

CHAPTER 5 ELECTRIC SERVICE

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8-5-1: **DEFINITIONS:** Certain terms used in this Chapter shall have the meanings ascribed below:

BACKUP SERVICE: Electric service, either single or three-phase, to a commercial building for the sole purpose of providing backup power.

CITY UTILITY BILLING OFFICE: The City office, under the direction of the City Treasurer, that has the responsibility for billing services for City utilities.

COMMERCIAL: A building whose primary purpose is conducting business for profit.

COMMERCIAL DEVELOPMENT: A development requiring two (2) or more electrical services for the purpose of commercial operation.

COMMERCIAL SERVICE: Electric service, either single-phase or three-phase, to a permanent commercial structure.

COMPREHENSIVE PLAN: A plan which has been adopted by the Council pursuant to Idaho Code Title 67, Chapter 65 (the Local Land Use and Planning Act) for the purpose of guiding development in the City.

CONNECTED LOAD: The combined input rating of the customer's motors and other electric energy-consuming devices.

CUSTOMER: Any individual, partnership, business entity, or corporation receiving or desiring to receive or provide electric service at a point of delivery located within the City or for whom electric service is delivered under agreement with any other electric utility.

DEMAND: The average kilowatt (kW) supplied to the customer during the fifteen (15) minute period of maximum customer use during a month, as shown on the City meter, which determines the needed capacity on the City electric distribution system.

ELECTRIC SERVICE: The availability of power and energy in the form and at the voltage specified in the application for electric service irrespective of whether electric energy is actually utilized.

ENERGY USE INTENSITY OR "EUI": The annual Kilowatt-hours of Energy usage divided by the operating space square footage required by the Energy consuming activity as determined by IFP.

FACILITIES: Any electrical equipment and/or materials, whether overhead or underground, owned by the City, which are used to generate, transmit, and distribute electrical power to a customer.

HIGH VOLTAGE DELIVERY: Electric service delivered at two thousand four hundred (2,400) volts or greater.

IDAHO FALLS POWER OR "IFP": The department of the City that operates and manages the electric light system of the city.

LINE EXTENSION: Any change or addition to the IFP electrical system, including service lines, distribution lines, Project Improvements, System Improvements, procurement of rights of way, easements, and permits for the primary purpose of providing electrical service requested by a customer.

LOW VOLTAGE DELIVERY: Electric service delivered at six hundred (600) volts or less.

NON-RESIDENTIAL: All electric services which are not one hundred twenty/two hundred forty (120/240) volt single-phase, serving the customer at the customer's principle permanent residential structure.

OVERHEAD SERVICE: Any service supplied directly to the customer from aerially-connected service conductors.

POINT OF DELIVERY: The point where the customer's wires are joined to the equipment or facilities of the City, unless otherwise specified in the application for electric permit and approved by the Director of Idaho Falls Power.

POWER FACTOR: The relationship between real and reactive power drawn under actual operating conditions as determined by measurements made by the City.

PRIMARY DISTRIBUTION LINE: Any high voltage electrical conductor that provides power to the high voltage side of a customer transformer.

PROJECT IMPROVEMENTS: Any new installation of electrical facilities or upgrade of existing electrical facilities for the primary purpose of serving a residential or commercial customer, including but not limited to poles, cables, transformers, and appurtenant facilities.

RESIDENTIAL DEVELOPMENT: A subdivision containing two (2) or more lots for use as residential housing, as evidenced by a subdivision plat recorded with the Bonneville County Recorder's Office.

RESIDENTIAL SERVICE: Electric service which is one hundred twenty/two hundred forty (120/240) volt single-phase, to a permanent residential structure.

SECONDARY SERVICE: The materials and labor necessary to provide service from the secondary side of the transformer to the point of meter service on a building, home, or structure.

SERVICE MONTH: The period between successive meter readings, generally consisting of approximately thirty (30) consecutive days.

SERVICE POLICY: The IFP Service Policy approved by the Council, which provides information on procedures and specifications for new and existing electric services to customers.

SYSTEM IMPROVEMENT: Any new installation or upgrade of electrical generation plants, electrical transmission lines, substations, distribution main feeders, and the like.

TEMPORARY SERVICE: Electric service required for a specific period of time not to exceed one (1) year or during progressing construction on commercial and industrial facilities, at the end of which period the facilities will no longer be needed.

UNDERGROUND SERVICE: Any service supplied directly to the customer by means of conductors placed underground. (Ord. 3040, 11-24-15; Ord. 3222, 10-25-18; Ord. 3272, 9-26-19)

8-5-2: EXCLUSIVE RIGHT TO SELL ELECTRICAL ENERGY; CUSTOMER SERVICE POLICIES: IFP shall have the exclusive right to sell and deliver electrical energy for residential, commercial, and industrial lighting, power, heating, and cooling uses located in whole or in part within the City, except as otherwise expressly permitted by law. No other person or entity may sell, re-sell, or distribute electrical energy to any customer whose point of delivery is located within or outside the City, or re-sell energy generated or distributed by the City, unless such delivery is expressly authorized by this Chapter. IFP may from time to time promulgate written rules and regulations and/or customer service policies regarding its delivery of electrical services, provided such regulations are consistent with the provisions of this Chapter. (Ord. 2841, 6-24-10; Ord. 3003, 04-23-15; Ord. 3272, 9-26-19)

8-5-3: OWNERSHIP OF SYSTEM: All lines, equipment, pole and facilities on the supply side of the point of delivery are owned and controlled by the City, except as expressly provided in this Code. With few exceptions, the City owns to the point of metering for residential customers and to the transformer for commercial customers. (Ord. 3003, 04-23-15; Ord. 3272, 9-26-19)

8-5-4: APPLICABILITY TO ELECTRIC SERVICE CUSTOMERS: This Chapter shall apply to the City and to every customer to whom electric energy or service is or will be supplied.

8-5-5: APPLICATION FOR ELECTRIC SERVICES: Electric service shall not be delivered to any customer until the customer or the customer's authorized agent shall personally appear at the City utility billing office and make written application for delivery of electric services or until the customer applies pursuant to another approved City process (such as a secured online application process). The City may require appropriate identification of any customer or agent making application for electric service. Any customer who willfully gives materially false information in the application or who shall falsely represent an identity shall be guilty of a misdemeanor, and electric service to such customer may be terminated all in accordance with this Chapter. (Ord. 3040, 11-24-15; Ord. 3222, 10-25-18; Ord. 3272, 9-26-19)

8-5-6: RATES AND SCHEDULES: Electric service supplied by the City shall be billed in accordance with the schedule of rates set forth below. The schedule of rates is designed to provide monthly rates for service supplied to the customer. (Ord. 3222, 10-25-18)

8-5-7: DELIVERY OF SERVICE: Service shall be delivered only to premises or facilities which are in conformity with the provisions of this Chapter, the Uniform Building and/or Fire Codes, the Zoning Ordinance and all other ordinances of the City. Service will be supplied under a given rate schedule only to such points of delivery as are adjacent to the facilities of the City, and which are adequate and suitable as to capacity and voltage, for service desired and under the rate schedule applicable thereto. The City shall not be obligated to construct extensions or install additional service facilities except as required in this Chapter. (Ord. 3222, 10-25-18)

8-5-8: VOLUNTARY TERMINATION OF SERVICES: In the event that any customer desires to discontinue receiving service from the City, they shall give advance notice in writing

to the City of such desire to discontinue receiving electric services. Customers will be responsible for all electric service supplied to the customer's premises until the date set forth in the customer's notice and for any electricity actually consumed by such customer after the termination date set forth in the customer's notice of termination. In the event any customer fails to give written notice in the manner set forth above, the customer shall be responsible for any and all bills or charges incurred by any person until such notice is given, or until another customer shall make application to receive electric service at the same point of delivery, regardless of whether or not the customer actually consumed electrical energy or utilized electrical service for their own purposes.

8-5-9: LIMITATIONS OF USE: No customer shall sell, re-sell, or offer to sell or re-sell such electric energy or permit others to use electric energy supplied to the customer's point of delivery, or install any master meter or sub-meter for such energy, unless such sale, use, or installation is authorized in writing by IFP. A customer shall not extend or connect their wiring or installation, or extend their use of service to other buildings or places of use in order to furnish service to more than one building or place of use through one meter or point of delivery unless such buildings, property or place of use is owned or operated by the customer and all electric service is used by the customer in the conduct of the same establishment and business. Notwithstanding the foregoing, Idaho Falls Power may promulgate rules and regulations allowing the master metering, sub-metering, or re-metering of electrical energy for purposes of re-sale for multi-family residential buildings, shopping centers or other commercial uses where (1) such multi-family use existed prior to July 1, 2010, or (2) the HVAC or water heating systems are centrally located or operated and cannot be individually controlled by the tenant or occupant. (Ord. 2841, 6-24-10; Ord. 3003, 04-23-15; Ord. 3273, 9-26-19)

8-5-10: ACCESS AND RIGHTS OF WAY: Electric service shall be provided only where the customer, without cost to the City, provides the City access and a right of way for the City's lines and apparatus serving the customer, over, across, and upon the property owned or controlled by the customer. The customer shall permit City access to the property and shall provide access to the City's lines and apparatus, including ingress and egress, at all reasonable hours and at any time during an emergency or a City construction project. Access and right of way provided by the customer or property owner pursuant to this subsection shall not require specific prior notification from the City to the customer or property owner of need for ingress or egress. By acceptance of or application for electric services, the customer shall be deemed to waive any claim for damages by the City in conducting City's customary and routine repair, maintenance, construction, and other operations within such right of way. Failure to provide access and right of way pursuant to this subsection may result in the disconnection of City electric and/or dark or lit fiber optic service to the customer until access is accomplished by the City. City lines and apparatus includes City electrical and fiber equipment, power poles, transformers, underground conductors, wires, meters, pedestals, communications boxes, fiber optic splice cables, optical network terminations (ONTs). Access to City lines and apparatus shall comply with the Service Policy and not be impeded or prevented by the presence or construction of any permanent or semi-permanent barriers or structures such as a fence, shed, enclosure, tree, shrub, planting, rock, monument, or the like. (Ord. 3273, 9-26-19)

8-5-11: METER SERVICE INSTALLATIONS: Upon the payment of a meter installation fee in an amount set from time to time by Resolution of the Council per meter the City will, at its own expense, provide, and maintain current transformers, if required, and meters to measure electrical consumption by the customer. The fee shall be paid to the City Community Development Services Department prior to the issuance of a building permit. The customer shall provide, install, and maintain the meter base and service in accordance with the City Electrical Code, Service Policy and the specifications set forth in this Chapter. The customer shall provide access to their meter at all reasonable times and shall not obstruct normal access to the meter. If a meter is inaccessible, energy consumption and/or demand may be estimated by the City and such estimates shall be deemed to be final. If the customer refuses or fails to provide access to the meter, or to remove the obstruction to access, the City may terminate the customer's service in accordance with the procedure set forth in this Chapter and the City may thereafter refuse to provide electric services until proper access is provided and a disconnect fee has been paid, as provided in this Chapter. (Ord. No. , 2-14-08; Ord. 2964, 8-14-14; Ord. 3003, 04-23-15; Ord. 3222, 10-25-18; Ord. 3273, 9-26-19)

8-5-12: MEASUREMENT OF ENERGY:

(A) All energy delivered by the City shall, except as otherwise specifically provided, be paid for according to measurement by meter types chosen by the City located at or near the point where the energy is to be delivered to the customer. When a billing error is found or when a meter is found to be more than two percent (2%) fast or slow under the conditions of normal operation, an adjustment of the charges shall be made for any period during which the billing error or malfunctioning meter can be established with reasonable certainty by the party in whose favor the adjustment is to be made. Such adjustment shall be based upon the customer's average monthly consumption for the year preceding the date of the erroneous billing or upon any other method which will more accurately estimate electrical consumption for such period. This period of adjustment will not exceed thirty-six (36) months.

(B) The City will test a customer's meter for accuracy in its measurement of energy. The charge for making such meter test shall be in an amount set from time to time by Resolution of the Council. (Ord. No. , 2-14-08; Ord. 2964, 8-14-14; Ord. 3040, 11-24-15; Ord. 3222, 10-25-18, Ord. 3273, 9-26-19)

8-5-13: FAILURE OF AND TAMPERING WITH METER: If the customer's meter fails to register at any time, the service delivered and energy consumed during such period of failure shall be determined or estimated by the City on the basis of the best available data. No person shall tamper with any meter or install or cause to be installed any appliance, wiring connection or any other device which prevents or is designed to prevent the meter from accurately recording the total amount of energy used on the premises. In the event evidence of tampering of such device is found on the customer's premises, the City may, in addition to other civil or criminal remedies available at law, terminate electric service to the premises in the manner set forth hereafter and may at once remove or order the removal of any such wiring connection, appliance or device at the customer's expense. In such event the City may estimate the amount of energy consumed and not registered, and the customer shall have the burden of proof of establishing such estimate is grossly unreasonable. The customer shall pay the estimated charges for such

unregistered energy and the reasonable labor and material costs incurred in the removal of such wiring connection, appliances or devices and the reasonable costs of repair of any damaged facilities and/or meters. In addition to the foregoing, the City may, as a condition for continued service or reconnection, impose a reconnect fee in an amount set from time to time by Resolution of the Council for any customer whose meter seal has been broken without prior authorization by the City. Such charges may be collected prior to reconnection or may be included in the customer's regular monthly bill. (Ord. No. , 2-14-08; Ord. 2964, 8-14-14; Ord. 3273, 9-26-19)

8-5-14: **TRANSFORMER LOSSES:** When delivery of service is on the primary side of customer's transformers, the City may install its meters on the secondary side of the transformers, and unless otherwise provided in the rate schedule, in determining the monthly consumption of power and energy, transformer losses and other losses occurring between the point of delivery and the meters will be computed and added to the reading of such meters. When delivery of service is on the secondary side of City's transformers the City may install its meters on the primary side of the transformers and, unless otherwise provided in the rate schedule in determining the monthly consumption of power and energy, transformer losses and other losses occurring between the point of delivery and the meters will be computed and subtracted from the reading of such meters. . If a customer requests a larger transformer than what the City would typically install, the City may meter on the primary side to account for increased transformer losses and/or bill the customer on a real power basis using kVar calculations. (Ord. 3222, 10-25-18)

8-5-15: **METER READING:** Meters will be read and bills will be rendered based upon the customer's service month. The customer's service month may be determined solely by the City and may commence at any time during a calendar month. If the meter is not read during the customer's service month, bills may be rendered for the customer's estimated energy consumption based upon the customer's past electrical consumption for the service month in question or upon the typical consumption of a customer having equivalent service and usage requirements. Where a customer's meter must be read in person (e.g. because it is an electromechanical, Advanced Meter Reading (AMR), or a radio-disabled Advanced Meter Infrastructure (AMI) meter), the customer shall be charged a fee in an amount set from time to time by Council. (Ord. 3040, 11-24-15)

8-5-16: **BILLING, COLLECTION, AND TERMINATION OF UTILITY SERVICE:** Billing, collection, and termination for utility service shall be processed pursuant to the City billing, collection, and termination policy established by Council Resolution. (Ord. 2458, 9-12-02; Ord. 3039, 11-24-2015)

8-5-17: **LIABILITY OR INTERRUPTIONS OF SERVICE:** The City shall not be liable for any loss, injury or damage of any kind resulting from the interruption, reduction, loss or restoration of electric service from any cause, including without limitation any such loss by fire, flood, accident, casualty, sabotage, strike, litigation, act of God or the public enemy or failure or inadequacy of distribution, transmission or generation equipment. Without limitation by the preceding enumeration, in no event shall the City be liable for damage to or destruction of any computer, computer software, photocopier or other electric device which is sensitive to spikes, surges, sags, transients, noise, or other electrical interruptions, outages or fluctuations. Any

customer owning or operating such equipment shall take all reasonable precautions to protect such equipment by installation of surge suppressors or other protective devices or equipment. The City disclaims any express or implied warranty of merchantability or fitness for a particular purpose, nor shall the delivery of energy to any customer be construed as or deemed to be the delivery of goods under the Idaho Uniform Commercial Code. (Ord. 2458, 9-12-02; Ord., 2-14-08; Ord. 2964, 8-14-14; Ord. 3039, 11-24-2015)

8-5-18: SHUT-DOWN FOR REPAIRS: For the purpose of making necessary repairs or changes to its generating, transmission or distribution facilities, or to avoid damage to property or to persons the City may suspend delivery of electric service for such periods as may be necessary, and the City shall not be liable for damage of any kind, direct or indirect, as a result of such discontinuance of electric service. (Ord., 2-14-08; Ord. 2964, 8-14-14; Ord. 3039, 11-24-2015)

8-5-19: INTERFERENCE WITH SERVICE: The City may refuse to supply loads of a character that may seriously impair service to any other customers, and the City may disconnect existing service if the customer's load, as determined by IFP, is impairing service to any other customers. Where the customer's use of electricity is intermittent or subject to extreme fluctuations, the City may require the customer to provide equipment to reasonably limit or moderate such fluctuations. (Ord. 3039, 11-24-2015; Ord. 3222, 10-25-18; Ord. 3273, 9-26-19)

8-5-20: PROTECTION OF CUSTOMER'S EQUIPMENT:

(A) The customer is solely responsible for the selection, installation and maintenance of all electrical equipment and wiring, other than the City's meters and apparatus, on the load side of the point of delivery.

(B) All electric motor installations shall include effective protective apparatus, or have adequate protective measures within the motor to accomplish equivalent protection as follows:

(1) Overload and over current protection for each motor by suitable thermal relays, fuses, or circuit interrupting devices automatically controlled to disconnect the motor from the line to protect it from damage caused by overheating.

(2) Open phase protection on all polyphase installations to disconnect motors from the line in the event of opening of one phase.

(3) All polyphase motors for the operation of passenger and freight elevators, cranes, hoists, draglines and similar equipment shall have reverse phase relays, or equivalent devices, for protection in case of phase reversal.

(4) Motors that cannot safely be subjected to full voltage at starting should be provided with a device to ensure that upon energization at full voltage such motors will be disconnected from the line.

(C) The customer shall be responsible to install and maintain surge suppressors, auxiliary power units or other protective devices for the protection of equipment sensitive to voltage spikes, surges, sags, transients, noise interruptions or outages.

(D) The customer shall install and maintain all suitable protective devices and equipment to protect themselves, life and property, from harm or injury from electric current and the City assumes no duty to warn or otherwise assist the customer in the selection or use of electrical appliances, tools, equipment or facilities. (Ord. 3039, 11-24-2015; Ord. 3222, 10-25-18; Ord. 3273, 9-26-19)

8-5-21: ALLOWABLE MOTOR STARTING CURRENTS: No customer shall use any motor having a rated horsepower of ten (10) or greater without first obtaining a permit therefor. Capacitors or other power factor correction equipment is required to maintain a compliant power factor of at least eighty-five (85%) percent on monthly average. The City may require the installation of reduced voltage starting equipment or other equipment necessary to prevent interruptions of electric service within the customer's immediate service area as a condition for the issuance of the permit. Any customer desiring to use such motors shall make written application therefor to IFP, stating the size and serial number of the motor, the intended use, location of business and such other information IFP may require in order to determine the impact the proposed use will have on the system. It shall be unlawful for any customer to use, install or replace any ten (10) HP or greater motor, except as specifically identified in and authorized by a permit issued IFP. (Ord. 3273, 9-26-19)

8-5-22: MAINTENANCE OF EQUIPMENT: The customer shall provide, operate, and maintain all transformers, lines, and equipment on the load side of the point of delivery designated by the City. (Ord. 3039, 11-24-2015; Ord. 3273, 9-26-19)

8-5-23: SECURITY LIGHTING: All exterior security lighting installed after the effective date of this Code, shall consist of overhead circuits, wood, or metal poles. For underground service installations, the customer shall pay the cost of the metal pole and install a concrete base in accordance with City Specifications. The customer shall also be responsible to open and close all trenches for electrical distribution lines. (Ord. 3039, 11-24-2015; Ord. 3222, 10-25-18; Ord. 3273, 9-26-19)

8-5-24: SCHEDULE OF RATES:

(A) BILLINGS: Customers shall be billed for electric energy and demand according to the schedule of rates set forth below and pursuant to the electrical billing rate calculation and billing policy adopted by the Council. No other rates for energy consumption shall apply except by special permit or contract specifically approved by the Council. Customer accounts shall be billed at intervals of approximately every thirty (30) days, provided that failure to so bill shall not relieve the customer of any obligation to pay for electric service when actually billed for such service.

(B) COMMERCIAL RATE: This rate shall be applicable at each point of delivery, for all energy requirements delivered at nominal voltages up to four hundred eighty (480) volts to

commercial customers. The Commercial Rate shall be in an amount set from time to time by Resolution of the Council for: Energy Charges; and Demand Charges.

(C) INDUSTRIAL RATE: This rate shall be applicable at each point of delivery, for all energy requirements delivered at nominal primary voltages to industrial customers having electric service with a minimum capacity of two hundred seventy five kilowatts (275 kW). The Small Industrial Rate shall be in an amount set from time to time by Resolution of the Council for: Energy Charges; and Demand Charges.

(D) HIGH DENSITY LOAD RATE: This rate shall be applicable at a single point of delivery and one location per customer, for all energy requirements delivered to server farms, crypto currency, data processing or similar technological operations with an energy use intensity (EUI) of 250kWh/ft²/year or more and with peak electrical load up to one thousand kilowatts (1,000 kW). Customers shall not create separate entities or other means to circumvent the maximum of one thousand kilowatts (1,000 kW) per customer and location within the City. EUI shall be determined by Idaho Falls Power staff by dividing the minimum operating space required by the energy consuming activity. The High Density Load Rate shall be in an amount set from time to time by Resolution of the Council for: Energy Charges, Demand Charges, Credit Risk Deposit, Distribution Connection Fee.

(E) LARGE SINGLE LOAD RATE: This rate shall be applicable to all single load customers whose aggregate demands at one or more points of delivery on the same premises exceed one thousand kilowatts (1,000 kW). This rate shall be a unique, negotiated rate designed to return to the utility all costs of service that may be fairly and equitably apportioned to the customer using generally accepted rate-making principles, based upon the customer's unique circumstances and service needs. In no event shall such rate cause subsidization of such customer by other classes of customers nor cause subsidization of such other classes by the large single load customer. This rate shall be negotiated within thirty (30) days after the date the customer's demands exceed such amount, provided that, in the event the customer and the utility are unable to agree upon a fair and equitable rate, the utility may unilaterally implement such rate, using the principles stated above or restrict service below the one thousand kilowatts (1,000 kW). This rate shall apply to any new customer following the adoption of this Subsection.

(F) RESIDENTIAL RATE: This rate shall be applicable for all electric service required by residential customers in single private dwelling units and individual family apartments intended for general domestic use only. The Residential Rate shall be in an amount set from time to time by Resolution of the Council for: Energy Charges; and Demand Charges.

(G) NET METERING RATE: Residential or Commercial customers who have an approved Net Metering and Small Generation Interconnection Agreement Application for installation of distributed generation will be classified according to their appropriate net metering rate.

(H) CITY STREET LIGHTING SERVICE: This rate is applicable for electric service for the lighting of public streets, alleys, thoroughfares and public parks and recreational facilities.

The City Street Lighting Service Rate shall be in an amount set from time to time by Resolution of the Council for: Energy Charges; and Demand Charges.

(I) SECURITY LIGHTING: This rate is for electric service for lighting private property, including without limitation, parking lots, storage lots, driveways, and yards. The rate shall consist of a fixed monthly charge based upon the rated average minimum lumen output. The Security Lighting Rate shall be in an amount set from time to time Resolution of the Council. Prior to the delivery of any energy to a security light, the customer shall pay a customer installation fee in an amount set from time to time by Resolution of the Council for each security lighting pole installed.

(J) TEMPORARY OR CONSTRUCTION RATE: This rate is for temporary service that is single phase 120/240 volt and a maximum of two hundred (200) amps. The Temporary or Construction Service Rate shall be in an amount set from time to time by Resolution of the Council for: Construction of Residential Occupancies; and Construction of Nonresidential Occupancies.

(K) LARGE POWER TEMPORARY OR CONSTRUCTION RATE: This rate is for temporary service that is over 120/240 volt with (200) amps. The Large Power Temporary or Construction Service Rate shall be in an amount set from time to time by Resolution of the Council for: Construction of Residential Occupancies; and Construction of Nonresidential Occupancies.

(L) SMALL WIRELESS FACILITIES (SWF): Rates and fees for application, construction, use of IFP structures, electric usage, and access to fiber optic cable shall be in an amount set from time to time by Resolution of the Council.

(M) AMI OPT OUT/NON-REMOTE READ METERING SERVICE: Electrical service to customers who use AMI opt out or non-remote read meters shall continue only where such customers have not been disconnected for non-payment, have not moved from the service location, and have not denied access to City personnel to service or read the customer's meter(s). Where a customer's current AMI opt out or non-remote read meter is not within specifications or is not functioning properly, it shall be replaced with a new meter with the meter type in use by IFP at the time of replacement, with the radio disabled. The AMI Opt Out rate shall be in an amount set from time to time by Resolution of the Council.

(Ord. 2422, 12-07-01; Ord. 2443, 04-23-02; Ord. 2455, 8-22-02; Ord. 2582, 1-27-5; Ord. 2641, 04-27-06; Ord. 2690, 03-09-07; Ord. 2745, 4-24-08; Ord. 2823, 9-10-09; Ord. 2883, 09-22-11; Ord. 2927, 09-13-13; Ord. 2964, 8-14-14; Ord. 3003, 04-23-15; Ord. 3039, 11-24-2015; Ord. 3040, 11-24-15; Ord. 3222; 10-25-18; Ord. 3273, 9-26-19)

8-5-25: POWER FACTOR PENALTY: Commercial, high density load and single meter industrial rates are based, in part, upon a customer "power factor" of eighty-five percent (85%) lagging or higher as determined from simultaneous measurement of kilowatt hour (kWh) and K Var h during any billing period. All customers are required to maintain a monthly average power factor of eighty-five percent (85%) or greater. (Ord. 3003, 4-23-15; Ord. 3039, 11-24-2015; Ord. 3040, 11-24-15; Ord. 3222; 10-25-18; Ord. 3273, 9-26-19)

8-5-26: SELECTION OF RATE SCHEDULES: The customer shall have the responsibility to apply for the appropriate rate applicable to the type of service. The rate shall be applied upon determination by IFP that the customer is eligible for the rate requested by the customer in their application for electrical service. Services qualifying for two (2) or more rates shall be billed at the highest applicable rate. (Ord. 3003, 4-23-15; Ord. 3039, 11-24-2015; Ord. 3040, 11-24-15; Ord. 3222, 10-25-18; Ord. 3273, 9-26-19)

8-5-27: TRANSFER FROM OTHER UTILITY: Any person who has previously been connected to the facilities of another electric supplier, before any extension, connection, or delivery of City electric services to such person, shall be subject to the Transfer Customer Revenue Buyout Surcharge in an amount set from time to time by Resolution of the Council. (Ord. 3003, 4-23-15; Ord. 3039, 11-24-2015; Ord. 3040, 11-24-15; Ord. 3101, 11-10-16; Ord. 3273, 9-26-19)

8-5-28: NON-OWNER-OCCUPIED PROPERTIES: When electric or other public utility services provided by the City have been delivered to any customer who is not the lawful owner of the premises, and such customer abandons or vacates the premises, then and in such event, the City may place the account in the name of the owner or owners of the premises where utility service is delivered or available, and may bill such owner for all utility services delivered thereafter at that point of delivery until a new written application for electric services is made or the owner or owners request termination of utility services; provided, however, the account shall not be placed in the owner's name until five (5) days after the City has mailed written notice to the last known address of such owner informing the owner of the proposed action on the account. (Ord. 3039, 11-24-15; Ord. 3040, 11-24-15; Ord. 3222; 10-25-18; Ord. 3273, 9-26-19)

8-5-29: (A) PURPOSE: The purpose of this Subsection is to establish regulations relative to the construction and extension of electrical power lines and facilities within the City where such are requested by customers served by IFP and to establish fees therefore.

(B) SERVICE REQUESTS:

(1) The following shall require a fee to be paid as established herein:

(a) Line Extension to Provide Temporary Service. IFP installation and removal of power for a temporary facility to an existing infrastructure within thirty feet (30') of underground tap point or one hundred twenty-five feet (125') from the closest overhead tap point. If such service requires pole installation or transformer placement, an additional fee shall be charged.

(b) Residential Service Line Extension:

(i) Within a Residential Development: IFP provision or extension of existing service lines to a residential structure within a new Residential Development. The fee for this service

shall be determined on a “per lot” basis for an individual dwelling unit or on a “per unit” basis for multi-family housing. The fee shall also take into account the density and zoning for the dwelling to be served.

(ii) Within Residential Development: IFP provision of Project Improvements or electrical service lines to a Residential Unit outside of a Residential Development. The customer requesting such project improvements and service lines shall pay all costs of such Project Improvements and all labor and material costs required, as determined by IFP.

(2) Commercial Service Line Extensions:

(a) Within A Commercial Development: IFP provision of Project Improvements within a commercial planned development in commercially zoned areas. The customer requesting such Project Improvements, shall pay, at the time of building permit issuance, all construction costs for Project Improvements necessitated by the development, based upon an approved engineering design from the developer. In such case, IFP shall supply and install the transformer and meter.

(b) Within A Commercial Development: IFP provision of a commercial electric utility connection within a commercial planned development. A customer requesting the commercial electric utility connection shall complete the trenching, install commercial electric service conduit and pay, in advance, a commercial hook-up fee. Following completion of such preparations, IFP shall make the connections at the transformer.

(c) Not Within A Commercial Development: IFP provision of Project Improvements or a commercial electric utility connection to a commercial structure that is not within a commercial planned development. The customer requesting such Project Improvements or commercial electric utility connection shall pay, in advance, all costs for construction of the Project Improvements, line extensions, and hook-up. Costs, based upon an approved engineering design accepted by IFP, shall be paid at the time of building permit issuance. In such case, IFP shall supply and install the transformer and meter.

(3) High Density Load

- (a) The customer requesting such service shall pay, in advance, the Distribution Connection Fee prior to design and engineering.
 - (b) The customer requesting such service is required to pay all applicable Commercial Service Line Extension fees.
 - (c) Prior to commencing delivery of electric service, the Customer shall pay their Load Credit Risk Deposit.
- (4) Requests For Backup Service: IFP installation and maintenance of backup service to a customer. The customer requesting installation and maintenance of backup service shall pay, in advance, the cost of all System Improvements, Project Improvements, transformer installation, metering, and service lines required to provide backup service.
- (5) Requests for Relocation or Modification of Facilities:
- a. A customer shall pay all actual costs for the removal, relocation, modification, or underground installation of IFP facilities where there is no change to existing electric service.
 - b. A customer shall pay the total estimated costs of Project Improvements necessary to accommodate the desired changes for the removal, relocation, modification, or underground installation of IFP facilities where there is a change in the nature of existing electric service.
- (6) Secondary Service Connection: A customer requesting connection of electrical service to a building shall pay a one-time fee.

(C) GENERAL PROVISIONS:

- (1) Any fees established by this Subsection shall be in an amount established from time to time by Resolution of the Council.
- (2) All line extensions and facilities modifications, including conduit provided by the customer, shall become and are deemed IFP property upon installation.
- (3) All line extensions and facilities modifications shall be made in accordance with standard construction requirements of the IFP Service Policy adopted by the Council.
- (4) Line extensions or facilities modifications shall be made only after the customer has paid the fees and estimated costs established in this Subsection.

(5) Project Improvements where any new single connected load is anticipated to be larger than one (1) MW, shall require a negotiated interconnection agreement between the requester and IFP in addition to the fees and costs for the service. The agreement may take into consideration necessary IFP structure upgrades, such as substation capacity improvements.

(6) Except as provided in Section (B)(4), (B)(5), and (C) of this Subsection, the provisions of this Subsection shall not apply to System Improvements. (Ord. 3040, 11-24-15; Ord. 3101, 11-10-16; Ord. 3222, 10-25-18; Ord. 3273, 9-26-19)

8-5-30: WAIVER OR ADJUSTMENT OF FEES: Council reserves the right to waive or adjust fees in this Chapter (other than net metering fees) upon a finding of good cause to do so where such waiver or reduction supports development or redevelopment in areas identified from time to time by Resolution of the Council. (Ord. 3040, 11-24-15; Ord. 3101, 11-10-16; Ord. 3273, 9-26-19)