and control systems for the customer's power source. Application of Generator Interconnection Standards can be obtained by contacting BCEL P Operations Supervisor.
 - (f) Following installation, the customer shall obtain approval from BCEL P prior to making any revision to the customer's power source, its control systems, or interface between the customer and BCEL P power system.
 - (g) The customer shall be liable for any damage or injury associated with a failure of the customer's protective scheme due to a lack of maintenance or customer negligence.
 - (h) Renewable energy sources will be credited according to Section 4.6, Net Metering and the Electric Service Rate Schedule. No credits will be provided for non-renewable energy sources.
 - (i) BCEL P reserves the right to limit the size, and total system parallel generation capacity.

2.1.4. Portable Generator Use

The customer is solely responsible to assure that portable generators are used in a safe manner. This includes, but is not restricted to:

- (a) Assuring that the generator power does not energize Utility equipment.
- (b) Assuring that Utility electrical power does not damage the customer's generator.

The above items can be accomplished by the customer turning off their main circuit breaker, or pulling main fuses before and during the use of a portable generator. Failure to isolate customer owned portable generators from the Utility's equipment

will result in an immediate service disconnection. Re-connection of such disconnected services will not be performed until:

- (a) The Utility and Electrical Inspection Authority have determined that the hazard presented by the portable generator has been eliminated.
- (b) The customer has agreed to and has made satisfactory arrangements to pay for all expenses resulting from the improper use of the portable generator.

A customer using a generator assumes all legal liability for the power produced, including power transmitted purposefully or inadvertently over the Utility's equipment.

2.2. Access to Customer's Premises

The Utility's authorized agent shall have access to the customer's premises at all reasonable hours, to:

- (a) Install, inspect, read, repair, replace or remove its meter,
- (b) Install, operate, maintain or remove other Utility property,
- (c) Inspect and determine the connected electrical load on the customer's premises.

Non-cooperation or refusal on the part of the customer to provide access shall be sufficient cause for discontinuation of service by the Utility. Assurance of access is required before restoration of service. Any costs associated with access to Utility property to complete subsections (a), (b), or (c) shall be assessed to the customer unless work is completed by the customer.

3. DISCONTINUATION OF SERVICE

The Utility reserves the right to deny or discontinue service and /or seek criminal charges in accordance with these Rules and Regulations, City ordinance, state statute, or applicable MPSC rules under the following conditions:

- (a) Without prior notice to any customer for any condition on the customer's premises which is determined by the Utility or a code authority to be hazardous.
- (b) Without prior notice if the customer uses equipment in a manner, which adversely affects the Utility's equipment or the Utility's service to others.
- (c) To any customer involved in metered or unmetered tampering, including obtaining the use of equipment by submitting a falsified application. Energy tampering includes but is not limited to theft of power, unauthorized use, diversion, or interference.
- (d) For misrepresentation of identity for the purpose of obtaining Utility service.
- (e) For failure of the customer to permit the Utility reasonable access to equipment installed upon the premises for the purpose of inspection, meter reading, maintenance, replacement or removal.
- (f) For failure of the customer to install and/or maintain necessary devices to protect the Utility's facilities against overload caused by the customer's equipment.
- (g) For failure of the customer to fulfill contractual obligations for service or facilities.
- (h) For failure of the customer to obtain all permits and inspections of customer's wiring or equipment required by City ordinance or state statute.

- (i) For failure of the customer to post a cash security deposit or other form of guarantee, when required.
- (j) For failure of the customer to pay a delinquent account in accordance to adopted City policy.
- (k) For failure of the nonresidential customer to pay any delinquent nonresidential account incurred by the customer under a different account name, by the customer's predecessor in interest or by any other entity, provided that the customer is legally obligated to assume and pay such a debt.
- (l) For failure of the customer to comply with the terms and conditions of a settlement agreement, interim determination or complaint determination between the customer and the Utility.
- (m) For violation of, or noncompliance with, the Electric Service Rate Schedule.

Notwithstanding other requirements of these Rules and Regulations, service may be shut off temporarily for reasons of health or safety or in a state of emergency. When service is shut off for reasons of health or safety, the Utility shall leave a notice at the premises when feasible.

4. APPLICATION OF RATES

4.1. Rate Schedule

Customers shall receive service under the rates defined in the Electric Service Rate Schedule as adopted by the City Commission.

4.2. Classes of Service

The rates specified in the Electric Service Rate Schedule are predicated upon the delivery of each class of service to a single metering point for the total requirement of each separate premises of the customer, unless otherwise provided for in the Electric Rate Schedule.

Service to different delivery points and/or different classes of service on the same premises shall be separately metered and separately billed. In no case shall service be shared with another premises or transmitted off the premises to which it is delivered.

4.3. Choice of Rates

In some cases, the customer is eligible to take service under one of two or more rates. Upon request, the Utility will assist the customer in the selection of the lowest cost of service rate based on the information at hand, but the responsibility for the selection of the rate lies solely with the customer.

After the customer has selected the rate for service, the customer will not be permitted to change from that rate to another rate until at least twelve (12) months have elapsed. The customer shall not evade this rule by temporarily terminating service. The Utility may waive the provisions of this paragraph where it appears that a permanent change is requested rather than temporary or seasonal advantage.

The Utility shall not be responsible to refund the difference in charges between different rates applicable to the same class of service.

4.4. Resale

Resale of service is strictly prohibited. Leasing a premises with the cost of electric service included in the rental as an incident of tenancy is not considered a resale of such service.

4.5. Mobile Home Park - Individually Served

For purposes of this rule, the definition of a mobile home park is a parcel or tract of land upon which three or more mobile homes are located on a continuous non-recreational basis. Service to separately metered mobile homes shall be billed on the appropriate Residential Service Rate under the following conditions:

- (a) Service to all new mobile home parks and expanded service to existing mobile home parks receiving electrical service shall be provided through individual tenant metering.
- (b) Ordinarily, electric service to a mobile home shall be in the name of the occupant. However, service to lots designated for long-term rental with occasional or short-term occupancy shall be in the name of the owner of the park or his/her authorized representative.

4.6. Net Metering

Only customers generating electrical power through approved renewable energy production are authorized to utilize net metering. Approval of all connections shall be made by the Utility after inspection and installation of Utility owned metering devices.

4.6.1. Net Metering Limits

- (a) The Utility has a program limit of one percent of the Utility peak load for the preceding calendar year. No additional net metering customers will be added if the cumulative nameplate data of all generation systems is equal to or exceeds one percent of the preceding calendar year peak load. The program limit will typically be between 600 to 800 kW.
- (b) The renewable energy generating system will not exceed 50 kW per location.
- (c) The renewable energy generating system may be limited further by the Utility based on geographic location within the Utility service territory.

4.6.2. Approved Renewable Sources

Only renewable sources of energy are authorized for payback under the Renewable Energy Rate. Approved renewable sources are limited to Solar, Wind, Battery Storage Devices, Geothermal, and Biomass. Any source shall be approved by the Utility in writing prior to installation.

4.6.3. Billing and Metering

A new installation of a renewable source will have a separate metering device installed for the metering the renewable energy source only. The Utility will purchase the power from the customer based on the meter data in accordance with the Electric Service Rate Schedule.

5. BILLS AND PAYMENTS

5.1. Billing Frequency

Bills for electric service shall be rendered on a monthly basis, and shall be due and payable on or before the due date shown on each bill.

5.2. Meter Reads and Estimated Bills

The Utility has utilized AMI metering and automatic meter reads occur on a monthly basis. In the event of failure of automatic reads, the Utility reserves the right to inspect and record readings at the meter location for billing purposes. Estimated billing may be utilized when necessary.

5.3. Responsibility for Payment

The customer is responsible for the payment of bills for all charges incurred.

5.4. Due Date

The Customer is responsible for paying the bill by the due date as determined by Bay City Code of Ordinances, Chapter 106, Article V.

If the bill remains unpaid after its due date, the Utility shall then have the right to issue to the customer a notice of intent to discontinue service in accordance with existing City policy.

5.5. Late Payment Charge

The Utility shall assess a late payment charge as authorized by the Bay City Code of Ordinances, Chapter 106, Article V.

5.6. Returned Checks

A check remitted as a bill payment and returned or an authorized prepayment not honored by the bank or financial institution against which it is drawn shall be rebilled to the customer's account. In addition to a late payment charge, a charge shall be assessed to the customer for processing a check or authorized prepayment returned by a bank or other financial institution for any reason.

5.7. Billing Error

5.7.1. Overcharge

If a customer has been overcharged as a result of inaccurate metering, incorrect use of meter constants, incorrect application of the rate schedule, incorrect connection of the meter, or similar reasons, the amount of the overcharge shall be refunded or credited to the customer promptly upon discovery by the Utility. The Utility shall not make retroactive adjustments when the customer has not notified the Utility as to pertinent conditions of service. The Utility is not required to adjust, refund or credit an overcharge beyond the two-year period immediately preceding discovery of the overcharge.

5.7.2. Undercharge

If a customer has been undercharged as a result of incorrect reading of the meter, incorrect use of meter constants, incorrect applications of the rate schedule,

incorrect connection of the meter, or other similar reasons, the undercharge may be billed to the customer subject to Section 5.7.2.1 of this rule. The Utility shall not make retroactive adjustments when the customer has not notified the Utility as to pertinent conditions of service.

5.7.2.1. Back billing

Except in cases of energy theft, stolen meters or switched meter, refer to section 8.3, Billing Errors.

5.7.3. Meter Error of Non-Registering Meter

(a) Overcharge

If a customer has been overcharged as a result of a meter error or non-registering meter, the amount of the overcharge shall be refunded or credited to the customer promptly upon discovery by the Utility in accordance with Section 5.7.1.

(b) Undercharge

If a customer has been undercharged as a result of a meter error or non-registering meter, the amount of the undercharge may be billed to the customer subject to Section 5.7.2.

5.7.4. Energy Theft, Stolen Meter, and Switched Meter

In cases of metered or unmetered energy theft, or where a stolen meter or switched meters are involved, back billings are for the determined duration of the incident. Where the duration cannot be reasonably established or estimated, the Utility will adjust the billing for the past three years on the basis of actual monthly consumption determined from the most recent 36 months of accurate consumption data.

Metered or unmetered energy theft includes, but is not limited to, tampering, unauthorized use, diversion of power or interference with meter reading. For purposes of this rule, a stolen meter is classified as any meter not specifically assigned to that service location by the Utility. For purposes of this rule, a switched meter is classified as a meter incorrectly assigned to a customer resulting in the customer being billed for another customer's consumption.

The Utility reserves the right to recover all unbilled service revenue and costs associated with the theft of energy, stolen meters or switched meters. Therefore, the customer is responsible for payment of the reasonable cost of the service used during the period of such fraud or unauthorized use or tampering occurred or is reasonably assumed to have occurred and is responsible for the cost of field calls and the cost of making repairs necessitated by such use and/or tampering, plus a charge included in the rates set forth in the City's Schedule of Licenses and Fees, with the exception that all costs be recovered in cases involving criminal prosecution. The customer who did not intentionally steal a meter, switch a meter or who did not intentionally become involved in energy theft shall pay for energy usage according to Section 5.7.2 of this rule.

The owner of the multifamily dwelling or multiunit commercial property shall be responsible for accurately tracing all lines and for tagging such lines to assure individual units are properly metered. The Utility will not set the meters until the lines are identified. The owner of the facility shall be held responsible for any under-recovery of revenues resulting from improperly tagged meters. The expense of tracing lines due to instances of switched meters resulting from errors in tracing and tagging of such lines shall be the responsibility of the current owner of the facility.

5.8. Restoration of Service

Where service has been discontinued for reasons as outlined in Section 3, Discontinuation of Service, a restoration charge included in the rates set forth in the City's Schedule of Licenses and Fees shall be made for the connection or disconnection of service.

Where service has been discontinued for reasons as outlined in Section 3, Discontinuation of Service, a meter relocation charge, if applicable, shall be collected from the customer whose service was discontinued. The Utility shall charge the customer for relocating the meter based on the Utility's current cost.

The restoration charge and meter relocation charge, if applicable, shall be paid before service is restored.

In case of discontinuation of service, the Utility shall restore service only after any metering changes, where deemed necessary by the Utility, have been made by the Utility and after the customer has paid for any unmetered energy used, paid for any damage to Utility property, paid the restoration charge and meter relocation charge, installed any necessary devices to protect the Utility's facilities and paid all charges as provided in the rates set forth in the City's Schedule of Licenses and Fees.

A customer who orders a termination and a restoration of service at the same premises within a 12-month period shall be liable for a reconnection fee included in the rates set forth in the City's Schedule of Licenses and Fees.

In cases where the service has been not in use for 12 months or greater, the Utility shall require an inspection by an authorized agent, at no expense to the Utility, to be performed prior to restoring service.

6. DISTRIBUTION SYSTEMS, LINE EXTENSIONS AND SERVICE CONNECTIONS

6.1. Service Connections

The customer shall be required to provide space and an easement (if necessary) for Utility facilities on the customer's premises. Utility facilities shall be utilized in accordance with the provisions of the applicable Electric Rate Schedule.

The Utility shall install service connections from its distribution lines to a suitable point of attachment on the customer's premises designated by the Utility. Where the customer requests a point of attachment other than that specified by the Utility, the additional cost shall be borne by the customer according to the City's Schedule of Licenses and Fees.

Should it become necessary as a result of any cause beyond the Utility's control to change the location of the point of attachment of service connections, the entire cost of the necessary changes in the customer's wiring shall be borne by the customer.

When relocation or modification of Utility facilities is requested or made necessary by the customer, all costs for the relocation or modification shall be charged to the requesting party.

All service entrances shall comply with the all National and Local Electric Codes.

Any poles, wires or other equipment required after the customer's meter shall be furnished, installed and maintained by the customer. The customer is responsible for obtaining all permits and inspections of customer's wiring or equipment required by applicable law. The Utility disclaims any responsibility to inspect the customer's wiring or equipment and shall not be held liable for any injury, damage or over-billing resulting from the condition thereof. Service shall be denied for failure to obtain such permits or inspections.

All residential customers shall install three-wire service entrance connections of not less than 100-ampere capacity.

The customer shall pay the designated cost if the service the customer requires cannot be provided from available distribution lines. The extension policy is stated in Section 6.2.

6.2.Overhead Extension Policy

Applications for electric service which require the construction of an overhead distribution system shall be granted under the following conditions:

6.2.1. Residential Customers

The Utility shall construct single-phase distribution line extensions at its cost for the distances provided in the City's Schedule of Licenses and Fees for each residential building.

The length of the distribution line extension shall be measured from the nearest point of connection to the Utility's facilities from which the extension can be made to the point from which the service line to the customer shall be run.

Distribution line extensions in excess of the allowance as outlined in the City's Schedule of Licenses and Fees shall require a deposit for the estimated cost of such excess footage. The per-foot charge for such cases is listed in the City's Schedule of Licenses and Fees.

6.2.2. Commercial and Industrial Customers

The Utility shall construct single-phase and three-phase distribution line extensions. All estimated costs of construction shall be paid in the form of a deposit by the customer(s) to be immediately served.

- (a) The Utility reserves the right to make special contractual arrangements with respect to the customers or prospective customers whose load requirements exceed the capacity of the available distribution system in the area, or whose load characteristics or special service needs require unusual investments by the Utility in service facilities or where there is insufficient assurances of the permanence of the use of the service.
- (b) The Utility shall construct overhead electric distribution facilities and extensions only in the event it is able to obtain or use the necessary materials, equipment and supplies.
- (c) All service rendered shall be subject to the Utility's Standard Rules and Regulations for Electric Service.
- (d) Any charges, deposits or contributions required shall be paid in advance of commencement of construction.

6.3.Underground Policy

6.3.1. General

This rule sets forth the conditions under which the Utility shall install underground electric distribution systems and underground service connections for residential and commercial/industrial service customers. For the purpose of this rule, underground distribution facilities are defined as those facilities operated at 15,000 volts or less phase to ground wye connected.

All new electrical distribution systems installed in subdivisions without existing electrical distribution systems installed shall be placed underground. Any newly developed lot in a subdivision with an existing overhead distribution system shall be served with an underground service from the existing overhead distribution system. All service connections installed to serve one-family or two-family dwellings from an underground distribution system shall be placed underground.

Except as otherwise provided in the following paragraph, all new commercial and industrial distribution systems and service connections installed in the vicinity of, or on the customer's premises to be served, and constructed solely to serve the customer or a group of adjacent customers, shall be placed underground.

It shall not be mandatory for any new commercial and industrial distribution system or service connection to be placed underground where, in the Utility's judgment, any of the following conditions exist:

- (a) Such facilities would serve commercial and industrial customers having loads of temporary duration; or
- (b) Such facilities would serve commercial and industrial customers in areas where little aesthetic improvement would be realized if such facilities were placed underground; or
- (c) Such facilities would serve commercial and industrial customers in areas where it is impractical to design and place such facilities underground because of uncertainty of the size and character of the loads to be ultimately served.

The Utility shall provide, own, maintain and specify the location of all of its underground distribution facilities, and no ownership rights therein shall pass to any owner(s), or developer(s) or customer(s) by reason of any monetary contribution required.

Prior to the installation of a residential underground distribution system or commercial/industrial underground distribution system where the Utility requires a written contract in regard thereto, the owner(s), developer(s) or customer(s) who is to make the monetary contribution required shall enter into a written contract with the Utility generally describing the proposed distribution system and setting forth the respective agreements of the parties in regard thereto. Such contract(s) shall be subject to the provisions of this Section 6.3. Each proposed system shall be a separate and distinct unit and any extension thereof shall, if desired by the Utility, be made the subject of a separate written contract or supplemental agreement. Prior to the installation of any underground electric distribution system the owner(s), developer(s) or customer(s), as the case may be, shall be required by the Utility to furnish a recordable easement in form and substance satisfactory to the Utility, granting rights-of-way suitable for the installation and maintenance of the underground electric distribution system as designed by the Utility for present and future service.

The owner(s), developer(s), or customers, as the case may be, shall be required to provide, at no expense to the Utility, for rough grading (within three inches of finished grade) and for clearing the easement area of trees, large stumps and other obstructions so that the underground electric distribution system can be properly installed in relation to the finished grade. In residential areas, permanent survey stakes indicating property lines must be installed and maintained by such owner(s), developer(s), or customer(s) at no expense to the Utility, after rough grading. Any subsequent relocation of Utility facilities required on account of a change in grade shall be done at the customer's expense.

If a temporary overhead service is installed for the convenience of the owner(s), developer(s), or customer(s) for construction purposes, they shall be required to pay all costs associated with the overhead facilities in the underground area.

6.3.2. Installations of Underground Distribution Facilities - Residential

The provisions of this Section 6.3.2 shall be applicable only to one-family and two-family dwellings. All other dwellings shall be governed Section 6.3.3.

6.3.2.1. Original Installation of Underground Distribution Systems - In Subdivisions

The owner(s) or developer(s) of residential subdivisions shall be required to make a nonrefundable monetary contribution in aid of construction to the Utility. Such contribution shall be computed on the basis of a rate included in the rates set forth in the City's Schedule of Licenses and Fees.

The trenches for primary or secondary main cables will be occupied jointly by facilities of the Utility and other Utilities where satisfactory agreement from reimbursement exists between the Utility and other Utilities.

Where sewer and/or water lines will parallel Utility cables, sewer and/or water taps must be extended into each lot for a distance of one foot beyond the easement prior to installation of the cables.

Where a residential underground distribution system serves lots on one side of a street, the later connection of lots on the other side of the street to that existing system shall be considered as an original installation of a residential underground distribution system for such later-connected lots.

Street lighting, if any, shall be served underground in areas served directly by residential underground distribution systems. The character and location of the street lighting cables, if any, and all equipment constituting the residential underground distribution system, shall conform to specifications prepared by the Utility.

Where the underground cable for a residential underground distribution system extends through areas within the subdivision which are undeveloped or consist of lots platted for future use and which are not to be served initially by the system, the front-foot measurement of both sides of the street or easement along which the cable extends through such areas shall be included in determining the contribution of the owner(s) or developer(s) for the residential underground distribution system.

Where the Utility and the owner(s) or developer(s) agree that it is desirable to extend the underground cable to the boundary of a subdivision property from a point outside the subdivision, a monetary contribution included in the rates set forth in the City's Schedule of Licenses and Fees shall be required.

6.3.2.2. Original Installation of Underground Distribution Systems - Outside of Subdivisions

The Utility shall extend its primary or secondary distribution system from existing overhead or underground facilities. When any such extension is made from an existing overhead system the property owner may be required to provide an easement(s) for extension of the overhead system to a pole on his property where transition from overhead to underground can be made.

The customer shall be required to make a nonrefundable monetary contribution in aid of construction to the Utility to cover the estimated cost of all underground facilities required to serve the customer. Such contribution shall be computed based on the rates set forth in the City's Schedule of Licenses and Fees.

6.3.3. Underground Distribution Facilities – Commercial and Industrial Service

6.3.3.1. Installations of Underground Distribution Systems

The developer or customer shall be required to make a nonrefundable monetary contribution in aid of construction to the Utility to cover the estimated cost of all underground facilities required to serve the customer. Such contribution shall be computed based on the rates set forth in the City's Schedule of Licenses and Fees.

In developments where a number of commercial and industrial service customers are to be served from an underground distribution system, the required contribution shall be based on the actual trench footage or the underground distribution system and the kVA of transformer capacity to be installed to serve the entire development.

Beyond the vicinity of the customer's premises or where an underground distribution system is not mandatory, installation of an underground distribution system shall be at the Utility's option. When an underground distribution system in such areas is installed at the request of the developer or customer, a contribution per trench foot and per kVA of transformer capacity to be installed shall be required pursuant to those charges included in the rates set forth in the City's Schedule of Licenses and Fees.

6.3.3.2. Installations of Underground Distribution Facilities – Commercial and Industrial Service

The developer or customer shall be required to make a nonrefundable monetary contribution in aid of construction, to cover the additional cost resulting from the installation of an underground service connection. Such contribution shall be computed based on the rates set forth in the City's Schedule of Licenses and Fees.

6.3.4. Underground Extension Policy

6.3.4.1. Residential Inside or Outside Subdivisions

The developer or customer shall be required to make a nonrefundable monetary contribution in aid of construction to the Utility to cover the estimated cost of all underground facilities required to serve the customer. Such contribution shall be computed based on the rates set forth in the City's Schedule of Licenses and Fees.

6.3.4.2. Commercial and Industrial Service

The developer or customer shall be required to make a nonrefundable monetary contribution in aid of construction to the Utility to cover the estimated cost of all underground facilities required to serve the customer. Such contribution shall be computed based on the rates set forth in the City's Schedule of Licenses and Fees.

6.3.5. General Underground Requirements

Where the customer is eligible for an overhead distribution line extension but the Utility elects to provide an underground distribution line extension, the extension shall be governed by Section 6.2, Overhead Extension Policy, as though the extension were overhead with deposits and contribution based on an equivalent line extension.

Where, in the Utility's best judgment, practical difficulties exist, such as frost or water condition, rock near the surface, or where there are requirements for deviation from the Utility's filed construction standards, the per foot charges included in this Section 6.3, shall not apply and the contribution in aid of construction shall be equal to the estimated difference in cost between overhead and underground facilities but not less than the contribution calculated under the appropriate per foot charge.

The Utility reserves the right to make special contractual arrangements with respect to the customers or prospective customers whose load requirements exceed the capacity of the available distribution system in the area, or whose load characteristics or special service needs require unusual investments by the Utility in service facilities or where there is insufficient assurances of the permanence of the use of the service.

The Utility shall construct underground electric distribution facilities and extensions only in the event it is able to obtain or use the necessary materials, equipment and supplies.

All service rendered shall be subject to the Utility's Standard Rules and Regulations Governing Electric Service.

Any charges, deposits or contributions may be required in advance of commencement of construction.

6.4. Extraordinary Facility Requirements and Charges

The Utility reserves the right to charge a monthly extraordinary facilities charge or to make special contractual arrangements when, in the opinion of the Utility, extraordinary facilities are required by the customer.

Extraordinary facilities include, but are not limited to, the following:

- (a) Facilities required to accommodate a customer whose capacity requirements exceed 1,000 kW.
- (b) Facilities required to accommodate a customer whose establishment is remote from the Utility's existing suitable facilities.
- (c) Facilities required to accommodate a customer's service requirements necessitating unusual investment by the Utility and/or not normally provided by the Utility.
- (d) Facilities required to accommodate a customer's service requirements, which may be of a short-term, temporary, or transient nature.

- (e) Facilities required to avoid disturbing the service to others.

The Utility shall build, own and maintain all such facilities, to and including any substation required at the customer's premises. The customer will have the following options:

- (a) Pay a monthly extraordinary facilities charge equal to 2½% of the Utility's total investment in such facilities, or
- (b) Make special contractual arrangements as to the provision of necessary service facilities, duration of contract, minimum bills, and other service conditions.

6.5.Mobile Home Park – Individually Served

It is the goal of the Utility that all original electric distribution systems and service connections installed in new mobile home parks and in existing mobile home parks in which electric distribution facilities have not already been constructed (including new extensions of distribution systems in such existing mobile home parks and service connections to lots which can be served from any such new extension) be placed underground.

The Utility shall provide, own, maintain, and specify the location of all distribution facilities as required to provide service except as otherwise expressly provided herein. No ownership rights therein shall pass to mobile home park occupants, owners or their representatives by reason of any contribution required hereunder.

Prior to the installation of any distribution system and service connection, the mobile home park owner or his authorized representative shall enter into a written contract with the Utility generally describing the proposed installation and setting forth the respective agreements of the parties in regard to such installation. Such contract shall be subject in all respects to the provisions of this rule. Each proposed system shall be a separate and distinct unit and any extension thereof shall be made the subject of a separate written contract or supplemental agreement.

Prior to the installation of the distribution system, the mobile home park owner or an authorized representative shall furnish, at no expense to the Utility, recordable easements in form and substance satisfactory to the Utility, granting right-of-ways suitable for the installation and maintenance of the facilities and equipment comprising the distribution system.

The mobile home park owner or authorized representative shall provide, at no expense to the Utility, for rough grading (within three inches of finished grade) and for clearing the easement area of trees, large stumps, and other obstructions so that the distribution system and service connections can be properly installed in relation to the finished grade. Any subsequent relocation of Utility facilities required due to a change in grade shall be done at the expense of the mobile home park owner.

6.5.1. Original Installation of Distribution Systems

The mobile home park owner shall be required to make a nonrefundable monetary contribution in aid of construction to the Utility, to cover the cost of overhead or

direct burial underground facilities. Such contribution shall be computed on the basis of the rates set forth in the City's Schedule of Licenses and Fees.

6.5.2. Original Installations of Service Connections From Underground Distribution Systems

The mobile home park owner shall be required to make a nonrefundable monetary contribution in aid of construction to the Utility, to cover the additional cost resulting from the installation of the service connections. Such contributions shall be computed on the basis of the rates set forth in the City's Schedule of Licenses and Fees.

The Utility shall furnish, install, own, and maintain the entire electric distribution system including the pre-meter portion of the service lateral cable for new mobile home parks. In the event of underground installations, the trenches for primary or secondary main cables will be occupied jointly by facilities of the Utility and other Utilities where satisfactory agreement for reimbursement of applicable joint facility costs exist between the Utility and the other Utilities. Certain related equipment, such as a pad-mounted transformer, switching equipment, and service pedestals may be above grade. The area must be suitable for the installation of buried cable.

The mobile home park owner shall provide, install, and maintain suitable meter supports of a design satisfactory to the Utility.

6.5.3. Temporary Overhead Service

If temporary overhead service is installed for the convenience of the mobile home park owner or an authorized representative for construction purposes, such owner shall be required to pay the charges set forth in the City's Schedule of Licenses and Fees.

6.5.4. Extraordinary Facility Requirements and Charges

Where, in the Utility's judgment, practical difficulties exist, such as frost or water conditions, rock near the surface, or where there are requirements for deviation from the Utility's filed construction standards, the per foot charges included in this rule shall not apply and the contribution in aid of construction shall be equal to the estimated cost of the facilities including deviations from the original construction estimate.

6.5.5. Extension Policy

Service to mobile home parks shall be subject to the provisions of Section 6, Distribution Systems, Line Extensions and Service Connections, 6.2 Overhead Extension Policy and 6.3.4 Underground Extension Policy.

Any charges, contributions or deposits may be required in advance of commencement of construction.

7. METERING AND METERING EQUIPMENT

The customer shall provide, free of expense to the Utility and close to the point of service entrance, a space suitable to the Utility for the installation of the necessary metering

equipment. The customer shall permit only authorized agents of the Utility to initiate service or to inspect, test, repair, or remove Utility-owned equipment. If the meter or metering equipment is tampered with, damaged, or destroyed through either the intent or neglect of the customer, the cost of necessary repairs or replacements shall be paid by the customer in addition to the fees set forth in the City's Licensing and Fees.

7.1. Meter Requirements

7.1.1. Metered Measurements of Electricity Required; Exceptions

All electricity that is sold by the Utility shall be on the basis of meter measurement, except for temporary service or installations where the load is constant and consumption may be readily computed. Where practicable, the consumption of electricity within the Utility shall be metered.

7.1.2. Installation of Defective Meter Prohibited

A meter shall not be installed if it is known to have incorrect constants or if it has not been calibrated and/or tested and adjusted as necessary. The capacity of the meter and the register mechanism shall be consistent with the electric load requirements of the customer.

7.1.3. Meter Reading Interval

- (a) For commercial and industrial customers, the Utility shall schedule meters to be read monthly. To the extent practicable, the Utility shall make every effort to ensure a commercial or industrial customer will not receive two successive estimated bills.
- (b) For residential customers, the Utility shall comply with the requirements set forth in Section 5.2.

7.1.4. Demand Meter Registration

When a demand meter registration is used for billing, the installation shall normally be designed so that the highest monthly demand reading used for billing will appear on the meter register.

8. CUSTOMER RELATIONS

8.1. Customer Information and Service

The Utility shall do all of the following:

- (a) Maintain up-to-date maps, plans, or records of the Utility's entire transmission and distribution system and such other information as may be necessary to enable the Utility to advise prospective customers and others entitled to the information regarding the facilities available for serving prospective customers in the Utility's service area.
- (b) Assist the customer or prospective customer in selecting the most economical rate schedule based on the information supplied by the customer. However, the selection of the best available rate is the sole responsibility of the customer. Once the selection is made, the customer shall stay on the rate a minimum of 12 months or until he or she notifies the Utility of changes in the conditions of his or her service, which would warrant a different rate schedule.
- (c) Notify customers affected by a proposed change in rate or schedule classification.

- (d) Upon request, inform the Utility's customers of the method of reading meters.
- (e) Furnish such additional information as the customer may reasonably request.

8.2.Metering errors

- (a) If a meter creeps, if a metering installation is found upon any test to have an average error of more than 2.0%, if a demand metering installation is found upon testing to have an average error more than 1.0% in addition to the errors allowed, or if a meter registration has been found to be in error due to apparent tampering by person or persons unknown, an adjustment of bills for service for the period of inaccuracy shall be made in the case of over-registration and may be made in the case of under-registration.
- (b) The amount of the adjustment shall be calculated on the basis that the metering equipment should be 100% accurate with respect to the testing equipment used to make the test. For single-phase watt-hour meters, the average accuracy shall be the arithmetic average of the percent registration at light load and at heavy load, giving the heavy load registration a weight of 4 and the light load registration a weight of 1. For polyphase meter, the average accuracy shall be the arithmetic average of the percent registration at light load given a weight of 1 and at heavy load and 100% power factor given a weight of 4 and at heavy load and 50% lagging power factor given a weight of 2.
- (c) If the date when the error in registration began can be determined, such date shall be the starting point for determination of the amount of the adjustment and shall be subject to Section 5.7.
- (d) If the date when the error occurred in registration began cannot be determined, it shall be assumed that the error has existed for a period equal to 1/2 of the time elapsed since the meter was installed or 1/2 of the time elapsed since the last test, whichever is later, except as otherwise provided in Sub-Rule (f) of this rule and subject to Section 5.7.
- (e) Recalculation of bills shall be on the basis on the corrected monthly consumption.
- (f) The error in registration due to creep shall be calculated by timing the rate of creeping and by assuming that this creeping affected the registration of the meter for 1/4 of the time since the meter was installed or since the last test, whichever is later.
- (g) If the average error cannot be determined by test because of failure of part or all of the metering equipment, it is permissible to use the registration or check metering installations, if any, or to estimate the quantity of energy consumed based on available data. The customer shall be advised of the failure and of the basis for the estimate of the quantity billed. The same periods of error shall be used as explained in this rule.
- (h) If the recalculated bills indicate that more than \$1.00 is due an existing customer or that \$10.00 is due a person who is no longer a customer of the Utility, the full amount of the calculated difference between the amount paid and the recalculated amount shall be refunded.
- (i) Refunds shall be made to the two most recent consumers who received service through the meter found to be in error. In the case of a previous consumer who is no longer a customer of the Utility, a notice of the amount due shall be mailed to

such previous consumer at his or her last known address, and the Utility shall, upon demand made within three months thereafter, refund the same.

- (j) If the recalculation of billing indicates that an amount due the Utility is equal to or more than the amounts set forth in Sub-Rule (h) of this rule as minimum refunds, the Utility may bill the customer for the amount due, subject to Section 5.7.
- (k) The Utility may establish a policy whereby the minimum sum above, which it will commence billing for amounts due to under-registration, is more than the amounts set forth in Sub-Rule (h) of this rule as minimum refunds. The minimum sum established in the Utility policy shall be applied in all cases of under-registration to determine whether the customer will be billed for the amount due the Utility because of under-registration.

8.3.Billing Errors

- (a) If a customer has been overcharged as a result of incorrect reading of the meter, incorrect use of meter constants, incorrect application of the rate schedule, incorrect connection of the meter, or other similar reasons, the amount of the overcharge shall be adjusted, refunded, or credited to the customer. The Utility is not required to adjust, refund, or credit an overcharge beyond the two-year period immediately preceding discovery of the billing error.
- (b) If a customer has been undercharged as a result of incorrect reading of the meter, incorrect use of meter constants, incorrect application of the rate schedule, incorrect connection of the meter, or other similar reasons, the undercharge may be billed to the customer subject to Sub-Rule (c) of this rule.
- (c) Except in cases of tampering, the following limitations shall apply to the back-billing of residential, commercial, and industrial customers:
 - i. Back-billing of residential customers and commercial customers with single-phase 240 volt meters is limited to the two-year period immediately preceding discovery of the error. The customer shall be given a reasonable time in which to pay the amount of the back-billing and service shall not be discontinued during this time for nonpayment of the amount of the back-billing.
 - ii. Back-billing of industrial customers and commercial customers not included in Subdivision (i) of this sub-rule is limited to the two-year period immediately preceding discovery of the error except in instances where the Utility could not have detected the error through regular meter readings or the exercise of reasonable diligence in preparing and reviewing a customer's bills and records. In these instances, the Utility may back-bill a customer for a period of up to three years immediately preceding discovery of the error. The customer shall be given a reasonable time in which to pay the amount of the back-billing, and service shall not be discontinued during this time for nonpayment of the amount of the back-billing.

8.4. Servicing Utilization Control Equipment Used on the Customer's Premises

The Utility shall service and maintain its equipment used on customer's premises and shall correctly set and keep in proper adjustment any devices which control the customer's service.

8.5. Customer Complaints; Investigations; Records

Complaints concerning charges, practices, facilities or service of the Utility shall be investigated promptly and thoroughly. When the investigation results in an adjustment or change by the Utility, the Utility shall keep records of customer complaint and corrective action taken that will enable the Utility to review and analyze its procedures and actions.

8.6. Temporary Service; Cost of Installing and Removing Facilities

If the Utility renders temporary service to a customer, it shall require that the customer bear the cost of installing and removing the facilities. Refer to Section 6.4, Extraordinary Facility Requirements and Charges and Section 10, Temporary Service.

8.7. Protection of Utility's Facilities on Customer's Premises

The customer shall use reasonable diligence to protect the Utility's facilities located on the customer's premises and to prevent tampering or interference with such facilities. The Utility shall discontinue service if the metering or wiring on the customer's premises has been tampered with or altered in any manner to allow unmetered or improperly metered energy to be used. If a Utility discontinues service for unauthorized use of service, the Utility is not required to restore service until the customer has made reasonable arrangements for payment of the unmetered energy used and agreed to pay the approved reconnection charges as may be requested by the Utility. Failure to comply with the terms of such an agreement shall be cause to discontinue service. Restoration of services may also be contingent upon receipt of reasonable assurance of the customer's compliance with the Utility's approved Standard Rules and Regulations.

9. METERING EQUIPMENT INSPECTION AND TESTS

9.1. Customer-Requested Meter Tests

- (a) Upon request by a customer, the Utility shall conduct a test of the meter serving the customer. Any charge to the customer shall conform to the Utility's filed and approved rates and rules. The Utility need not make more than one test in any 12-month period unless the meter has been replaced since the last test.
- (b) The customer, or his or her representative, may be present when his or her meter is tested.
- (c) A report of the results of the test shall be made to the customer within a reasonable time after the completion of the test, and a record of the report, together with a complete record of each test, shall be kept on file at the office of the Utility.
- (d) The Utility shall be under no obligation to test meters more frequently than once every 12-months. If the customer requests a test on a more frequent basis, a test fee shall be charged as set forth in the City's Schedule of Licenses and Fees. If such test reveals the meter registration to be outside the accuracy limits prescribed in Section 9.2, Metering Testing Requirements a billing adjustment shall be made

in accordance with Section 5.7, Billing Errors. A report shall be made available to the customer by the Utility and the Utility shall maintain a record of the test.

9.2. Meter Testing Requirements

- (a) Every meter shall be inspected and tested and associated device(s) shall be inspected in the meter shop of the utility or a meter testing facility certified by the Utility, before being placed in service. The accuracy of each meter shall be certified to be within the tolerances permitted by Michigan Public Service Commission Rules R 460.3602-3613, R 460.3615 and R 460.3616 (http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1625_2016-018LR_AdminCode.pdf), except that the utility may rely on the certification of accuracy by the manufacturer on all new meters.
- (b) Michigan Public Service Commission Rules for meter testing accuracy are derived from ANSI C12.1-2001 and C12.20-2002, ANSI/ASQ Z1.9-2003, ANSI C57.13-1993 and IEEE Std. C57.13.6-2005.
- (c) The Utility shall operate and maintain all testing equipment in accordance with above standards. Period verification of all testing equipment will be performed to ensure proper calibration.

10. TEMPORARY SERVICE

Customer desiring temporary general secondary service shall pay the monthly charges provided in the Electric Service Rate Schedule. Temporary services will normally be limited to six months. However, if such service extends for a period in excess of six months, the customer may be subject to another available Utility rate.

In addition, such customers shall pay installation and removal charges as follows:

- (a) Where 120/240 volt single-phase service is desired and such service is available at the site, the applicant for service shall pay the cost of furnishing, installing, and removing such temporary service equipment.
- (b) Where 120/240 volt single-phase service is not available at the site, or if other than 120/240 volt single-phase is desired, the charge for installation and removal shall be based on the cost thereof.

The customer will be required to pay the Utility in advance an amount to cover the cost of installing and removing these temporary facilities and may be required to deposit, in advance, the estimated cost of service under the terms of the rate set forth above. Meters may be read daily and the deposit modified as the energy used may justify such modifications.

The customer will be required to install all materials necessary to safely facilitate installation of service and be approved by the inspecting authority having jurisdiction. Such materials may include, but are not limited to a meter socket, a pedestal, and a 4" x 4" pole. All other installation requirements shall be made in accordance with the City's Schedule of Licensing and Fees.

11. CUSTOMER DEPOSITS – RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL

~~The Utility may require a deposit as a condition of new service. All conditions of the deposit including requirement, amount, refund, and terms and conditions shall be determined in accordance with Bay City Code of Ordinances, Chapter 106, Article V.~~

The Utility may require a cash deposit to assure payment of not more than three times an estimated average monthly billing, other form of account security acceptable by the utility and/or agree to accelerated payment terms as a condition of service. All conditions of the deposit including requirement, amount, refund, and terms and conditions shall be determined in accordance with the Bay City Code of Ordinance, Chapter 106, Article V.

12. VEGETATION MANAGEMENT

The City of Bay City makes every effort to maintain the quality of vegetation within city limits. As such, the city has developed a separate Standard Rules and Regulations for Utility Right-of-Way and Vegetation Management. The rules and regulations governing vegetation management shall be maintained on file with the Electric Department and City Clerk and is available for viewing upon request.

13. POLE ATTACHMENT

Pole attachments are not authorized unless a written contract is entered between the Utility and potential licensee in accordance with the Standard Utility Pole Attachment Agreement.

14. UTILITY SHUTOFF POLICY

The City of Bay City at times may need to disconnect a customer (Section 3). However, it is noted the hazards of removing electrical power from certain customers during varying weather conditions. The City has adopted a Utility Shutoff Policy approved by the City Commission. The policy shall be maintained on file with the Electric Department and City Clerk and is available for viewing upon request.

APPENDIX A

Definition of Terms

Ampere (A)	Unit of electrical current.
Billing Month	The term "billing month" shall refer to the period between two successive, scheduled meter readings.
Contractor	Any person, firm, or corporation installing any wiring equipment intended to obtain its electric supply from the Utility.
Customer	Any person, firm, corporation, association, partnership, municipality, or governmental agency to be served by or legally using electrical energy supplied by the Utility. (Each metering point shall be considered a separate customer.)
Electrical Inspector	The representative of the authorized inspection agency having jurisdiction in an area for the enforcement of electrical codes applicable to the area.
Engineering Department	Department of the Utility, which supplies electrical engineering services for the Utility and advises customers regarding their facilities.
Electric Service Limiter	An electric meter or device used in conjunction with an electric meter that automatically interrupts all electric service to a customer without intervening direction from the Utility when a utility-imposed peak usage limit is exceeded.
Hertz (Hz)	Cycle per second.
Horsepower (hp)	Unit of mechanical power equivalent to 746 watts of electrical power.
Kilo (k)	Prefix meaning one thousand.
Kilovoltampere (kVA)	Unit of apparent electrical power, which at 100% power factor is equivalent to one kilowatt.
Kilowatt (kW)	Unit of electrical power representing rate of usage of energy, equivalent to about 1-1/3 horsepower.
Kilowatthour (kWh)	Unit of electrical energy equivalent to the use of one hour.

Load Factor (L.F.)	Equals the monthly kilowatt hours consumed divided by the maximum kilowatt demand times the total hours in the billing period.
Metering Department	Department of the Utility, which installs and maintains the Utility's metering equipment.
Month	Unless preceded by the word "calendar" the term "month" shall refer to "billing month".
MPSC	Michigan Public Service Commission
Operations Department	Department of the Utility, which constructs and maintains the Utility's overhead and underground electric distribution system.
Power Factor	Ratio of kilowatt power to kilovoltampere apparent power.
Primary Voltage	Nominal voltage above 480 volts but less than 8320 volts.
Secondary Voltage	Nominal voltage of less than 480 volts.
Service	The complete installation used to deliver electricity from the Utility supply mains to the customer's main disconnect device.
Service Drop	The overhead or underground conductors between the Utility's supply mains and the first point of attachment to the customer's building.
Service Entrance	That part of the service between the service drop and the customer's main service disconnect including all conductors, raceways, and devices.
Subtransmission Voltage	Nominal voltage above 8320 volts but less than 46,000 volts.
Transmission Voltage	Nominal voltage of 46,000 volts and above.
Utility	Bay City Electric Light & Power or its authorized representative.
Utility Employee	Bay City Electric Light & Power workforce or Utility Collection Department personnel.
Volt	Unit of electrical force.

