

## **Notice of City of Milford Ordinance Adoption**

NOTICE IS HEREBY GIVEN the following ordinance was adopted by City Council of the City of Milford during a regular session on Monday, October 10, 2023.

Ordinance 2023-38  
Code of the City of Milford  
Part II-General Legislation  
Appendix B  
Electric Rules and Regulations and Electric Tariff

AN ORDINANCE OF THE CITY OF MILFORD AMENDING THE CITY OF MILFORD CODE, APPENDIX B, ELECTRIC RATES AND REGULATIONS.

WHEREAS, the Mayor and City Council desire to update the City of Milford Code Appendix B Electric Rules and Regulations in accordance with the recommendations made by Electric Staff; and

WHEREAS, updated language is being inserted and punctuation and grammar errors are being corrected; and

WHEREAS, It is recognized that the City of Milford Code has numerous references to fees and costs related to multiple matters contained in various Chapters, including Appendix B-Electric Rates and Regulations; and

WHEREAS, it is the intention of the Mayor and Council to consolidate all fees and charges in one comprehensive document to be known as the City of Milford Fee Schedule; and

WHEREAS, one Fee Schedule makes the process easier and more accessible for both City staff and customers; and

WHEREAS, City Council found that the amendments to Appendix B Electric Rules and Regulations are in the best interest of the health, safety, convenience, and general welfare of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED, the City of Milford hereby ordains:

Section 1. Purpose: The Code of the City of Milford is amended to modify the electric rules and regulations within Appendix B of the Code of the City of Milford.

Section 2. An Electric Fee Schedule will be created, to be included in the comprehensive City Fee Schedule, for the placement of all fees removed from Appendix B Electric Rates and Regulations.

Section 3. Strikethrough text denotes a deletion; underlined text denotes an addition.

Section 4. Appendix B-City of Milford Electric Rules and Regulations, including the Electric Tariff, is hereby amended to read as follows:

## **APPENDIX B ELECTRIC RULES AND REGULATIONS**

**City of Milford**

**—Electric Division—**

**Rules and Regulations  
Including the  
Electric Tariff**

**For**

**City of Milford**  
201 South Walnut Street  
Milford, Delaware 19963  
Phone 302-424-3712  
Fax 302-424-3558

**APPENDIX B  
ELECTRIC RULES AND REGULATIONS<sup>1</sup>**

### ***RULES AND REGULATIONS***

#### **SECTION 1 GENERAL CONDITIONS**

##### **1.1 PURPOSE**

The purpose of this Tariff is to establish Rules and Regulations for the distribution and delivery of electric services on the City of Milford's electric system. These Rules and Regulations are supplementary to the ordinance establishing an Electric Tariff for the City of Milford and contain the Tariff and the Service

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<sup>1</sup>Editor's note(s)—Contained herein are the City of Milford Electric Rules and Regulations adopted June 22, 2015, and effective July 2, 2015. Where further amendatory ordinances have been incorporated, citations are in brackets following the amended provisions. The system of headings, catchlines, capitalization, citation to state statutes, and expression of numbers in text remains unchanged. See Code Comparative Table for detailed history of derivation.

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Classifications, under which electricity will be supplied to its Customers by the City of Milford. A copy of these Rules and Regulations, with the accompanying Tariff, is on file at the Customer Service Center, 119 South Walnut Street, Milford, Delaware 19963, and open to inspection during normal working hours.

## 1.2 REVISIONS

These Rules and Regulations and the accompanying Tariff may be revised, amended, supplemented, or otherwise changed from time to time, in accordance with rules and procedures of the City Charter and the enabling legislation.

## 1.3 STATEMENT BY AGENTS

No City's employee or representative has authority to modify any rule or provision of these Rules and Regulations and the accompanying Tariff, or to bind the City by any promise or statement contrary thereto, unless the same shall be incorporated in a written contract executed by the City's authorized official.

## 1.4 RULES AND REGULATIONS

The Rules and Regulations are a part of service and shall govern all Classes of Service unless otherwise specifically stated by a Service **Classification** modified by a City's approved rider or a written contract.

## 1.5 NO PREJUDICE OF RIGHTS

The failure by the City to enforce, or the decision not to enforce, any of the provisions of these Rules and Regulations and the accompanying Tariff shall not be deemed a waiver of its right to do so.

## 1.6 GRATUITIES TO EMPLOYEES

The City's employees are strictly forbidden to demand or accept any personal compensation or gifts for service rendered by them while working for the City on the City's time.

## 1.7 DISPUTES

In the event of a dispute between the City's Electric Department and a Customer or Applicant, either party may submit the particulars of the complaint to the City's Electric Superintendent for review and further action if necessary.

## 1.8 USE OF "HE" OR "HIS"

The use of the pronouns "he" or "his" in these Rules and Regulations, when referring to "Customer" and "Applicant", is generic, referring to both male and female parties.

## 1.9 HOURS OF OPERATION

City office hours are 8:00 AM to 4:30 PM Monday through Friday, except City recognized holidays. Normal hours for Service Calls are 7:30 AM to 4:00 PM Monday through Friday, except City recognized holidays.

## 1.10 EXTENDED HOURS OF OPERATION

The City's Customer Service Center may be open until 8:00 PM on one designated day per week, on non-holiday weeks, to accept payments only through the drive-thru.

# SECTION 2 DEFINITIONS

## 2.1 APPLICANT

The word "Applicant" as used in these Rules and Regulations, means any person, firm, corporation, institution, public body, or any agency of the Federal, State, or Local government requesting electric service from the City. The term also refers to current Customers who apply for modification of existing service or facilities and developers and builders during the planning and construction stages of new facilities.

## 2.2 BASE RATES

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Base Rate means the Service rates charged to each Customer Class, without the City's Purchased Power Cost, and any additional charge or surcharge. Base Rates are intended to recover the Operating Expenses, including its debt service, of the City's Electric Department and a reasonable margin.

2.3 CITY

City means The City of Milford, Delaware, or Milford Electric Department.

2.4 COMMERCIAL PROPERTY OWNER

A Customer of the City of Milford Electric Department who operates a business and owns the property associated with the Customer's electric account.

2.5 CUSTOMER

Customer shall mean any person, firm, association, partnership, corporation, institution, public body, or any agency of the Federal, State, or Local government being supplied with electric service by the City. The term also refers to developers and builders during the planning and construction stages of new facilities, and the period prior to the sale or rent of the facility.

2.6 CUSTOMER CLASS

Customer Class shall mean a group of Customers with similar end use and load characteristics.

2.7 DELIVERY SERVICE CHARGE

Delivery Service Charge shall mean a charge to Customers for recovering the City's costs for delivering power supplies to Customers.

2.8 DEVELOPER

Developer shall mean any person, firm, association, partnership, corporation, or other entity which seeks to have provided by the appropriate authority the infrastructure (roads, sewer, electric, etc.) for new business or residential developments. As used in these Rules and Regulations, the Developer may not be the final user of the facilities requested or the entity for which electric service was provided. However, the Developer may be considered an Applicant or a Customer during the planning and construction phase of the development.

2.9 DWELLING UNIT

A Dwelling Unit is defined as one or more rooms arranged for the use of one or more individuals as a single housekeeping unit, with cooking, living, sanitary, and sleeping facilities.

2.10 DEMAND SIDE MANAGEMENT (DSM)

DSM means managing and/or controlling loads which result in reducing the Customer's Load when ordered by the City to do so.

2.11 DSM RESOURCES

Resources used by the Customer in order to manage and/or control his loads.

2.12 EXTRA FACILITIES

Extra facilities are the facilities which are in addition to the facilities provided by the City for providing Service under a Rate Schedule incorporated in this Tariff.

2.13 FERC

Federal Energy Regulatory Commission, a federal regulatory agency which regulates all wholesale power supply generation and transmission and other related services.

2.14 OFF-PEAK HOURS

Off-Peak Hours are the hours other than On-Peak Hours.

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## 2.15 ON-PEAK HOURS

On-peak hours are those hours of the week when, for some Service Classifications, the Utility may charge higher rates for energy and/or Demand. The rates for the Utility's Customers may be higher because the cost of purchasing power from the Utility's wholesale provider is also higher. Off-peak hours are those hours when the Utility may charge a lower rate. On-peak hours are 6:00 AM to 10:00 PM Eastern Prevailing Time Monday through Friday, excluding holidays falling on weekdays. All other hours are off-peak hours.

## 2.16 PJM

PJM Interconnection, LLC, is a FERC authorized regional transmission organization ("RTO") which operates transmission service, and organized electric market in a number of states, including the state of Delaware.

## 2.17 POINT OF ATTACHMENT

In aerial services, the Point of Attachment is the physical attachment point on the Customer's facility where the City's service drop messenger cable attaches via Customer-owned insulator and associated hardware.

## 2.18 POINT OF DELIVERY

That point where the Customer takes electric service from the City and terminates its wiring and facilities for connection to the supply lines of the City. The City will own and maintain all facilities up to the Point of Delivery. For a typical aerial service at secondary voltages, the Point of Delivery is defined as the connection between the Customer-owned service entrance cable and the City-owned service drop conductors and connectors. For a typical residential underground service at secondary voltages, the Point of Delivery is defined as the connection between the Customer-owned meter socket located on the Customer's home and the City-owned underground service cable. In the case of some older services when meter pedestals were furnished, it would be defined as the connection between the Customer-owned underground service entrance and the City-owned connection.

## 2.19 PURCHASED POWER COST

Purchased Power Cost means the costs incurred by the City to purchase power supplies for providing Service to its Customers.

## 2.20 RATE SCHEDULE

Rate Schedule means the rate for the Service Classification under which a Customer is taking Service from the City.

## 2.21 RESIDENCE<sup>2</sup>

A bona fide, occupied dwelling unit suitable for year-round permanent human occupation, and connected to working water and sewer systems and an active electrical supply. Such dwelling unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A residence may be part of a mobile home, house, duplex, town house, apartment building, or other structure.

## 2.22 RESIDENTIAL PROPERTY OWNER

A Customer of the City's Electric Department who owns and lives on the property associated with the Customer's electric account.

## 2.23 RULES AND REGULATIONS

City's rules and regulations related to Service provided by the City.

## 2.24 SECONDARY SERVICE

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<sup>2</sup> This definition is based on the 2006 IBC/IBR/IPMC International Building Code definition for "Dwelling Unit."

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The provision of electricity at a transformed voltage which is less than the Utility's distribution voltage. Secondary Service, as used in these Rules and Regulations, typically refers to single phase or three phase circuits carrying a nominal voltage of 480 volts or less between any two conductors. See also "Service".

#### 2.25 SERVICE

1. Any electricity which the City may supply, or any work or material **furnished**, or any obligation performed by the Utility under any Rate Schedule of the Utility.
2. Overhead and underground conductors and associated materials between the last aerial structure (typically a pole) or underground terminal (typically a pad-mounted transformer) of the City's electric distribution system and the point of connection with the Customer's facility (typically a building eave or wall).

#### 2.26 SERVICE CALL

Work performed by the City employees at the Customer's facility upon request by a Customer. Service calls may involve investigation, troubleshooting, or repair of components of the Customer's facility outside of the normal repair and maintenance responsibilities of the City.

#### 2.27 SERVICE CLASSIFICATION

Customers are grouped into different Classes based on their nature of Service such as residential, commercial, etc., power consumption and the voltage at which they take Service. This classification is referred to as Service Classification.

#### 2.28 SUPPLY SERVICE CHARGES

Supply Service Charges shall mean the charges to Customers for recovering the City's costs of power supplies used for providing Service.

#### 2.29 TARIFF

1. The monetary rates applied by the City to electric service provided and the conditions of the electric service.
2. As used in these Rules and Regulations, "Tariff" also refers to those sheets in the "Service Classifications" section of this document.
3. The word "Tariff" also is used to refer to all of the rules and regulations governing the operation of the Electric Department and the supply of electric service. Consequently, "Tariff" is sometimes synonymous with "Rules and Regulations".

#### 2.30 UTILITY

"Utility" shall mean City of Milford Electric Department, or any successor organization, that provides electric service to the Customers in the City's service area.

[Ord. No. 2020-13, § 2, 5-11-2020; Ord. No. 2023-19, § 3, 4-24-2023]

### **SECTION 3 APPLICATION AND CONTRACT FOR SERVICE**

#### 3.1 APPLICATION FOR SERVICE FOR OWNER OCCUPIED PROPERTIES

An application for the supply of service is required from each Applicant (prospective Customer). This application, when executed by the City and the Applicant, shall be subject to the terms of the applicable Service Classification and these Rules and Regulations. The City reserves the right to require reasonable evidence of the Applicant's identity and service address, satisfactory to the City, and to make a reasonable credit investigation of such prior to rendering service. The City reserves the right to require a written

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application from any Applicant executed in a form satisfactory to the City. Applicants shall be eighteen years of age or older.

### 3.2 APPLICATION FOR SERVICE FOR NON-OWNER OCCUPIED PROPERTIES

An application for the supply of service is required from each Applicant (prospective Customer). This application, when executed by the City and the Applicant, shall be subject to the terms of the applicable Service Classification and these Rules and Regulations. The City reserves the right to require reasonable evidence of the Applicant's identity by requiring the Applicant to provide a valid identification card or driver's license issued by the State of Delaware or a valid U.S. Military Identification card and service address satisfactory to the City and to make a reasonable credit investigation of such prior to rendering service. The City reserves the right to require a written application from any Applicant executed in a form satisfactory to the City. Applicants shall be eighteen years of age or older.

### 3.3 RIGHT TO REJECT APPLICATION

The City shall have the right to reject and may reject any application for Service if the Applicant does not meet all the requirements of the Rules and Regulations and Tariff. The Applicant shall be given the reason or reasons for rejection of the application for service in writing, if requested.

### 3.4 ONE POINT OF DELIVERY

The Service Classifications of the Tariff, unless otherwise stated, are based upon the supply of the Service to one entire premise through a single delivery and metering point. The City will supply only one metering installation for each Class of Service. The use of Service at two or more separate properties will not be combined for billing purposes. The City reserves the right to deliver Service to more than one point where the Customer's load or service requirements necessitate such delivery. This procedure is applicable to large industrial or commercial Customers having extensive operations in a contiguous area. Where the Customer desires an extra supply circuit not necessitated by load or service requirements, he shall pay the City the full cost of this additional facility.

### 3.5 SERVICE AT NEW LOCATIONS

Service at new locations will be rendered only when all bills for Service to the Applicant/Customer at any other locations have been paid, or credit arrangements satisfactory to the City have been made. The Customer must also have made all deposits as may be required in Section 4 (Customer's Deposits) or Section 18 (Primary Extensions).

### 3.6 PERMANENT SERVICE CONTRACTS

Standard contracts shall be for terms as specified in the statement of the particular Service Classification, but where large or special investment is necessary for the supply of Service, or where Service is to be used for temporary, seasonal, or unusual purposes, contracts for terms other than specified in the Service Classification, or with special guarantees of revenue, or both, may be required under circumstances as defined in Section 18 (Primary Extensions).

### 3.7 TEMPORARY SERVICE

Temporary Service is service, ordinarily not recurrent in nature, required for construction power, one-time events (i.e., fair or carnival), or temporary structures. Temporary Service will be rendered only when and where the City has the necessary facilities available to render the Service applied for, without detriment to the Service of other Customers.

The Customer shall pay the entire cost of the installation and removal of required facilities installed for the sole purpose of the Temporary Service. A fee will be charged to cover the labor estimated to install and remove the required facilities, and for any non-returnable material. An additional fee may be required to cover the estimated electric usage over the life of the Temporary Service and/or a meter deposit. (See Electric Fee Schedule) Where facilities may be endangered by construction or proposed usage, the Customer may be required to purchase, own, and maintain the transformer and other related equipment. Temporary

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Service is available only under Service Classifications "Residential" "SGS", "MGS", "LGS" or, "GSP", as applicable based on the size of Service, for a period of no longer than 12 months after the date of connection. If construction has been delayed, the Customer may apply for a new Temporary Service. If the Temporary Service is converted to a permanent Service (by specific exception, see Section 8.1) any additional cost resulting from the Customer's modification will be borne by the Customer. Any additional fees required by the **Electric** Fee Schedule will be paid prior to any re-connection of service. The monthly minimum bill for Temporary Service will be determined by the minimum charge provision of the appropriate Rate Schedule serving the Customer.

Temporary Service will be subject to the electrical inspection requirements as incorporated in Section 7. A schedule of the established Temporary Connection Fees is found in **the Electric Fee Schedule**.

### 3.8 RIGHT-OF-WAY

#### 3.8.A GENERAL

The Applicant(s) requesting Service shall furnish to the City suitable Right-of-Way for the installation and maintenance of facilities on, over, under and across the premises. Right-of-Way is for the purpose of providing Service to the Applicant(s) and to premises and other users in the vicinity. Right-of-Way Agreements are set forth on forms provided by the City. These Rights-of-Way shall grant the City permission to utilize locations and facilities which are suitable (in the City's sole discretion) for the installation of City facilities. The City will not begin field layout or construction of facilities until suitable Right-of-Way agreements have been executed.

If it is necessary to acquire Right-of-Way from others such as abutting property owners, lessors, railroads, etc., in order for the City to serve the Applicant, then the Applicant shall be responsible for obtaining such Right-of-Way at its own cost. The City shall not in any way be subject to any claims from the Applicant/Customer deriving from delays in obtaining Right-of-Way. Where, due to the nature of the property to be served, the City finds that the exact boundaries are of critical importance, the Applicant will locate and mark such boundaries to the reasonable satisfaction of the City.

Applicant shall be responsible for clearing all trees, tree stumps and other obstructions from the construction area as designated by the City and the said clearing to be completed in reasonable time to meet Service requirements to the City's satisfaction determined by the City at its sole discretion. The Right-of-Way construction area as designated by the City shall be graded to within six (6) inches of final grade before the City will commence construction. If subsequent to construction start-up, the City is required to relocate or adjust any of its installed lines or change plans, the cost of such adjustments of relocation shall be borne by the Applicant, his successors or assigns.

The City shall construct, own, operate, and maintain distribution lines only along public streets, roads, and highways which the City has the legal right to occupy, and on public and private property across which Rights-of-Way and easements satisfactory to the City have been granted. Right-of-Way must be provided within a reasonable time and without cost to the City.

#### 3.8.B REQUIRED PROPERTY INFORMATION

The Applicant shall furnish, at no charge to the City, property plans, utility plans, plans indicating connected electrical load, grading plans, roadway profiles, property line stakes, grade stakes and other items showing details of proposed construction. Proposed utility Rights-of-Way and/or easements shall also be delineated on plans. The City shall review these proposed easements and Rights-of-Way for adequacy and shall notify the developer of required modifications. This information is required in reasonable time to allow the City to design and construct its facilities in a safe and efficient manner to meet Service requirements and to comply with applicable laws, codes and rules and regulations.

#### 3.8.C TREE TRIMMING

The City must attempt to maintain the integrity of its electric lines through periods of winds and **storms**. The Applicant, by either applying for electric service from the City or by granting a Right-of-

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Way, agrees to such tree trimming as is necessary to ensure the integrity of the City's electric lines, **transformers**, or any facility of the City's electric distribution system in the right of way. The City may trim any portion of a tree within fifty (50) feet of electric lines. The City is the sole judge of the need to trim branches or remove trees to protect the integrity of its lines.

### 3.9 NON-TRANSFERABILITY OF SERVICE

The contract for Service is not transferable, except by a Customer to his or her co-signer of the application. When the application is made jointly by co-signers, upon the death of either such Customer, such application or contract shall be deemed to be held solely by the survivor(s), subject to the Tariffs provided.

## SECTION 4 CUSTOMER ADVANCE/ USAGE, IMPACT FEES AND DEPOSITS

### 4.1 GENERAL

The City, at its sole discretion, may require from a Customer, prospective Customer or Applicant an advance usage fee or deposit for each account to guarantee payment of bills for Service. Where the City holds more than one advance usage fee or deposit for separate accounts for the same Customer, the City will administer each advance usage fee or deposit individually. At its sole discretion, the City reserves the right to waive Deposit from any Customer. Electric Deposit Agreement is attached to this Section.

### 4.2 RESIDENTIAL CUSTOMERS

#### 4.2.A RESIDENTIAL CUSTOMERS WHO RENT PROPERTY

An advance usage fee (Deposit) will be charged to new Applicants who are residential renters. (See the **Electric Fee Schedule**)

#### 4.2.B RESIDENTIAL CUSTOMERS WHO OWN PROPERTY

Residential Customers who own the property associated with the electric account may not initially be charged a Deposit. However, if the Customer is delinquent in any two consecutive months after Service is initiated, a Deposit may be charged at the same rate as if the Customer is a renter. (See the **Electric Fee Schedule**) Service may be terminated for failure to pay the Deposit when requested. If the Customer fails to pay his bill, a lien may be placed against his property and his Service may be terminated in accordance with Section 5.6 and Section 16. On presentation of facts indicating that payment of a Deposit would create a severe hardship, the City may allow payment of the required Deposit to be deferred to the first month's bill or paid in three consecutive billing periods.

### 4.3 COMMERCIAL CUSTOMERS

A Deposit will be charged to all new commercial Customers with an electric account. Electric service will not be connected until the deposit is paid. (See the **Electric Fee Schedule**)

On presentation of facts indicating that payment of a Deposit would create a severe hardship, the City may allow payment of the required Deposit to be deferred to the first month's bill or paid in three consecutive billing periods.

In the case of Customers with an expected monthly load of 500 KW or an expected monthly bill above \$5,000, the City may choose to waive the Deposit. In such cases, in lieu of a Deposit, the City will accept a surety bond from a bank, the proceeds of which shall equal two times the expected monthly bill.

### 4.4 PROVISIONS FOR DEPOSITS

4.4.A Deposits shall be in an amount equal to two-twelfths of the estimated annual revenue or a minimum as may be reasonably required by the City. (See **Electric Fee Schedule**) No interest will be paid on Deposits from the Residential Customers. Accrued interest earned will be paid on the Deposits from all non-residential customer classes. Interest will be paid at the time the Deposit is returned to the Customer. No interest will be paid unless the Deposit is held longer than ninety days.

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4.4.B The deposit shall cease to draw interest: On the date the deposit is returned to the Customer, or on the date service is terminated, or on the date notice is sent to the Customer's last known address that the deposit is no longer required.

4.4.C Deposits shall not be applied against the amount due on a regular bill, however they will be applied against the final bill if account is not current.

4.4.D For commercial accounts only, At the beginning of City's each fiscal year, the City may consider the return of the Deposits to Customers in good account standing. The City may return the Deposit to a Customer under the following conditions:

1. The Customer has been taking uninterrupted Service for a minimum period of three (3) years from July 1;
2. The Customer has not been sent more than three (3) disconnect notices by the City;
3. The Customer's checks have not been returned more than three (3) times.

4.4.E At the termination of an account, the deposit will be applied to the customer's account final balance. Any remaining deposit shall be automatically refunded to customer.

#### 4.5 ELECTRIC SYSTEM IMPACT FEES

Prior to the issuance of a building permit by the Code Official or other duly authorized representative, all developers or owners of newly constructed structures requiring Service may be charged the Impact Fee in accordance with the Electrical Fee Schedule. The City reserves the right to bar occupancy of any such structure and withhold Service until such time as the aforementioned Impact Fee is paid in full. The Impact Fee shall be used for construction, maintenance, and expansion of the City's electric system.

Impact Fees may be reviewed annually, and not for less than 5 years, by City Council and may be adjusted periodically as determined necessary.

4.5.A Any structure that does not receive a certificate of occupancy, in accordance with this schedule, shall be ineligible for the impact fee waiver and shall pay the required Impact Fee in full prior to the issuance of a certificate of occupancy.

### SECTION 5 PAYMENT TERMS

#### 5.1 BILLING PERIOD

Rates for Service are stated on a monthly basis and bills are rendered monthly. Meter readings are scheduled at approximate monthly intervals from 27 to 33 days.

#### 5.2 WHEN BILLS ARE PAYABLE

Payments must be received by the close of business on the due date to avoid penalties. Payments placed in the drop box on the due date after 4:30 PM will be considered late and subject to penalties.

The late payment charge will not be applied to balances which are under dispute (See Electric Fee Schedule).

#### 5.3 PAYMENTS OF DELINQUENT BILLS

The Customer may avoid Service termination for non-payment of bills by making payment of the total unpaid balance to the City cashier during the Hours of Operation (See Section 1.9) or Extended Hours of Operation of the City Offices prior to the close of business on the day prior to the scheduled disconnection. The City may give a grace period, not to exceed three (3) Business days, for the payment of delinquent payments before disconnecting the Service. (See Section 5.7) Delinquent payments received at the City Offices or placed in the drop box after the close of business on the day prior to the scheduled disconnection may be subject to an administrative fee that must be paid prior to the restoration of Service. During non-hours of operation, delinquent payments may be made at the Customer Service Center at 119 South Walnut Street, Milford, DE 19963, 302-422-6616 during Extended Hours of Operation. (See Section 1.10)

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#### 5.4 ESTIMATED BILLS

When the City's Electric department is unable to read the meter for a particular Customer at any regular reading date, the City may render an estimated bill. Reasons for estimating the bill could include:

- a. Discovery of inoperable or defective meters as covered in Section 10,
- b. Significantly varying readings from past electric consumption, or
- c. The area in which the meter is located is not accessible in a reasonably safe way.

In the case of varying readings from past readings, an investigation into the reason for such variations will be made at Customer's request as per Section 10.4.

#### 5.5 RETURNED CHECKS

Checks given in payment for Utility Services, Customer Deposits, or reconnection charges which are returned to the City unpaid by the Customer's Bank, will result in an additional returned check charge per check, per occurrence (See **Electric** Fee Schedule). The return check charge shall be levied against the Customer's account. Upon the second occurrence of a returned check, the Customer shall be notified that they will be placed on a cash only basis for a period of one year.

#### 5.6 AUTHORITY TO DISCONTINUE SERVICE FOR **NON-PAYMENT**.

The City reserves the right to discontinue Service in accordance with provisions of these Rules and Regulations and the accompanying Tariff and/or take any other action permitted by law with respect to any Customer who fails to make full and timely payment of all amounts due the City. (Reference: Section 16)

#### 5.7 DELINQUENT CHARGE INSTALLMENT AGREEMENT

The City may make arrangements for installment payments for those Customers who are unable to pay their bill due to unusual or severe circumstances. However, if the Service has been disconnected, the Customer must pay the Reconnection Charges.

The installment payment agreement constitutes a contract between the Customer and the City, which **guarantees** payment by the Customer for the amount of the agreement over the specified period. **Requests** for installment payment agreements are subject to City approval and must be approved by the City's billing supervisor or designee.

Failure of the Customer to meet the conditions of this installment payment agreement including prompt payment of the current bill shall constitute a breach of this agreement and entitles the City to pursue collection and Service termination procedures under the rules and regulations outlined in these Rules and Regulations and the accompanying Tariff. Such a breach will also cause the Customer to become ineligible to make an installment payment arrangement for a period of 12 months.

#### 5.8 BUDGET BILLING

A Customer may **request** budget billing and the City reserves the right to establish a budget billing program. Budget billing provides a payment plan which allows Customers to levelize their monthly bills. Any Customer with good credit standing with the City may elect to be placed on budget billing once per calendar year, as long as they are not an assistance-based customer. Under this plan, the Customer will be billed for eleven months on an estimated budget amount basis with the twelfth month as the settlement month. The billing for the settlement month will consist of the actual metered billing for that month plus the difference between the actual amount due to date and the budget amount paid to date.

In no case will the under-calculation of a projected bill absolve the Budget Billing Customer from paying for the actual amount of consumed energy. If the under collection is too great, then **with** the option of the City, monthly budget billing amounts can be increased at any time during the **eleven-month** budget billing period.

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If the monthly budget billing is not paid, the Customer will be notified by mail that the monthly budget billing will be terminated unless payment of the balance due is received by the late date. Any Customer who is participating in budget billing will not be eligible for the Delinquent Charge Installment Agreement. If the budget billing is terminated, the **current finance late payment** charge will be applied to the unpaid balance (See **Appendix 1**-Electric Fee Schedule).

#### 5.9 POST-DATED CHECKS

Post-dated checks will not be accepted until the date of the check. Post-dated checks will not abate imposition of any late charges incurred.

### SECTION 6 ADMINISTRATION OF SERVICE CLASSIFICATION

#### 6.1 LOAD INSPECTION

When the Service is supplied under Service Classifications which base the Billing Demand or Minimum Charge upon the Customer's connected load, the City's representative shall have access to the premises at reasonable times to inspect and count the connected load.

#### 6.2 CHOICE OF SERVICE CLASSIFICATION

When two or more Service Classifications are available for the same Class of Service, the Customer may select the Service Classification to be applied to his Service.

#### 6.3 CITY ASSISTANCE

The City, upon request, will assist the Customer in the selection of the most advantageous Service Classification, but the duty and responsibility of making the selection shall at all times rest with the Customer. In the event, the Customer fails to select the Service Classification, the City may assign the Service Classification to the Customer and the Customer shall have no recourse to any damages caused by the City's selection, however, the Customer may request a change in its Service Classification.

#### 6.4 CHANGING SERVICE CLASSIFICATIONS

When a Customer has selected the Service Classification for his Service, its application shall remain in effect for the contract term which the Service Classification specifies. If a Customer's consumption characteristics change so that they fall within the parameters of a different Service Classification, the City reserves the right to change the Customer's Service Classification at any time.

#### 6.5 INTERDEPARTMENTAL BILLING

The City shall bill its internal utility accounts (City Accounts) at the rate for that Customer Class for which the City Account may qualify. The Billing period will be addressed in accordance with the applicable Service Classifications. Rates are stated on a monthly basis and bills are rendered monthly following the supply of Services.

### SECTION 7 CUSTOMER'S INSTALLATION

#### 7.1 CUSTOMER'S WIRING

**All** the Customer's wiring and appurtenances shall be furnished, **installed and** maintained by the Customer. The City shall not be liable for loss or damage resulting from the Customer's wiring or equipment.

The City may delay the construction of an extension and/or Service until the Applicant (or Applicants) has completed the wiring and installation of equipment necessary to receive and use Service. The Customer's

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facilities at the Point of Delivery and the Service entrance shall be in accordance with the National Electrical Code (NEC)<sup>3</sup>, the National Electrical Safety Code (NESC)<sup>4</sup>, and the City's standards for such facilities.

## 7.2 DESCRIPTION OF INSTALLATION

The Customer shall present, in writing, complete specifications of equipment, connected electric loads, location plans, electric vaults, cable runs, substations and other data required, so that the City may advise the character of the Service it will furnish, the point at which it will be connected and **metered**, and any other requirements associated with the special conditions of the Service.

## 7.3 ELECTRICAL INSPECTION

All new wiring and equipment, or changes in wiring and equipment, shall conform to the standards of the National Electrical Code and of local codes in force at the time.

In no event shall the City be under any obligation to inspect the wiring or appliances of the Applicant. The City may refuse to supply Service to the Applicant if the City believes the wiring or appliances do not comply with the applicable codes and recognized requirements.

On receipt of a Temporary Cut-in Card issued by a qualified electrical inspection agency and/or a Waiver, at the sole discretion of the City, signed by the property Owner and the Electrician that holds the City harmless, the City may render Service to the Customer on a temporary basis for a period of not more than 10 working days. If a Final Cut-in Card issued by a qualified electrical inspection agency is not received within this **10-day** period, the City shall disconnect Service until such is received.

The City will further render permanent Service only after receipt of an executed Final Cut-in Card stating notice of approval issued by the duly recognized inspection agency. This card must be submitted to the City by the Customer's electrician. After the final Cut-in card has been received, the associated temporary account will be closed.

## 7.4 REVERSE PHASE RELAY

The Customer shall install, at his expense, a Reverse Phase relay of approved type on all motors and other equipment where a definite direction of rotation must be maintained. The Customer shall be responsible for all damages caused to the system due to its failure to install a proper Reverse Phase Relay.

## 7.5 PHASE PROTECTION

The Customer shall install, at his expense, suitable voltage or current type devices which will protect his equipment from damage in event of phase outages. The City shall not be responsible for any damage caused to the Customer due to the Customer's failure to install a Phase Protection system.

## 7.6 MOTORS

The City shall always be consulted **regarding** the requirements as to the size of motor and starting current limitations as well as **voltage and phase of service**, which will be furnished. The City reserves the right to refuse Service to any size motor where the starting currents are deemed to be excessive at City's sole discretion. Starting currents must be limited by the Customer to acceptable levels.

### 7.6.A MOTORS, GENERAL

It is characteristic of most electric motors, large welding machines and arc furnaces to draw large momentary starting current. This may result in objectionable variations in the voltage supply of other Customers who receive their Service from the same circuits or transformers. In the interest of all of

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<sup>3</sup> The National Electrical Code is a registered trademark of the National Fire Association.

<sup>4</sup> The National Electrical Safety Code is a registered trademark of the Institute of Electrical and Electronics Engineers, Inc.

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City's Customers, it is therefore necessary for the City to limit the value of starting current which may be drawn by various classes of motors connected to City's lines.

Some latitude in the permissible starting current of motors may be permitted under certain conditions at City's sole discretion, such as when motors are started very infrequently (once or twice a day), when motors are supplied from large capacity circuits and transformers, when motors are necessarily supplied from individual transformers on the Customer's premises, etc. Limitations will be site specific.

The City must always be consulted in advance regarding motor installation above 5 horsepower single phase or above 10-horsepower three phase to ensure the proposed installation is acceptable to City.

#### 7.6.B MOTORS RESIDENTIAL

Single phase, 120-volt motors will be permitted providing the maximum starting current does not exceed 100 amperes. (Typically, 2 HP or 12,000 BTU/hr. air conditioner.) Single phase, 240 volt or 208-volt motors will be permitted, however, when the maximum starting current exceeds 150 amperes, the City shall be contacted for approval before purchasing equipment. A/C and heating equipment exceeding 100 amperes shall be a split-unit type with two or more compressor motors, interlocked so that no more than one motor can start at any one time. Three-phase, 208-volt service normally will not be supplied for residential service.

#### 7.6.C MOTORS COMMERCIAL

When commercial installations are located in areas, which are primarily residential, or rural, they normally will be treated as covered by the above Section on "Motors Residential". The City may refuse single-phase service to motors rated 5 horsepower or more and to poly phase motors rated less than 5 horsepower or to Customers with a total three phase connected motor load less than 6 horsepower.

#### 7.6.D MOTORS INDUSTRIAL

Due to the wide variety of equipment and methods of service, general rules for starting motors cannot be specifically outlined. Additions to existing installations can be made which will not increase the maximum starting current of the installation. In all other cases, the City must be consulted as to the maximum allowable starting currents.

#### 7.6.E MOTOR PROTECTIVE DEVICES

All motors should be provided with devices that will protect the motor and circuit against overload or short circuit in any wire. Refer to the NEC for motor protection details. Motor equipped with reduced voltage starters that cannot be safely subjected to full voltage at starting should be provided with a device to insure that on the failure of the supply voltage, the motor will be disconnected from the line or the starter returned to the "off" position, unless the motor is equipped with automatic restarting means. To prevent unnecessary shutdowns, it is recommended that this starter be equipped with a time delay feature to prevent the starter from dropping out and to permit the motor to continue to operate during a momentary voltage change.

The direction of phase rotation and the continuity of all three phases of the alternating current supply are carefully maintained, however, the City cannot guarantee against accidental or temporary change of failure thereof. Therefore, motors or other apparatus requiring unchanged phase rotation or continuity of three-phase supply should be equipped, by the Customer, with suitable three-phase protection against the reversal or phase failure.

#### 7.6.F WELDERS

In every case the Customer or Contractor shall consult with the City concerning the electrical supply to electric welders before any commitments for their purchase or installation are made.

#### 7.6.G GENERATORS

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No Customer shall install any generation equipment without a written approval from a City's authorized representative. The City must always be consulted concerning the installation of any electric generating equipment. In all cases of emergency standby generation (Non-Cogeneration) a single operated break before make type double throw switch shall be installed between the generator and the City's supply, to prevent the generator from being connected to the City system at any time. Closed transition switching may be permitted after a Customer and equipment specific evaluation is made by the City. Portable generators may only be used with service conductors physically disconnected from the utility system.

#### 7.7 RIGHT TO INSPECT

The City reserves the right, but is not obliged, to inspect any installation either before electricity is introduced or later if it believes there may be unsafe or hazardous conditions. The City also reserves the right to reject any wiring or appliances not in accordance with the City's standard requirements. Even when the City performs an inspection or otherwise, the City shall not be liable for any loss or damages resulting from defects in the installations, appliances, or wiring which may occur on the Customer's premises.

#### 7.8 PROTECTION FOR COMPUTERS AND ELECTRONIC EQUIPMENT

The Customer shall install, own, and maintain suitable surge, outage, and harmonic protection equipment to protect computers and other sensitive electronic devices. When the Customer has important, sensitive electronic data, the Customer shall be responsible for installing uninterruptible power supply (UPS) equipment to protect the data. The City shall in no way be liable for any damage to the Customer's electronic equipment, computer hardware or software, loss of data associated with the computer hardware and associated equipment, or any other consequential damage due to voltage spikes, surges, or loss of Service.

#### 7.9 POWER QUALITY

When an electrical disturbance affects either the City's distribution system or Service to another Customer and the disturbance is found to be due to a specific Customer's installation (such as resulting from load imbalance, the operation of motors, variable speed motor drives, power generator, or other electrical equipment), the Customer causing the disturbance shall discontinue operation of the suspect equipment until suitable corrective wiring or equipment has been implemented on the Customer's premises to eliminate the disturbance. Such corrective action to eliminate the cause of the disturbance shall be made at the Customer's expense. The City shall have the right to inspect and test the Customer's electrical equipment to determine if it has any electrical characteristics which may cause undue disturbance to the City's system or affect the Service to other Customers. The following are the City's guidelines for disturbance types:

##### 7.9.A WAVE FORM DISTORTION

The maximum total wave form distortion caused by the Customer's equipment, including a maximum of 1% phase voltage imbalance, shall be limited to 5% measured at the Point of Delivery.

##### 7.9.B HARMONIC DISTORTION

The total Harmonic Distortion shall not exceed 5% with any single harmonic distortion not exceeding 3% measured at the Customer-City interface.

##### 7.9.C COMMUTATION NOTCHES

Distortion caused by the commutation of **solid-state** devices between conducting and non-conducting conditions in the form of notches on the voltage waveform shall be limited to less than a 3,400% volts-microseconds area under the notch.

##### 7.9.D STAGGERED STARTUPS

During start-up operations, Customer's machinery and equipment shall be started on a serial or staggered schedule with no more than 500 HP per step **to** minimize the impact of such startups on the City's electric system. Such schedule shall be provided to, and approved by the City in advance, and any necessary modifications to the schedule shall be communicated to the City immediately. Between each

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step, the customer shall provide a time interval of a minimum of fifteen (15.0) minutes, preferably one hour. This time interval helps to reduce the power cost to the Customer and the City.

#### 7.10 DAMAGE TO CITY'S SYSTEM

The Customer should ensure that its installation of any facility listed in this Section does not interfere with the City's operations or cause damage to any of the City's facilities. In the event the Customer's installation causes damage to the City's operations or facilities, the Customer shall be responsible for all the costs associated with such damage.

### SECTION 8 SECONDARY SERVICES AND TRANSFORMER INSTALLATIONS

#### 8.1 GENERAL

"Secondary Services" and "Services" as used in this Section refer to overhead and underground conductors and associated materials between the last aerial structure (typically a pole) or underground terminal (typically a pad-mounted transformer) of the City's electric distribution system and the point of connection with the Customer's facility (typically a building eave or wall). Service as used in this Section typically refers to the provision of electricity at 480 volts or less. The City's system facility from which the Service is installed may be on public or private right-of-way. Non-refundable charges may be assessed based on the Customer request and the type of service required. (See **Electric Fee Schedule**)

The Service connection location must be approved by the City. It will normally be located on the Customer building at a point nearest to the point at which the electric service enters the property to be served. It must be located so that the Service will be clear of obstructions and have adequate support. The Service attachment device will be approved by the City and supplied and installed by the Customer. Any modification of the Service requested by the Applicant must be agreeable to the City. Any additional cost resulting from the Applicants requested modification will be borne by the Applicant. Services will not be connected until satisfactory payment or credit arrangements are made in accordance with charges as detailed in this Tariff and referenced in the Electric Fee Schedule.

All persons who work on electrical equipment or wiring that interfaces with the City's electrical distribution system must be licensed by the State and possess a City's contractor license. Homeowners may work on their own electrical systems when issued an appropriate permit from the County in which they live and have their work inspected by an approved electrical inspection Agency.

Only authorized City personnel are permitted to connect or disconnect a Customer's facility to the City's distribution system. The Customer or Customer's representative (electrician) should arrange with the City to have the meter disconnected prior to performing any modification to the Customer's electric Service. The City will reseal the meter when the modification is complete. (See **Electric Fee Schedule**, for the appropriate charge) In the case when, in conjunction with electrical work on the Customer's facility, the meter has been disconnected without City involvement, a resealing fee will be applied (See Electric Fee Schedule, **Appendix 4**).

#### 8.2 RESIDENTIAL OVERHEAD SERVICE

The City will install, own, and maintain all overhead services. The City will install, without charge, to the Customer the first 150 feet from the existing overhead facilities. Overhead services in excess of 150 feet will be provided at a charge to the Customer as provided in **the Electric Fee Schedule**.

#### 8.3 COMMERCIAL OVERHEAD SERVICE

The City will install, **own**, and maintain all overhead services. The City may install without charge the first 150 feet from the existing overhead facilities. Any Charges will be determined by the City on a **case-by-case** basis.

#### 8.4 UNDERGROUND SERVICE

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All residential meters will be located on Customer Owned Facilities. The City reserves the right to waive this requirement under special circumstances. These Customer owned facilities will generally be considered their dwelling or garage. The Service entrance location must be approved by the City prior to the start of construction.

The City will install, own, and maintain all residential underground service up to but not including the meter socket. Where the City's distribution lines are underground, only underground service will be provided. All Commercial Underground will be installed and maintained by the Customer.

#### 8.5 RELOCATION OF SERVICE

Any alterations, changes, or relocations of City-owned services, which are requested by and for the convenience of the Customer, and approved by the City, shall be made by the City and the cost paid by the Customer.

If the City is required by any state or other public authority to relocate any portion of the City's distribution system, the Customer, at his expense, shall make the necessary changes in the location of his facilities for receiving Service. The City will attempt to negotiate with the state or other public authority to include the Customer's expenses for relocation, however, the City's failure to successfully negotiate with the state or other public authority shall not relieve the Customer's from the responsibility of the relocation expenses.

#### 8.6 TRANSFORMER INSTALLATION

The City will make transformer installations on public rights-of-way only as permitted by the regulations of the public authorities. The type of metering or load requirements may require the Customer to provide for the installation of transformer facilities on private property right-of-way. Transformers shall be situated in such a manner that they are separated from, and do not interfere with, and are not interfered or endangered by the location of other structures or proposed structures such as concrete curbing, water supply sources, fire hydrants, parking lots, etc. The Customer shall provide the City with proposed transformer locations for the City's review and approval prior to the finalization of plans for transformer placement. (See also Section 3.8)

If the electricity supplied is metered at primary voltage, all required structures and/or vaults<sup>5</sup> and electrical substation equipment, including protective devices, shall be installed, owned, and maintained by the Customer.

#### 8.7 DISCONTINUED SERVICE

When Service to a Customer is discontinued, the City may disconnect Service but leave any or all its Service connection facilities on the premises to facilitate the Service to future Customers. Customer must not remove any City's facility without the City's written approval.

#### 8.8 SUPPLY VOLTAGES

All references to voltages are standard or nominal voltages and actual voltages supplied may vary above or below these specified voltages within the limits prescribed by accepted utility practice. The City may specify the voltage and the minimum and maximum load that it will supply at any particular voltage.

Not all types of electric service listed below are available at all locations. Subject to limitations, the types of secondary electric service available, with their nominal voltages, are:

Phase	Volts
Single Phase 3 Wire	120/240 Volts
Single Phase 3 Wire	120/208 volts (Network)
Three Phase 4 Wire	208Y/120 volts

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<sup>5</sup> The City's policy is to avoid the use of vaults in new construction. New services will be rendered in vaults as an exception and at the sole discretion of the City.

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Three Phase 4 Wire	480Y/277 volts
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8.9 METERS

The City shall designate the location of meters. The meter pan location must be approved by the City prior to the start of construction. Unless otherwise approved by the City, meters will be located on the front half of homes or garages as close to the point the Service enters the property as possible. At no point will the metered service be enclosed by a fence, wall, or partition.

8.10 TREE TRIMMING

Rights-of-way granted to the City shall grant the City the Right to trim and/or clear trees and other obstructions, as it deems necessary. The City will also have the right to require the Customer at his expense to have his own contractor trim and/or clear trees or other obstructions to the satisfaction of the City when, in the City's judgment, such trees or other obstructions threaten the integrity of the City's electric lines or equipment, or other property owner'(s) property. In such cases, the Customer will be given 10 fair-weather<sup>6</sup>days to rectify the situation. However, when such overgrown trees or other obstructions create an imminent danger to the City's electric lines or equipment or other property owner'(s) property, without providing any notice to the Customer, the City reserves the right to disconnect the Customer's service (see Section 16), trim and/or clear the trees and other obstructions and reconnect the Customer. In such cases, the City will bill the Customer for these services including tree trimming. (See Chargeable Service Call and Reconnect Charges in the Electric Fee Schedule).

When overgrown trees or other obstructions cause an outage of the Customer's service due to damage to the City's electric lines or equipment, the City reserves the right to clear the trees, and/or other obstructions, and to make the necessary repairs to reconnect the service. In such cases, the City will bill the Customer for the clearing of the trees or other obstructions and for the required repairs. (See Chargeable Service Call and Reconnect Charges in the Electric Fee Schedule).

Pad-mounted transformer areas are to be free of trees, plantings, or other obstructions to within six feet of any edge of the concrete or fiberglass pad.

These rights-of-way shall grant the City permission to utilize locations and housing which are suitable (in the City's sole opinion) for the installation of City facilities.

**SECTION 9 METER INSTALLATIONS**

9.1 METER SOCKETS SUPPLIED BY CUSTOMER

Residential meter sockets shall be of a type approved by the City and shall be procured by and installed by the Customer. The Customer is responsible for maintaining the meter socket in a safe and workmanlike operating manner. The City reserves the right to disconnect Services within ten fair-weather<sup>7</sup>days of

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<sup>6</sup> In the case when inclement weather during the ten-day period prevents a reasonable effort to rectify the situation, the Customer may apply for an extension of time. In such cases the City may grant an extension that will include at least ten "fair-weather" days. A fair-weather day is defined as a day when, in the opinion of the City of Milford, weather conditions permit sufficient opportunity for the required work to be accomplished.

<sup>7</sup> In the case when inclement weather during the ten-day period prevents a reasonable effort to rectify the situation, the Customer may apply for an extension of time. In such cases the City may grant an extension that will include at least ten "fair-weather" days. A fair-weather day is defined as a day when, in the opinion of the City, weather conditions permit sufficient opportunity for the required work to be accomplished.

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notification to an Applicant or Customer whose socket(s) are not maintained in a safe and workmanlike operating manner.

If, in the City's sole judgment, there is a clear and imminent danger to life, health, or property from a Customer's poorly maintained meter socket, the City reserves the right to make the necessary repairs and bill the Customer. All three phase and all K-base meter installation will have a disconnect of appropriate size on the load side of the metered Service which allows the meter to be read during time of discontinued Service (See Chargeable Service Call in **the Electric** Fee Schedule)

If the Customer should desire to have multiple pan meter sockets, these sockets must be approved by the City prior to installation of meters and must be furnished, owned, and maintained by the Customer. The City does not stock multiple meter sockets and cannot be responsible for the interruption or replacement of the multiple sockets in the event of a future failure. All multiple pan meter sockets must have individual disconnects of appropriate size on the load side of the metered service.

## 9.2 METERS SUPPLIED BY THE CITY

The City will furnish, install, maintain, and own one (1) set of metering equipment for measurement of the electricity supplied under each contract.

## 9.3 METER LOCATIONS

The City shall designate the location of meters. The meter pan location must be approved by the City prior to the start of construction. Unless otherwise approved by the City, meters will be located on the front half of homes or garages, as close to the point the Service enters the property as possible. For secondary or primary metered installations, the Customer will provide **support** or other facility as required and approved by the City for mounting of metering equipment.

The Customer is responsible for keeping metering areas clean, clear of debris, and accessible by City employees or the City's Engineers. At no point will the metered service area be enclosed by a fence, wall, or partition.

In buildings where multiple meters are required, each meter position shall be clearly and visibly marked so that each meter position is identified as to the location to which Service is being supplied. Meters shall not be installed by the City until this has been accomplished.

## 9.4 RIGHT TO REMOVE CITY'S EQUIPMENT

All meters, instrument transformers or other service equipment supplied by the City shall remain its exclusive property. The City shall have the right to remove all its property from the premises of the Customer at any time after the termination of Service, whatever may have been the reason for such termination. Possible reasons to remove equipment would include:

1. Evidence of illegal tampering
2. Hazardous conditions endangering equipment
3. Failure to pay bills or meet other terms of payment
4. The structure has been condemned or determined unfit for human occupancy by the City.

## 9.5 REVERSE REGISTRATION

The City may, by ratchet or other device, control its meters **to** prevent reverse registrations.

## 9.6 PERIODIC TEST SCHEDULE

The City will test meters in accordance with its periodic test schedule. Meter tests performed at the request of a Customer will be made in accordance with Section 10.4.

## 9.7 REMOTE AUTOMATIC READING DEVICES

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The City, at its discretion, may install remote automatic reading devices, including smart meters, subject to available technology. Such metering devices will be owned, installed and maintained by the City. When requested by the Customer and approved by the City, installation will be done at cost payable by the Customer. The location of such metering device shall be subject to the City approval. The City may require a verification reading.

In cases of discrepancy between the remote automatic reading and/or smart metering device and the City's meter, the City's meter shall be used as the final determinant in measuring consumption and in all cases will take precedence over any readings on remote automatic reading and/or smart metering devices.

#### 9.8 ELECTRIC PULSE INITIATOR

The City, at its option and upon the request of a TOU (Time of Use) Customer, will make available contact closure pulses in the KYZ format to the requesting TOU metered Customer. If an isolating relay is required, the Customer will also bear the cost of purchase and installation. The Customer must bear the cost of the pulse initiator and its installation. The City will maintain and replace the pulse initiator after the initial installation. If the pulse initiator fails, the City will not guarantee to stock a replacement but will order a replacement as necessary. The Customer will be without pulse data during this period. If the Customer requests a standby pulse initiator to be available, he must purchase and inventory a backup pulse initiator. The City will provide but does not guarantee to deliver pulses to the high side of the pulse initiator fuse. The City will provide replacement fuses to re-fuse if necessary.

The Customer will be responsible for accepting the pulses on the load side of the pulse initiator fuse. The Customer will accept the pulses and utilize them in a way that does not expose the City's equipment to undue risk.

Either party may re-fuse in the event of a blown fuse.

The City reserves the right to remove the pulse initiator if its use by the Customer damages the City's equipment and electric system or continues to expose the equipment to risk.

The City will not guarantee the continuity of pulse data. The Customer will be responsible for reporting loss of pulses to the City immediately.

If the pulse initiator, contacts, fuses, or conductors that transmit data to the Customer fail, the City does not guarantee continuity and shall not be responsible for loss of pulses and no adjustment to the bill will be made. Should loss of pulses occur frequently, the City may terminate offering data pulses or the Customer may elect to install his own initiator equipment at his cost which would be under his own control and maintenance.

#### 9.9 MOBILE METER READING DEVICES

The City reserves the right, as technology develops, to utilize mobile meter reading devices, including hand-held meter reading devices, remote meter reading or smart metering devices to replace manually written meter readings in a meter book.

#### 9.10 CAPACITY OF METERS

The meters, instrument transformers, service connections, and equipment supplied by the City for each Customer has a definite load capacity and no additions to the equipment or connected load will be allowed except by prior written notification and consent by the City.

#### 9.11 METER RELOCATION

Metering installations moved from the inside of the house or building to the outside of the house or building at the Customer's request, when no other modifications of electric service equipment are being made, will be relocated by the City at the Customer's expense. When requested by a Customer, metering installations moved to other exterior locations for the convenience of the Customer shall be relocated by the Customer, at the Customer's expense. In such cases the City shall be notified of the relocation prior to its occurrence. The actual transfer of the electric meter shall be made by the City. (See also Section 15)

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## 9.12 BROKEN METER SEALS

Repeated broken meter seals are a sign of possible tampering with the meter mechanism. See Section 15.1 for conditions and remedies.

## SECTION 10 ADJUSTMENT OF CHARGES

### 10.1 FAST WATT-HOUR METER

Whenever a watt-hour meter in service is found, upon tests made by the City, to have a positive average error, that is, when it over-registers or is fast, in excess of two percent (2%), the City shall credit or refund to the Customer an amount equal to the excess paid for the kilowatt-hours incorrectly metered. The refund shall be for the period that the Customer received Service through the meter, but for not more than the periods established below:

#### 10.1.A KNOWN DATE OF ERROR

If the date on which the error first developed or occurred can be established or estimated, the bills for Service shall be recalculated from that time.

#### 10.1.B UNKNOWN DATE OF ERROR

If the time at which the error first developed or occurred cannot be established or estimated, it shall be assumed that the over-registration existed for a period of three (3) years or a period equal to one-half of the time since the meter was last tested, whichever is less. The credit or refund will not be issued if it is less than \$5.00.

### 10.2 SLOW OR STOPPED METER

When a meter is found, upon test made by the City, to have a negative average error, that is, when it under registers or is slow in excess of two percent (2%), or the meter has stopped working, or in case of a poly phase meter, to be operating with an inactive element, and the error in registration or failure to operate is not attributable to the negligence of the City, but is due to some unpredictable cause, such as lightening or unauthorized overload, the City may estimate the proper charge for the normal periods or by such method as may be determined by the City or its electric consultant. Except in cases of tampering, theft, inaccessibility to meter, or unauthorized overload, such an estimate for a slow or stopped meter may cover a period of not more than three (3) years.

### 10.3 DEMAND METER

Whenever a demand meter, the readings, or indications of which are utilized in computing the charges for Service, is found, upon test by the City to be in error in excess of the limits indicated below, the charges to the Customer shall be adjusted in the same manner as prescribed under watt-hour meters above.

<u>Meter Type</u>	<u>Limits of Accuracy</u>
Integrated Demand Meters	+/- 2% of full-scale reading

### 10.4 REQUEST FOR METER TESTS

Upon request by a Customer, the City shall test the Customer's meter provided that such tests need not be made more frequently than once in twenty-four (24) months. If tests of the meter are requested more frequently than once in twenty-four (24) months, the City shall charge the Customer for testing (see Electric Fee Schedule). No charge shall be made for testing meters which, upon test, are found to exceed the allowable accuracy limits as defined above. Customer, or his representative may be present when his meter is tested. A written report of the results of the test shall be made to the Customer within ten (10) business days after the completion of the test.

### 10.5 ADJUSTMENTS FOR INCORRECT BILLINGS

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Incorrect billings resulting from clerical error, incorrect meter installation or reading, incorrect application of the Rate Schedule, or other similar reasons, shall be corrected immediately upon discovery, and corrected bills rendered to the Customer; however, in no case additional charges due from the Customer under the application of this paragraph may be collected for more than three (3) years prior to the month of discovery. If the Customer has been overcharged, the City will refund the amount due or credit the Customer's account, at the Customer's election, to date the error was made, not to exceed three (3) years prior to discovery. In the absence of election by the Customer for refund by check, the City shall credit the account. In the event additional charges are due the City, installment payments will be offered for not more than the number of months the account was billed in error. At the City's sole discretion, a finance charge may not be applied to such installment payments. A Customer may dispute its bill(s) and such dispute must be filed in writing with the City and the City will make its best effort to resolve such disputes.

#### 10.6 ROUTINE METER TESTING

Alternating current meters that are in Service shall be periodically tested according to the schedule below:

<u>Group</u>	<u>Rate Classification</u>	<u>Frequency</u>
Residential	RES	10 years
Commercial - Non-Demand	SGS	10 years
Commercial and Small Industrial (Customers below 300 kW)	MGS, LGS and GSP	6 years
Industrial (Customers above 300 kW)	LGS, GSP and SCS	2 years

### SECTION 11 CONTINUITY OF SERVICE BY CITY

#### 11.1 CITY LIABILITY

The City does not guarantee continuous uninterrupted Service and will not be liable for any loss, cost, damage, or expense to any Customer occasioned by an interruption or phase reversal if due to any cause beyond the reasonable control of the City. In no case, the City's liability shall exceed the actual tangible amount of loss to a Customer and the City's liability shall not include consequential, incidental, punitive, exemplary, or indirect costs and/or damages.

#### 11.2 NOTICE OF TROUBLE

The Customer shall notify the City promptly of any defect in Service or of any trouble or irregularity to the electric supply.

#### 11.3 PREARRANGED INTERRUPTION OF SERVICE

Whenever it is necessary to interrupt Service for work on lines or equipment, such works will be done, as far as possible, at a time that may cause the least inconvenience to the Customer. The Customer(s), to be affected by such interruptions will, if possible, be notified twenty-four (24) hours in advance. The Customer may, with justifiable cause, request the City to extend the twenty-four (24) hour notification to forty-eight (48) hours.

### SECTION 12 CUSTOMER'S USE OF SERVICE

#### 12.1 RESALE FORBIDDEN

The Customer shall not directly or indirectly sell, sublet, assign, or otherwise dispose of the electric energy or any part thereof except as authorized by Chapter 51, Title 25 of the Delaware Code.

#### 12.2 FLUCTUATIONS

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Electric Service must not be used by the Customer in such a manner as to cause unusual fluctuations or disturbances in the City's supply system. Should such fluctuation or disturbance be caused by the Customer, the City may discontinue Service or require the Customer to modify his installation or install approved controlling devices (See also Section 7.9).

Where Service is rendered under Service Classifications "SGS", "MGS", "LGS", "GSP" or "SCS" and the use of current is intermittent or subject to large fluctuations, the City reserves the right to base the measured demand upon a five (5) minute period, or to add to the measured demand, as determined under the measured demand provision of the applicable Service Classification, an amount equal to sixty-five percent (65%) of the rated capacity in kilowatts of apparatus having fluctuating or intermittent current requirements.

### 12.3 UNBALANCED LOADS

Where Service is rendered under Service Classifications "SGS", "MGS", "LGS", "GSP" or "SCS", the Customer shall at all times take and use energy in such manner that the load will be balanced equally between phases. Should this not be possible, and the imbalance exceeds ten percent (10%) of the lesser phase, the City reserves the right to compute the demand for billing purposes on the assumption that the load on each phase is equal to that on the greatest phase. If the imbalance exceeds forty percent (40%) of the lesser phase, the City reserves the right to terminate Service.

### 12.4 TRANSIENT VOLTAGES

Customers are cautioned that certain types of data processing equipment are sensitive to transient voltages which typically occur in commercial power systems in routine operation. The City shall not be liable for transient voltage-related damage or loss. The Customer should purchase and install surge suppressors to protect sensitive equipment from transients, spikes, or surges.

### 12.5 SUPERIMPOSING ELECTRIC SIGNALS ON THE CITY'S ELECTRIC SYSTEM

When the Customer couples to or superimposes any signal on his electric system for equipment control, load management control, carrier current transmission, signal systems, communication broadcasting or any other purpose, the Customer shall be responsible for preventing any such signals from being imposed upon or entering the City's metering and electric system. The Customer shall notify and obtain the consent of the City before utilizing their equipment.

### 12.6 POWER FACTOR

The average Power Factor at the point where the electric service is metered should not be less than ninety-five percent (95.0%) lagging.

In any month in which the average lagging Power Factor is less than 95.0%, the measured demand shall be corrected by the ratio of the 95.0% Power Factor to the actual Power Factor as follows:

Billing Demand = Measured Demand x (95.0) / Customer's Actual Monthly Power Factor

In case the actual Power Factor exceeds 95.0%, no correction to the Billing Demand will be made.

Where lighting, welding, motors or other electrical equipment or devices having lagging or leading Power Factor characteristics are installed, in order to avoid additional charges, the Customer may furnish, install, and maintain at his own expense, corrective apparatus which will increase the average Power Factor of the individual units or the entire installation to not less than 95.0% lagging or more than 110% leading. The City reserves the right to require removal or modification of Customer installed equipment which the City, at its sole discretion determines, is detrimental to the proper operation of the City's electric distribution system.

### 12.7 USE OTHER THAN STATED IN CONTRACT

The City's Service shall not be used for any purpose or in any place other than that stipulated in the Customer's contract for Service except by written consent of the City.

### 12.8 CHARACTERISTICS OF SERVICE

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The Service specified and furnished by the City consists of sixty (60) hertz, single-phase, or three-phase alternating current at one standard primary or secondary voltage. The type of Service (number of phases and voltage) available varies with location and load.

An Applicant must contact the City to ascertain the type of Service the City will supply before making plans for receiving Service or making alterations to existing Service.

Secondary Service - Single phase or three phase circuits carrying a nominal voltage of 480 volts or less between any two conductors.

Primary Service - Single phase or three phase circuit carrying a nominal voltage of 14,400 volts to 24,900 volts between any two conductors. This Service is available to customers, with the City's approval, who have anticipated loads in excess of 750 Kw.

#### 12.9 CHANGE OF INSTALLATION AND SERVICE OVERLOAD

The Customer shall give immediate written notice to the City of any proposed substantial increase or decrease in or change of purpose or location of his installation. The Service connection, transformers, meters, and equipment supplied by the City for each Customer have a definite capacity and no additions to the equipment or load connected thereto will be permitted except by written consent of the City. Failure to give notice of additions or changes in load or location shall render the Customer liable for any damage to the meters or their auxiliary apparatus or the transformers or wires of the City caused by the additional or changed installations.

#### 12.10 LIMITATION OF USE

No other source of Service shall be introduced or permitted, directly or indirectly, for the Customer's use without written notice to the City and written consent of the City, which shall not be unreasonably withheld. An installation for which permission has been granted must be made so that the supply of power from the Customer's generator or other sources cannot feed into the City's system, unless agreed to by a written contract between the City and the Customer.

### SECTION 13 DEFECTS IN CUSTOMER'S INSTALLATION

#### 13.1 CITY'S RIGHT TO INSPECT

The City shall have the right, but shall not be obliged, to inspect any installation before electricity is introduced or at any later time, and reserves the right to reject any wiring or appliances not in accordance with the City's standard requirements.<sup>8</sup> However, such inspection, or failure to inspect, or to reject, shall not render the City liable or responsible for any loss or damage, resulting from defects in the installation, wiring or appliances, or from violation of City rules, or from accidents which may occur upon the premises of the Customer.

#### 13.2 DEFECTIVE INSTALLATIONS

If at any time the wiring, fixtures or appliances of the Customer are found to be defective or dangerous by the City's representative, service may be refused or discontinued until the Customer has the condition corrected.

#### 13.3 CUSTOMER'S RESPONSIBILITY

The City assumes no responsibility for any damages done by or resulting from any defect in the wiring, fixtures, or appliances of the Customer. In the event any loss or damage to the property of the City, or any accident or injury to persons or property is caused by or results from the negligence or wrongful act of the

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<sup>8</sup> The City's standard building requirements are in accordance with the 2006 IBC/IRC/IPMC International Building Code.

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Customer, his agents, contractors or employees, the cost of the necessary repairs or replacement shall be paid by the Customer to the City and any liability otherwise resulting shall be assumed by the Customer.

#### 13.4 CITY LIABILITY

The City shall not be liable for damage resulting from the presence of electric current or the City's appliances on the Customer's premises, or from the use of the Service of the City by the Customer.

### SECTION 14 ACCESS TO PREMISES

#### 14.1 ACCESS TO PREMISES

The authorized agents or representatives of the City, having the proper City identification, shall have access at all reasonable times to the premises of the Customer for the purpose of reading its meters, connecting, and disconnecting Service, operating, testing, inspecting, repairing, removing, and replacing any or all its apparatus used in connection with providing the Service. If City's meters or other equipment are located on the premises of someone other than the Customer, the Customer shall be responsible for arranging for access thereto by the City agents or representatives.

#### 14.2 RIGHTS-OF-WAY, ACCESS TO CITY OWNED EQUIPMENT, AND TREE TRIMMING

Rights-of-Way must be maintained free of obstructions in order for City personnel to have free access to City distribution lines or other equipment. Fences, garages, sheds, other outbuildings, swimming pools, trellises, trees, and other large plantings are prohibited from right-of-way areas. The City will have the right to require the Customer to remove any plantings or other obstructions which prevent City personnel from accessing any item of City equipment such as poles, aerial lines, underground lines, service drops, transformers, metering pedestals, etc. Furthermore, the City will have the uninterrupted right and authority to trim trees, limbs, and undergrowth in the right-of-way which may interfere with the operation of City equipment. The City may bill the Customer for such Services. (See Electric Fee Schedule) Pad-mounted transformer areas are to be free of trees, plantings, or other obstructions to within nine feet in the front and three feet on the sides and rear of any edge of the concrete or fiberglass pad.

The City must attempt to maintain the integrity of its electric lines through periods of winds and storms. The City may trim any portion of a tree within (50) fifty feet of electric lines. The City is the sole judge of the need to trim branches or remove trees to protect the integrity of its facilities. However, the City will provide advance notice, to the maximum extent possible, to the occupants/owners of the premises about the date and time when the City is planning to trim branches or remove trees.

#### 14.3 PENALTY FOR NON-ACCESSIBILITY OF METER

When a Customer fails to provide the City with access to read the electric meter or perform maintenance on the City's equipment, then the Customer will be notified of the accessibility problem in writing and the Customer must take the appropriate steps to correct the problem.

The Customer will be given 30 days to rectify the problem or else Service will be terminated and a fee for inaccessibility will be charged (See Electric Fee Schedule).

### SECTION 15 TAMPERING WITH AND THEFT OF CITY PROPERTY

#### 15.1 TAMPERING EXPRESSLY FORBIDDEN

No person except a duly authorized representative of the City shall make any connection or disconnection, either temporary or permanent between Service load of the Customer and Service wires of the City; or set, change, remove or interfere with or make any connections to the City's meter or other property or any wiring between the City's meter and the Service wires of the City. By taking Service from the City, the Customer agrees to respect the integrity of the meter seal.

#### 15.2 THEFT OF CITY PROPERTY

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No person shall commit theft of Services that are owned by or billed to the City. Theft of Services is obtaining Services owned by or billed to the City by deception, threat, coercion, stealth, tampering or use of false token or device. For purposes of this section, "tampering" includes, but is not limited to, making a connection of any wire, electronic device, conduit or device to any Service, electrical outlet, or transmission line owned by or billed to the City. No person shall be in violation of this section if the service is expressly stated to be for use by the public, or for any act that was expressly authorized by a duly authorized representative of the City.

### 15.3 LIABILITY FOR TAMPERING OR THEFT OF CITY PROPERTY

In the event of the City's meters or other property being tampered or interfered with, the Customer being supplied through such equipment shall pay the amount which the City may estimate is due for Service used but not registered on the City's meter, and for any repairs or replacements required, and such changes in Customer's installations as may be required by the City. Furthermore, the Customer may be subject to a utility tampering fee in accordance with the Electric Fee Schedule.

Any person found committing and act of theft of services as provided under Section 15.2 shall be subject to a penalty in accordance with the Electric Fee Schedule for each violation. Furthermore, the person may be reported to the police for potential criminal charges.

When the City discovers evidence of tampering or interference, Services may be terminated, and the police will be notified for possible criminal charges. Upon request and pending police action, the Customer may be reconnected after all applicable fees have been paid. (See Electric Fee Schedule).

[Ord. No. 2015-24, § 1, 9-28-2015]

## SECTION 16 CITY'S RIGHT TO DISCONTINUE SERVICE

### 16.1 RIGHT TO DISCONTINUE SERVICE

The City reserves the right to discontinue any class of Service for any of the following reasons.

#### 16.1.A WITHOUT PRIOR NOTICE

1. Unavoidable shortage or interruptions in City's source of power supply or other cases of emergency.
2. Whenever a hazardous electrical or electrical related condition is found to exist on the Customer's premises.
3. Interference or tampering with meters or City equipment or diversion of Service.
4. The Customer's use of equipment is determined by the City to adversely affect the City's equipment or the City's Service to the other Customers.

#### 16.1.B WITH PRIOR NOTICE

1. Failure to remedy conditions having detrimental effect on the City's electric system and/or Service of others.
2. Non-payment of any bill for Service.
3. Violation of, or non-compliance with the Rules and Regulations of the Tariff including effective Service Classification or Agreement or Contract. The City may refuse to supply any Service until the Customer has corrected the conditions constituting such violation.
4. Failure to pay a deposit or other customer charge as detailed in this Tariff.
5. Misrepresentation of identity to avoid payment of an outstanding bill for Service rendered.

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6. Repeated refusal to grant access, during reasonable working hours, for maintenance, meter reading, or removal of equipment, **inspection**, or replacement of equipment.

#### 16.1.C TIMING FOR NOTICE AND SERVICE TERMINATION

The amount of time allowed for disconnection with prior notice as provided for in the preceding section, (Section 16.1.B) shall be determined by the City. The notice will state when Service will be discontinued and will inform the Customer of the steps which must be taken to avoid such disconnection of Service. The Customer may be subject to disconnection anytime on, or after, 9 days past the due date. For non-payment of any bill for electric Service, such termination will not occur between 12:00 Noon on any Friday and 10:00 AM on the succeeding Monday. Should Friday be a legal City holiday, the last preceding business day shall be substituted for Friday. Should Monday be a City holiday, the next succeeding business day shall be substituted for Monday.

In the case of a rental Customer, the City may mail a shut-off notice to the owner of the property notifying them of a pending disconnection of service only when winter weather conditions are extreme enough to warrant notification, however, the City is not obligated to do so.

#### 16.2 SERVICE DISCONNECTION DURING EXTREME CONDITIONS

No Dwelling Unit shall have Service disconnected if the temperature is 32 degrees Fahrenheit, or less, at 10:00 AM on the day Service is to be terminated, as verified by two (2) independent weather agencies. Service may be terminated, when in the sole judgment of the City, if an emergency situation exists which requires the immediate termination of Service.

During the heating season, no Service shall be disconnected for nonpayment of past charges without a minimum of seventy-two (72) hours' notice being given to the occupant of intention to terminate Service. Heating season is defined as the period from November 15 to March 31.

No dwelling unit shall have Service disconnected if the Heat Index is 105 degrees Fahrenheit, or more, after 12:00 PM on the day Service is to be terminated, as verified by two (2) independent weather agencies. Service may be terminated immediately, when in the sole judgment of the City, if an emergency situation exists which requires termination of Service.

No Service shall be disconnected if any occupant of a Dwelling Unit shall be so ill that termination of Service shall affect his health or recovery, which has been certified by a statement from a licensed physician and received by an authorized employee of the City empowered to collect bills. (See Section 16.4 Medical Priority Policy)

#### 16.3 LOAD LIMITING DEVICES

In lieu of outright disconnection, the City reserves the right to install load limiting or "pay-as you-go" devices as technology permits and as circumstances warrant.

#### 16.4 MEDICAL PRIORITY POLICY

The City has a policy relating to Customers with a medical priority status. This policy addresses the qualifications, terms and conditions of the medical priority program and the responsibilities of the City and the Customer. This policy is an administrative policy and may be amended without any prior notice.

#### 16.5 RECONNECTION CHARGES

Service disconnected by the City for whatever reasons set forth in Section 16 will be restored only upon payment of all charges due in addition to the correction of the problem necessitating termination. Also, in cases when it has been necessary to remove Service wires to effect discontinuance of Service, Service will be restored only upon payment to the City of the costs of discontinuance and restoration (See **Electric** Fee Schedule). Any Customer, **who's whose** Service has been **disconnected** may also be required to post a deposit or advance usage fee in order to have Service restored.

#### 16.6 AFTER HOURS RECONNECTION CHARGES

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When the Customer desires Service to be reconnected after the normal hours of operation of the City Offices as shown in Section 1.9., an "after hours" Reconnection Charge will be assessed instead of the regular Reconnection Charge. (See **Electric** Fee Schedule)

## **SECTION 17 DISCONTINUANCE OF SERVICE BY CUSTOMER**

### **17.1 NOTICE TO DISCONTINUE**

The Customer must give the City at least one business day (twenty-four hours) written notice to discontinue Service unless otherwise agreed upon. The City will make every effort to disconnect the Service as soon as the Customer has requested termination and has settled the account. However, the Customer shall be liable for Service taken until the meter has been disconnected or read. Such notice to disconnect prior to the expiration of a contract term will not relieve the Customer **of** any minimum or guaranteed payment under any contract or Service or Rate Classification. With a written Notice to the City, the Owner of a property may keep the Service connected after the Service to a tenant is discontinued.

### **17.2 COMPLETION OF TERM**

If, by reason of any act, neglect or default of a Customer or his agent, the City's Service is suspended, or the City is prevented from supplying Service in accordance with the terms of any contract it may have entered into, the minimum charge for the unexpired portion of the contract term shall become due and payable immediately as liquidated damages in lieu of the anticipated returns from the said contract.

### **17.3 FINAL BILL**

The final bill for Service is due and payable when rendered.

## **SECTION 18 PRIMARY EXTENSIONS**

### **18.1 GENERAL**

Distribution line extensions or "extensions", as used in this Section, refer to overhead or underground primary voltage conductors, transformers, switchgear, and associated materials that must be constructed along public streets, **roads**, and highways, or on private property from the City's existing distribution system to the point of connection to the Applicant's or Customer's Service entrance (aerial or underground).

Extensions will be designed according to accepted utility practices to provide adequate Service. Modifications to the City's proposed design and/or existing system requested by the Applicant will be made when such modifications are acceptable to the City in its sole judgment.

Service entrances interface with, but are not part of these primary line extensions, a separate Service entrance connection/re-connection fee will be charged in addition to charges associated with primary line extensions. See also Section 14 for information concerning Service entrances.

### **18.2 DISTRIBUTION LINE EXTENSION POLICY**

The City, at its discretion, will extend its distribution system under the terms and conditions incorporated below.

#### **18.2.A RESIDENTIAL - SINGLE FAMILY DWELLINGS**

The City will provide up to 150 feet of primary extension of either overhead or underground at no cost to the Customer. Beyond 150 feet, the Customer will be required to pay an additional charge per foot as stated in the **Electric** Fee Schedule. All facilities provided by the City will remain the property of the City regardless of any Customer participation in the cost.

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18.2.B NON-RESIDENTIAL<sup>9</sup>

Any charges made by the City to the Customer for primary line extensions from existing overhead or underground facilities, the Customer will be required to pay up front all materials and labor cost associated with the requested extension regardless of the type of extension, in accordance with the City's **Electric** Fee Schedule. It is also understood that the extension will be owned and maintained by the City even if the cost of such extensions have been paid by the Customer.

In the event that the Customer is a primary metered Customer, served under the appropriate Service or Rate Schedule, then the City's responsibility and ownership will terminate at the point of Metering. Any work performed by the City beyond the point of metering under a separate agreement with the Customer will remain the property of the Customer and the Customer will be responsible for the maintenance of these facilities. If the Customer desires, he may contract with the City to maintain his facilities and the City may perform the maintenance at the Customer's costs.

18.2.C RESIDENTIAL SUB-DIVISION

The City will provide primary extension of either overhead or underground for the cost of materials and labor paid up front associated with the extension by the Customer or the developer of the **Subdivision**.

## **SECTION 19 PURCHASE POWER COST ADJUSTMENT (PPCA)**

### 19.1 GENERAL

Each monthly bill may also include the City's Purchased Power Cost Adjustment (PPCA) charge which will be determined monthly by the City.

## **SECTION 20 GENERAL COST ADJUSTMENT**

### 20.1 APPLICABILITY

This General Cost Adjustment (GCA) is applicable to all Service Classifications of this Tariff under the following conditions:

As deemed necessary by the City Manager, bills rendered under all Service Classifications of this Tariff may be increased to offset any new or increased special taxes, licenses, franchise fees, rentals, or assessments imposed by any governmental authority against the City in the distribution or sale of electrical energy or its electrical operations or production or sale of electrical energy or the receipts or earnings there from. The City Manager will also have the right to include the GCA in the bills rendered to Customers to reflect the changes in the City's budgeted or actual Operating Expenses. The GCA will be limited to **an** increase in the Operating Expenses by maximum of ten percent (10.0%).

The General Cost Adjustment may be a fixed assessment, charge per kWh, or a percentage of the total bill, depending on the authorizing City's ordinance.

## **SECTION 21 DELAWARE PUBLIC UTILITY TAX**

### 21.1 STANDARD TAX

The State of Delaware requires the City of Milford to collect a tax on all non-residential accounts. The tax will be computed at the effective tax rate and is based on the total of each month's current charges including the PPCA.

### 21.2 WITH MANUFACTURER'S DISCOUNT

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<sup>9</sup> "Non-Residential" includes Commercial and Industrial customers.

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The State of Delaware periodically sends the City a list of manufacturing organizations that are not required to pay the full tax rate and may be required to pay at a lower tax rate. For such Customers the applicable tax rate will be used.

## **SECTION 22 GREEN/RENEWABLE ENERGY FUND PROGRAM**

The City of Milford, through the Delaware Municipal Electric Corporation, Inc. (DEMEC) and the Delaware Energy Office, provides a fund to support green/renewable energy technologies, energy efficiency technologies, or demand side management programs. The rules of practice and procedure for application and disbursement of Municipal Green Energy Fund grants for renewable energy projects in Delaware are outlined in the Municipal Utilities Green/Renewable Energy Fund Program effective January 1, 2007, as amended.

## **SECTION 23 AGGREGATION OF RETAIL CUSTOMER DEMAND RESPONSE**

The City of Milford or any entity that applies to be an authorized Curtailment Service or Demand Respond Service Provider and is subsequently approved by the City Manager or his designee is permitted to bid demand response and energy efficiency resources on behalf of retail customers served by the City of Milford directly into any FERC-approved independent system operator's or regional transmission organization's organized electric markets.

Retail customers served by the City of Milford wishing to bid their demand response and energy efficiency resources into a Commission-approved independent system operator's or regional transmission organization's organized electric markets may do so by participating in the program established by the City of Milford or with a Curtailment Service or Demand Response Service Provider duly approved in advance by the City of Milford.

## **SECTION 24 SERVICE CLASSIFICATIONS AND SCHEDULES**

### **24-1. RES—RESIDENTIAL SERVICE SCHEDULE**

#### **1. AVAILABILITY**

This rate applies to residences throughout the territory served by the City. Single phase electric Service will also be rendered to the dwelling appurtenances of single private family residences for domestic requirements and also for related farm or domestic purposes when such Service is supplied through one meter.

#### **2. TERM OF SERVICE**

Residential service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3.6 of Rules and Regulations.

#### **3. MONTHLY RATES**

**See Electric Fee Schedule**

#### **4. BILLING PERIOD**

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

#### **5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE**

All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment (PPCA) charges. (Reference: Section 19)

#### **6. GENERAL COST ADJUSTMENT**

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The monthly charges under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MONTHLY FACILITIES CHARGE

A MONTHLY CHARGE TO COVER THE FIXED COST OF SUPPLYING POWER TO A CUSTOMER.

9. MINIMUM CHARGE

The minimum monthly charge shall be the MONTHLY FACILITIES CHARGE. MINIMUM CHARGE SHALL NOT BE PRORATED.

10. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources.

11. RULES AND REGULATIONS

City's Department Rules and Regulations shall govern the supply of Service under this Service Classification.

**24-2. SGS—SMALL GENERAL SERVICE SCHEDULE**

1. AVAILABILITY

This rate applies throughout the territory served by the City. Service will be rendered through a single meter for general lighting and/or power requirements of offices, institutions, professional, or commercial establishments, and other applications outside the scope of other Rate Schedules.

When a portion of the consumption of this Service is used for residential purposes, it will be supplied under SGS rate. If the Customer desires the application of Service Schedule RES to the residential service portion of the facility, the Customer should separate and arrange his wiring so that domestic use can be separately metered. In such case the Customer is also required to complete a separate application for Residential Service.

This rate is available to any Customer having a maximum monthly usage of less than 3,500 KWH and desiring Service at secondary voltage as defined in Section 12.8 of the Rules and Regulations. Any Customer taking Service under this Service Classification whose KWH usage for any four consecutive billing months is equal to or exceeds 3,500 KWH shall be automatically transferred to Service Classification MGS, effective with the next succeeding billing month. Any Customer so transferred shall remain on MGS for at least 12 billing months, even though the Customer's monthly usage in succeeding billing months may be less than 3,500 kWh. After 12 billing months, at the Customer's request or when the City observes that the Customer has not exceeded 3,500 KWH upon a periodic review of the Customer's records, the Customer will be transferred back to this Service Classification (SGS) provided that the Customer has not used more than 3,500 kWh for any two consecutive billing months within the most recent 12 months.

2. TERM OF SERVICE

Subject to conditions specified, Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3 of Rules and Regulations.

3. MONTHLY RATES

**See Electric Fee Schedule**

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4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this Service Classification may be subject to Purchased Power Cost Adjustment (PPCA) charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charge under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MONTHLY FACILITIES CHARGE

A monthly charge to cover the fixed cost of supplying power to a Customer.

9. MINIMUM CHARGE

The minimum charge shall be the MONTHLY FACILITIES CHARGE. Minimum charge shall not be prorated.

10. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources.

11. AGRICULTURAL IRRIGATION USAGE

If a part of the power supplies, under this rate schedule, is used for commercial agricultural irrigation purpose, such consumption will not be used for changing the rate classification of the Customer and will be billed at all applicable kWh related rates under the SGS Rate Schedule.

12. PUBLIC UTILITIES TAX

In addition to the charges stated in this Service Classification, including Purchased Power Cost Adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21)

13. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

**24-3.** MGS—MEDIUM GENERAL SERVICE SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City of Milford. Electric service will be rendered through a single metering installation for the general lighting and/or power requirements of offices, institutions, professional or commercial establishments, and other applications outside the scope of other rate schedules.

This rate is available to any Customer having a maximum measured demand of less than 300 kW or a minimum of 3500 kWh and desiring service at the available secondary voltage as defined in Section 12.8. Any Customer taking service under this service classification whose measured demand in any four consecutive months is equal to or exceeds 300 kW shall be automatically transferred to Service Classification LGS, effective with the next succeeding billing month. Any Customer so transferred will

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remain on LGS, for at least 12 billing months, even though the Customer's maximum measured demand in succeeding months may be less than 300 kW.

After 12 billing months, at the Customer's request or when the City observes, upon a periodic review of the Customer's records, that the Customer has not exceeded 300 kW, the Customer will be transferred back to this service classification (MGS) provided that the Customer's monthly demand measurement has not exceeded 300 kW during any month within the most recent 12 months.

2. TERM OF SERVICE

Subject to conditions specified, Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3.

3. MONTHLY RATES

See Electric Fee Schedule

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charges under this service classification may be subject to General Cost Adjustment Charges (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MONTHLY FACILITIES CHARGE

A monthly charge to cover the fixed cost of supplying power to a Customer.

9. MINIMUM CHARGE

The minimum charge shall be the MONTHLY FACILITIES CHARGE. Minimum charge shall not be prorated.

10. MEASURED DEMAND

The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of the month as measured by demand meter, taken to the nearest whole kilowatt.

11. BILLING DEMAND

The billing demand for each billing month shall be the maximum measured demand as created during each month.

12. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources.

13. AGRICULTURAL IRRIGATION USAGE

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If a part of the power supplied, under this rate schedule, is used for commercial agricultural irrigation purpose, such consumption will not be used for changing the rate classification of the Customer.

14. PUBLIC UTILITIES TAX

In addition to the charges stated in this service classification, including power cost adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21).

15. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-4 LGS—LARGE GENERAL SERVICE SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City. Service will be rendered through a single metering installation for general lighting and/or power requirements of offices, institutions, and professional, commercial, or industrial establishments desiring Service under the conditions which follow.

This rate is available to Customers having a maximum Measured Demand of 300 kW or greater who receive Service at the available secondary voltage as defined in Section 12.8. Any Customer served under this Service Classification shall remain on this Service Classification for at least 12 billing months, even though such Customer's maximum Measured Demand in succeeding months may be less than 300 kW. After 12 billing months, at the Customer's request or when the City observes, upon a periodic review of the Customer's records, that the Customer has not exceeded 300 kW, the Customer will be transferred back to Service Classification MGS provided that the Customer's monthly Measured Demand has not exceeded 300 kW during any month within the most recent 12 months.

2. TERM OF SERVICE

Service is offered on a month-to-month basis until terminated subject to the minimum period specified above and unless a special contract is required as discussed in Section 3 of Rules and Regulations.

3. MONTHLY RATES

See Electric Fee Schedule

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this service classification shall be subject to Purchased Power Cost Adjustment charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charge under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MEASURED DEMAND

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The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of a clock hour of the month during On-Peak hours as measured by the demand meter, taken to the nearest whole kilowatt.

9. ON-PEAK AND OFF-PEAK HOURS

On-peak hours are 6:00 AM to 10:00 PM Monday through Friday, excluding NERC holidays falling on weekdays. All other hours are Off-Peak hours.

10. POWER FACTOR

The average power factor of the Customer's installation, expressed to the nearest whole percent, shall be determined by metering installed by the City ratcheted to prevent reverse registration. If the actual average Power Factor is determined to be below a Base Power Factor as defined in Section 12.6 for any given month, the billing demand will be adjusted as per Section 12.6 of the Rules and Regulations.

11. BILLING DEMAND (TIME-OF-USE)

The Billing Demand shall be the maximum Measured Demand during On-Peak Hours in each month.

12. MONTHLY FACILITIES CHARGE

A monthly charge to cover the fixed cost of supplying power to a Customer.

13. MINIMUM CHARGE

The minimum monthly charge shall be the MONTHLY FACILITIES CHARGE. MINIMUM CHARGE SHALL NOT BE PRORATED.

14. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources.

15. AGRICULTURAL IRRIGATION USAGE

If a part of the power supplied, under this rate schedule, is used for commercial agricultural irrigation purpose, such consumption will not be used for changing the rate classification of the Customer.

16. PUBLIC UTILITIES TAX

In addition to the charges stated in this Service Classification, including Purchased Power Cost Adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21).

17. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-5. GSP—GENERAL SERVICE-PRIMARY VOLTAGE SCHEDULE 

1. AVAILABILITY

This rate applies to existing GSP Customers throughout the territory served by the City. Service will be rendered through a single metering installation under this Rate Schedule for lighting and/or power requirements of offices, institutions, and professional, commercial, or industrial establishments at primary voltage when the Customer owns and maintains the required transforming, switching and protection equipment and expected peak loads will be greater than 500 kW.

2. TERM OF SERVICE

Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3 of Rules and Regulations.

3. MONTHLY RATES

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See Electric Fee Schedule

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment (PPCA) charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charge under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (See Section 22)

8. MEASURED DEMAND

The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of a clock hour of the month during On-Peak hours as measured by the demand meter, taken to the nearest whole kilowatt.

9. ON-PEAK HOURS

On-peak hours are 6:00 AM to 10:00 PM Monday through Friday, excluding NERC holidays falling on weekdays. All other hours are Off-Peak hours.

10. POWER FACTOR

The average power factor of the Customer's installation, expressed to the nearest whole percent, shall be determined by metering installed by the City ratcheted to prevent reverse registration. If the actual average Power Factor is determined to be below a Base Power Factor as defined in Section 12.6 for any given month, the billing demand will be adjusted as per Section 12.6 of the Rules and Regulations.

11. BILLING DEMAND (TIME-OF-USE)

The Billing Demand shall be the maximum Measured Demand during On-Peak Hours in each month.

12. MONTHLY FACILITIES CHARGE

A monthly charge to cover the fixed cost of supplying power to a Customer.

13. MINIMUM CHARGE

The minimum monthly charge shall be the MONTHLY FACILITIES CHARGE. MINIMUM CHARGE SHALL NOT BE PRORATED.

14. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources.

15. AGRICULTURAL IRRIGATION USAGE

If a part of the power supplied, under this rate schedule, is used for commercial agricultural irrigation purpose, such consumption will not be used for changing the rate classification of the Customer.

16. PUBLIC UTILITIES TAX

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In addition to the charges stated in this Service Classification, including Purchased Power Cost Adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential Services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21)

17. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-6. SCS—SPECIAL CONTRACT SERVICE-PRIMARY VOLTAGE SCHEDULE

1. AVAILABILITY

This rate applies to customers throughout the territory served by the City. Service will be rendered through a single metering installation under this rate schedule for lighting and/or power requirements of offices, institutions, and professional, commercial, or industrial establishments at primary voltage when the Customer has executed an Electric Service Agreement with the City for full requirements Service with a term of at least five years, and the Customer owns and maintains the required transforming, switching, and protection equipment, and expected peak loads will be greater than 500 kW.

2. TERM OF SERVICE

Service under this Service Schedule is available for the initial term and subsequent renewal terms as stated in the Electric Service Agreement. Upon expiration or cancellation of the Service Agreement, continued Service will be available under the appropriate Service Schedule then in effect.

3. MONTHLY RATES

[See Electric Fee Schedule](#)

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT (PPCA) CHARGE

All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment (PPCA charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charge under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20)

7. MEASURED DEMAND

The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of a clock hour of the month during On-Peak hours as measured by the demand meter, taken to the nearest whole kilowatt.

8. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

9. ON-PEAK HOURS

On-peak hours are 6:00 AM to 10:00 PM Monday through Friday, excluding NERC holidays falling on weekdays. All other hours are Off-Peak hours.

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10. POWER FACTOR

The average power factor of the Customer's installation, expressed to the nearest whole percent, shall be determined by metering installed by the City ratcheted to prevent reverse registration. If the actual average Power Factor is determined to be below or above a Base Power Factor as defined in Section 12.6 for any given month, the billing demand will be adjusted as per Section 12.6 of the Rules and Regulations.

11. BILLING DEMAND (TIME-OF-USE)

The Billing Demand shall be the maximum Measured Demand during On-Peak Hours in each month.

12. MONTHLY FACILITIES CHARGE

A monthly charge to cover the fixed cost of supplying power to a Customer.

13. MINIMUM CHARGE

The minimum charge shall be the MONTHLY FACILITIES CHARGE. MINIMUM CHARGE SHALL NOT BE PRORATED.

14. LOAD MANAGEMENT

The City encourages its Customers to implement renewable energy and load management resources.

15. PUBLIC UTILITIES TAX

In addition to the charges stated in this Service Classification, including Purchased Power Cost Adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential Services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21)

16. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

24-7 PL—PRIVATE AREA LIGHTING SCHEDULE

PL—PRIVATE AREA LIGHTING SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City for lighting of Customer's private property and is available to Customers presently taking Service under any other Service Classification also.

2. CHARACTER OF SERVICE

Service shall be rendered by use of LED light sources. Wattage ratings are based on nominal lamp ratings as listed by the manufacturer.

3. TERM OF SERVICE

Standard Service shall be for an initial term of one (1) year and thereafter from month to month and may be terminated by at least thirty (30) days' notice from either party. Bills will be rendered monthly in accordance with the charges shown in the Rate Table below.

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of Service based on the Rate Table presented below in Section 7.

5. DESCRIPTION OF EQUIPMENT TO BE SUPPLIED

The City will install, own, and maintain standard private area lighting equipment including the luminaire and bracket mounted on an existing City pole or an approved pole owned by the Customer.

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The City will connect to existing secondary facilities and will install one (1) additional 100-foot span of aerial secondary Service.

6. TERMS AND CONDITIONS OF SERVICE

- a. Private Lighting Service is available to individual Customers provided the City has in place existing secondary Service facilities.
- b. When additional circuits or poles are required on the Customer's premises, such additional circuits and poles shall be paid for, owned, and maintained by Customer.
- c. Any additional secondary circuits or equipment necessary on City's poles shall be installed by City at Customer's expense but will be owned and maintained by the City. The Customer will bear the cost of any new poles or conductor over 100 feet in length.
- d. Where the lighting unit is attached to a City owned pole and is located along a public right-of-way, the lighting unit furnished under this Service Classification must then extend over the Customer's property and not over the public right-of-way unless written permission is received from the government entity responsible for the right-of-way. The decision as to the location of a private lighting unit on City poles or other structures rests solely with the City.
- e. The City will maintain and service only equipment which it owns.
- f. Lamps shall be lighted from dusk to dawn each night, approximately 4,300 hours per year.
- g. New installations shall remain in Service for a minimum of one (1) year. The City may require payment for removals or relocation of new installations in Service for less than one (1) year. A Service call fee may be charged for such Service. (See Chargeable Service Call in the Electric Fee Schedule)
- h. The City will supply electricity, revamp when necessary, and maintain the equipment and optics which it owns. All other maintenance such as repairs/replacement of Customer owned pole will be at Customer's expense.
- i. It is the Customer's responsibility to notify the City of any outage or problem with the operation of the Customer's private area light. No prorated credit on the Customer's bill will be allowed by the City for lack of Service when the City has not been notified of a problem.
- j. Lamp renewals and/or maintenance will be performed during normal working hours within a reasonable period following notification of a problem by the Customer to the City.
- k. All Private Area Lighting installations must be accessible to the City's maintenance trucks and personnel for revamping and repairs.
- l. The City reserves the right to discontinue Service where cost of Service is excessive because of vandalism or other reasons.

7. Rate Schedules by equipment installation

See Electric Fee Schedule

The City does not offer Mercury, HPS, or Metal Halide lighting to any new Customer at this time.

8. GENERAL COST ADJUSTMENT

The monthly charges under this Service Classification may be subject to General Cost Adjustment Charge. (Reference: Section 20).

9. GREEN ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification may be subject to Green/Renewable Energy Fund Rate. (Reference: Section 23).

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10. RULES AND REGULATIONS

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

11. PUBLIC UTILITIES TAX

In addition to the charges stated in this Service Classification, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate (Reference: Section 21).

24-8. AGR—AGRICULTURAL SERVICE SCHEDULE

1. AVAILABILITY

This rate applies throughout the territory served by the City of Milford. Electric service will be rendered through a single metering installation for the general lighting and/or power requirements of active farms where the primary purpose of energy delivered is for the preparation of livestock.

This rate is available to any Customer having a maximum measured demand of less than 300 kW or a minimum of 3500 kWh and desiring service at the available secondary voltage as defined in Section 12.8. Any Customer taking service under this service classification whose measured demand in any four consecutive months is equal to or exceeds 300 kW shall be automatically transferred to Service Classification LGS, effective with the next succeeding billing month. Any Customer so transferred will remain on LGS, for at least 12 billing months, even though the Customer's maximum measured demand in succeeding months may be less than 300 kW.

After 12 billing months, at the Customer's request or when the City observes, upon a periodic review of the Customer's records, that the Customer has not exceeded 300 kW, the Customer will be transferred back to this service classification (AGR) provided that the Customer's monthly demand measurement has not exceeded 300 kW during any month within the most recent 12 months.

2. TERM OF SERVICE

Subject to conditions specified, Service is offered on a month-to-month basis until terminated unless a special contract is required as discussed in Section 3.

3. MONTHLY RATES

See Electric Fee Schedule

4. BILLING PERIOD

Rates are stated on a monthly basis and bills are rendered monthly following the supply of service based on the rate stated herein.

5. PURCHASED POWER COST ADJUSTMENT CHARGE (PPCA) CHARGE

All kilowatt-hours billed under this service classification may be subject to Purchased Power Cost Adjustment charges. (Reference: Section 19)

6. GENERAL COST ADJUSTMENT

The monthly charges under this service classification may be subject to General Cost Adjustment Charges (Reference: Section 20)

7. GREEN/RENEWABLE ENERGY FUND RATE

All kilowatt-hours billed under this Service Classification will be subject to Green/Renewable Energy Fund Rate. (Reference: Section 22)

8. MONTHLY FACILITIES CHARGE

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A monthly charge to cover the fixed cost of supplying power to a Customer.

**9. MINIMUM CHARGE**

The minimum charge shall be the MONTHLY FACILITIES CHARGE. Minimum charge shall not be prorated.

**10. MEASURED DEMAND**

The measured demand shall be the greatest demand established by the Customer during any fifteen (15) minute demand interval of the month as measured by demand meter, taken to the nearest whole kilowatt.

**11. BILLING DEMAND**

The billing demand for each billing month shall be the maximum measured demand as created during each month.

**12. LOAD MANAGEMENT**

The City encourages its Customers to implement renewable energy and load management resources.

**13. PUBLIC UTILITIES TAX**

In addition to the charges stated in this service classification, including power cost adjustment charges, the current Delaware Public Utilities Tax will be applied to the total bill for all non-residential services, unless the Customer is exempt from such tax. Manufacturing facilities may be eligible for a reduced rate. (Reference: Section 21).

**14. RULES AND REGULATIONS**

The City's Rules and Regulations shall govern the supply of Service under this Service Classification.

**24-9. EDR—ECONOMIC DEVELOPMENT RATE SCHEDULE**

**1. PURPOSE**

The purpose of this Economic Development Rate (EDR) is to provide a discount from the City's regular tariffs rates for Service to certain new and existing commercial and industrial Customers of the City if they make substantial new capital investments or create new employment opportunities and, in doing so, add or retain load in the City's Service territory.

**2. AVAILABILITY**

Customers to whom EDR is available are: (1) Customers eligible for or taking Service from the City under Service Classifications "MGS", "LGS", or "GSP"; (2) Whose operations at a facility in the City's Service territory, for which a discount under this Rate Schedule is sought, fall primarily under Standard Industrial Code classifications 20 through 38, and 60 through 67 except 65; (3) Who apply to the City in writing, for a discount under this Rate; and (4) Who satisfy all other EDR criteria described below.

Discounts under this Rate are available for New Load associated with either initial permanent Service (a "New Customer") or an expansion of existing Service (an "Expansion Customer") at a single integrated facility. The New Load of a New Expansion Customer must be at least 50 kW with a minimum of 60% load factor and the new Customer must have added at least 25 Investment Units as of the Operational Date. Discounts under this Rate may be available to the existing Customers, with a minimum load of 2,000 kW and a monthly load factor of 60% for enabling them to retain their loads.

The City shall have sole discretion in determining eligibility for discounts under this Rate, and the availability of such discounts may be limited or discontinued from time to time, as the City determines it is appropriate to do so. Examples of situations where discounts under this Rate are not available include when: (1) the identity of a Customer to whom the City currently provides, or has provided, Service has changed solely due to a name change, purchase, merger, consolidation, or reorganization;

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(2) A Customer has substituted one Service address in the City's Service territory for another; (3) Strikes, equipment failures, temporary plant shutdowns; or other similar circumstances are what allow the Customer to claim eligibility for discounts under this Rate; or (4) The economic development purpose of this Rate is not being served.

3. DEFINITIONS

3.1 New Load - For a New Customer, New Load is the total Metered Demand and Energy attributable to initial permanent Service. For an Expansion Customer, New Load is the net demand and energy attributable to the expansion, as determined by the City.

3.2 Investment Unit - An investment Unit is equal to 1 non-seasonal, full-time job or \$100,000 in capital investment.

3.3 Operational Date - The Operational Date for a New or Expansion Customer shall be the first day of full operation of the new or expanded facility. In no event, however, shall the Operational Date be later than 2 years after the New Customer or Expansion Customer applies for the discount available under this Rate.

4. DETERMINATION OF THE DISCOUNT

After the receipt of the Customer's application, the City and the Customer will negotiate the Discount to be given to the Customer for his New Load. The period for which the Discount will be applied will also be negotiated.

5. APPLICATION OF DISCOUNT

The Discount will be applied to the total bill, before the application of the Delaware Utility Tax, for Service of the New Load of the New Customer or Expansion Customer during the periods specified below as long as the New Customer or Expansion Customer remains eligible for the Discount under this Rate.

6. SERVICE AGREEMENT

A New Customer or Expansion Customer shall execute a Service Agreement with the City providing that, for the period during which Discount is provided under this Rate, a minimum of 5 years, the New Customer or Expansion Customer shall purchase its total electric requirements from the City. At the City's sole discretion, a New Customer or Expansion Customer may be able to increase the Discount available under this Rate by executing a Service Agreement providing that the New Customer or Expansion Customer shall purchase its total electric requirements for a longer period commensurate with the amount of the Discount sought.

7. GENERAL PROVISIONS

A New Customer or Expansion Customer must submit a written application to the City for the Discount under this Rate and such application must be approved by the City before the Operational Date. The application must include a description of the amount and source of the New Load and the basis on which the New Customer or Expansion Customer believes itself to be eligible for Discount under this Rate.

For an Expansion Customer, the City may install metering equipment necessary to measure the Expansion Customer's New Load separately from loads already served by the City. The City reserves the right to determine how such New Load will be metered. If the City determines that separate metering is impractical, unduly expensive, or otherwise unnecessary, the City will administratively determine the New Load eligible for Discount under this Rate and the City's determination will be controlling.

New Customers or Expansion Customers will give the City access to information reasonably required by the City to determine continuing eligibility. Unless expressly altered by this Rate, the terms, and conditions of Service to a New Customer or an Expansion Customer will be governed by the Tariff and Service Agreement under which the City provides Service to the New Customer or Expansion Customer.

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Incremental transmission and distribution investment costs associated with specifically serving a Customer who otherwise qualifies for this rate will be separately recovered from the Customer.

8. LOSS OR REDUCTION OF NEW LOAD

If during the initial term of its Service Agreement with the City, the New Customer or Expansion Customer ceases or substantially reduces its operations at the facility where Discount has been provided for New Load under this Rate, a New Customer or Expansion Customer will refund to the City Discounts provided under this Rate. A substantial reduction in operations shall be deemed to have occurred where the New Load of the New Customer or Expansion Customer falls below 50 kW for a period of 3 or more months. A substantial reduction in operations also shall be deemed to have occurred where the energy usage of the New Customer or the Expansion Customer in 6 consecutive months is 25% or more below the energy usage in the same billing months of the prior year.

Such refunds shall be equal to the Discounts **received** by the Customer on that portion of load that is lost or reduced, as determined by comparing bills for Service with and without the Discount provided under this Rate. Refunds shall be due and payable in full within 30 days after the City renders a bill for such refunds.

9. OTHER TERMS AND CONDITIONS

All other terms and conditions of the City's tariff and the applicable Rate Schedule shall be applicable to Rate Schedule EDR.

**24-10.** EXTRA FACILITIES SCHEDULE

Extra Facilities: At the request of the Customer, The City will furnish, install, **own**, and maintain facilities which are in addition to those necessary for delivery of service at one point, through one meter, at one voltage, in accordance with the applicable rate schedule, such additional facilities to be furnished under this "Extra Facilities Schedule" added to and made a part of The City standard form of contract and containing the following provisions:

Service shall be used solely by the contracting Customer in a single enterprise located entirely on single, contiguous premises, and there shall be no exemption from any of the provisions of the Rules and Regulations related to this Schedule.

"Extra Facilities" shall include but not be limited to such of the following as may be required: voltage regulators, circuit breakers, duplicate service, transformers, substations, connecting lines, or other equipment installed for the exclusive use of the contracting Customer, in addition to the facilities which the City furnishes to the Customer without cost under its other Rate or Service Schedules.

The Extra Facilities to be supplied shall be the City's standard overhead transmission or distribution, or transmission and distribution, equipment to be installed only on The City side of the point of delivery.

A monthly "Extra Facilities Charge" equal to 1.7% of the installed cost of the facilities, but not less than \$25, shall be billed to the Customer, for the life of the Extra Facilities service, in addition to the billing, in accordance with the applicable Rate Schedule.

Extra Facilities shall include the installed cost of extra meters and associated equipment necessary to record demand and energy at the voltage delivered to the Customer. The "installed cost of Extra Facilities" shall be the original cost of material used, including spare equipment, if any, plus applicable labor, transportation, stores, tax, **engineering**, and general expenses, estimated if not known. The original cost of materials used is the current market price of the equipment at the time the equipment is installed, whether said equipment is new or out of inventory.

When Extra Facilities furnished include a transformer or voltage regulator, metering equipment shall be installed on the City side of the transformer or regulator, or if this is not feasible, the meter shall be compensated **to** include registration of the equipment losses. Upon mutual agreement between the Customer and the City, demand and energy may be metered at primary voltage, without compensation for transformer loss, and without inclusion of any part of the metering cost as an Extra Facility.

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When the Extra Facilities requested by the Customer consist of those required to furnish service at either more than one delivery point on the premises or at more than one voltage, or both, the installed cost of the Extra Facilities to be used in the computation of the Extra Facilities Charge shall be the difference between the installed cost of the facilities made necessary by the Customer's request, and the installed cost of the facilities which the City may furnish without cost to the Customer under its other Rate or Service Schedules.

The City shall have the option of refusing requests for Extra Facilities if, on its own determination, the requested facilities are not feasible, or may adversely affect the City service to other Customers.

Contracts containing the Extra Facilities Schedule shall have a minimum original term of 5 years to continue from year to year thereafter, but the City may require the payment of removal costs in contracts with original terms of 10 years or less and may require advance payment of the Extra Facilities Charge for a period equal to one-half the original term of the contract.

If an existing Extra Facility must be modified or replaced, whether such modification or replacement is requested by the affected Extra Facility Customer, then the installed cost of Extra Facilities on which the monthly Extra Facilities Charge is based shall be the installed cost of existing equipment, plus the installed cost of new additions, less the installed cost of equipment removed. The installed cost of existing equipment shall be the same installed cost used for the said equipment immediately prior to the modification or replacement. The installed cost of new additions shall be the current market price of the said new additions at the time the new additions are installed. The installed cost of equipment removed shall be the same installed cost used for the said equipment immediately prior to removal.

#### 24-11. VGRE—VOLUNTARY GREEN/RENEWABLE ENERGY SCHEDULE

##### 1. AVAILABILITY

Available to all retail Customer Classes for the purchase of all or a portion of a Customer's energy requirements. The Customer must apply for this Service by submission of the CUSTOMER APPLICATION FOR VOLUNTARY SUBSCRIPTION TO PURCHASE RENEWABLE ENERGY attached to this Tariff as Appendix 1.

##### 2. CHARACTER OF SERVICE

Service will be provided to those Customers who volunteer to receive their energy from Green/Renewable Energy Resources. Customers can take service in Blocks consisting of 100 kWh per Block. "Green/Renewable/ Energy" means electrical energy generated by means of a low- or zero-emissions generation technology that has substantial long-term production potential and may include, without limitation, solar, wind, hydropower, ocean energy, geothermal, landfill gas, anaerobically-digested waste biomass or fuel cells that are not fossil fueled, and any other generation technology approved by the State of Delaware. Green/Renewable Energy does not include any fossil fuel or nuclear energy.

The amount of power subscribed to by the Customer shall be set out in an Application for the VGRE Rate, which is attached hereto as Appendix 1.

##### 3. TERM OF SERVICE

Standard Service shall be for an initial term of one (1) year and thereafter may be renewed on an annual term.

##### 4. MONTHLY RATES

The Rates and Terms as set out for all other Customer Rates Classes shall apply. Additionally, the Renewable Energy Premium shall apply for kWh elected by the Customer to be served by Renewable Energy Resources as stated in the Application for VGRE Rate. The Renewable Energy Premium (REP) for all classes is established by the State of Delaware and the current REP is \$0.18/Block or \$0.0018/kwh. Each Block consists of 100 kWh.

##### 5. MONTHLY MINIMUM

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Customers may elect to take VGRE Rate Service in increments of 100 kWh, however, the monthly minimum charge will be based on one Block of 100kWh.

6. OTHER TERMS AND CONDITIONS

Service will be offered to Customers on first-come-first-[served] basis as it is available for sale by the City. If applications exceed available supply, the remaining applicants will be placed on a waiting list. All other Tariff Rules and Regulations except PPCA provision applicable to the Customer Class to which a Customer belongs shall apply to Service under this Rate Schedule.

7. PUBLIC UTILITY TAX

Billings under this Rate Schedule may be increased by an amount equal to the sum of taxes payable under the Gross Receipts Tax and all other taxes, fees or charges (exclusive of ad valorem, state and federal income taxes) payable by the City and levied or assessed by any government authority on the Service rendered by the City, or on the right or privilege of rendering the Service, or on any object or event incidental to the rendition of the Service. (Reference: Section 21)

RETAIL CUSTOMERS DEMAND RESPONSE AGGREGATION

1. The City or any entity that applies to be an authorized Curtailment Service Provider and is subsequently approved by the City Manager or his designee is permitted to bid demand response on behalf of the Customers served by the City directly into PJM.
2. The Customers served by the City wishing to bid their demand response into PJM may do so by participating in the program established by the City or with a Curtailment Service Provider duly approved in advance by the City.

ANCILLARY SERVICES PROVIDED BY DEMAND RESPONSE RESOURCES

1. The City or any entity that applies to be an authorized Curtailment or Demand Response Service Provider and is subsequently approved by the City Manager or his designee is permitted to bid demand response on behalf of the Customers served by the City directly into PJM for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response Ancillary Services or their functional equivalent as defined in the PJM's Open Access Transmission Tariff.
2. Customers served by the City wishing to bid their demand response into PJM for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services or its functional equivalent may do so by participating in the program established by the City or with a Curtailment or Demand Service Provider duly approved in advance by the City.

8. TECHNICAL CONSIDERATIONS COVERING PARALLEL OPERATIONS OF CUSTOMER OWNED GENERATION OF LESS THAN ONE (1) MEGAWATT AND INTERCONNECTED WITH THE CITY'S ELECTRIC SYSTEM

1. PREREQUISITE

The Customer must be first in compliance with the Rules and Regulations and the applicable Service Classification and Rule Schedules. The terms and conditions contained herein are in addition to, but do not modify nor negate, the applicable terms of the Tariff.

2. PURPOSE

The purpose of these Technical Considerations relating to interconnection of on-site distributed generation ("Distributed Generation") and parallel generation requirements is to clearly state the

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terms and conditions that govern the interconnection and parallel operation of on-site Distributed Generation, in order to:

- A. Establish technical requirements which will promote the safe and reliable parallel operation of Distributed Generation resources;
- B. Enhance the reliability of electric service;
- C. Facilitate the implementation and use of distributed resources technologies;
- D. Enhance economic efficiency in the production and consumption of electricity and other energy resources; and
- E. Promote the use of distributed resources in order to provide electric system benefits during periods of capacity constraint.

### 3. APPLICABILITY

Unless otherwise provided, these guidelines apply to all Customer owned generation operating below 1 Megawatt which is interconnected at 25kV or below and operated in parallel with the City's power delivery System. The technical requirements of Section 15 (below) and subsequent sections of this document do not apply to NMS Rider Tariff generators using inverter technology, as requirements for these installations are already covered in the applicable codes, IEEE Standard 929, Recommended Practice for Utility Interface of Photovoltaic (PV) Systems, and UL 1741, Underwriters Laboratories Subject 1741-1999, Standards for Static Inverters and Charge Controllers for use in Photovoltaic Power Systems.

### 4. DEFINITIONS

**Account**—An account is one metered or un-metered Rate or Service classification which normally has one electric delivery point of service. Each account shall have only one electric service supplier providing full electric supply requirements for that account. A premises may have more than one account.

**Customer**—Any adult person, partnership, association, corporation, or other entity: (i) in whose name a service account is listed, (ii) who occupies or is the ratepayer for a premises, building, structure, etc., and (iii) who is primarily responsible for payment of bills. A Customer includes anyone taking Delivery Service or combined Electric Supply and Delivery Service from the City under one Service classification for one account, **premises**, or site. Multiple premises or sites under the same name are considered multiple Customers.

**Distributed Generation or On-Site Distributed Generation**—An electrical generating unit of less than 1 MW, which may be connected in parallel operation to the City's system. The on-site generation capacity shall be no greater than the capacity of the installed electric service.

**Generator Owner**—The owner of the generating system that is interconnected to the City.

**Grid**—The interconnected arrangement of lines and transformers that make up the City's electric power system. **IEEE Standard 929**—IEEE Standard entitled Recommended Practice for Utility Interface of Photovoltaic (PV) Systems, P929 Draft 11, dated July, 1999, or subsequent approved revision thereof.

**Interconnection**—The physical connection of Distributed Generation to the City's system in accordance with these guidelines so that parallel operation can occur.

**Interconnection Application**—The standard form of application which must be submitted by the Generation Owner to the City for permission to interconnect with the City system. The approved Interconnection Application sets forth the contractual conditions under which the City and Generator Owner agree that one or more generating units whose aggregate generation at the

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Point of Common Coupling is less than 1 MW may be interconnected at 25 kV or less with the City's system.

Inverter—A static power converter with control, protection and filtering functions that converts Direct Current input to Alternating Current output. Inverters must be of the non-islanding type.

Island—A portion of the City system which contains both load and Distributed Generation and is isolated from the remainder of the City system.

Parallel Operation—Any electrical connection between the Company's system and the Generator Owner's generating source.

Point of Common Coupling—The point where the electrical conductors of the City system are connected to the Customer's conductors and where any transfer of electric power between the Generator Owner and the City System takes place (such as switchgear near the meter).

Pre-Approved Equipment—Specific generating and protective equipment system or systems that have been approved by the City as meeting the applicable parts of this document.

Pre-Interconnection Study—A study or studies which may be undertaken by the City in response to its receipt of a completed application for parallel operation with the City's system submitted on the Interconnected Application form prescribed by these guidelines. Pre-Interconnection Studies may include, but are not limited to service studies, coordination studies and facilities impact studies.

Qualifying Facility (QF)—An electric generation facility which is a qualifying facility under Subpart B, Section 201 of the Federal Energy Regulatory Commission's regulations per the Public Utility Regulatory Policies Act of 1978.

Stabilized—The City's system following a disturbance which returns to the normal range of voltage and frequency for at least 5 minutes or longer as coordinated with the City. The City may require a longer period upon a reasonable showing that the reconnection after 5 minutes will adversely affect the safety and reliability of the City's System.

Unit—A Distributed Generation facility which operates at the Generator Owner's service voltage and phasing.

Utility System or Electric Distribution Facility—City's distribution system operating at 25 kilovolts or below to which the generation equipment is interconnected.

## 5. INTERCONNECTION APPLICATION

A Generator Owner shall make a formal application to the City for the interconnection of a generator to the City system. The application will be made on an Application Form provided by the City. Two Application Forms are available at the City's Office. Generators 25kw or less will use the shorter Application Form as less technical data is needed for units within this size range. Larger size Generators shall use the other Application Form.

## 6. DESIGNATION OF COMPANY CONTACT PERSONS FOR MATTERS RELATING TO DISTRIBUTED GENERATION INTERCONNECTION

The City's Electric Department will be the designated point of contact for all matters related to interconnected generation. The City will maintain records concerning applications received for interconnection and parallel operation of Distributed Generation. Such records will include the date of receipt of each such application, documents generated in the course of processing such applications, correspondence regarding such applications and the final disposition of such application.

## 7. PRE-INTERCONNECTION STUDIES

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- A. In many instances the City will wish to conduct a service study, coordination study, or facilities impact study prior to interconnection of a Distributed Generation unit. In instances where such studies are deemed necessary, the scope of such studies shall be based on the characteristics of the particular Distributed Generation unit to be interconnected and the proposed point of interconnection.
  - B. A Generator Owner who qualifies under the special NMS Rider Tariff and all generators less than 25kW are exempt from the pre-interconnection study requirement.
  - C. Completion of Pre-interconnection Study - Upon completion of the interconnection study, the City will notify the Generator Owner that his application has been approved or indicate insufficient detail why the application cannot be approved. The conducting of such pre-interconnection studies shall not unduly delay the interconnection of the Distributed Generation. In no event will such studies take longer to complete than 4 weeks after receipt of signed Customer application and Customer submittal of all required data.
  - D. Pre-interconnection Study Fee - The City will perform a pre-interconnection study without charge up to the typical and customary cost that the City would expend for the study work of similar type of Customer interconnection. If the cost to the City is expected to exceed this typical and customary amount, or if multiple submittals by the Generator Owner are necessary, the City will advise the Generator Owner of the expected cost of such study work by the City before such work begins. The Generator Owner will be responsible for payment of all costs above the typical and customary amount.

#### 8. NETWORK INTERCONNECTION OF DISTRIBUTED GENERATION

Where generation is to be connected to a network system and capable of exporting power to the Grid, the interconnection study may result in more stringent interconnection requirements.

#### 9. PRE-APPROVAL OF GENERATION UNITS, DEVICES AND SYSTEMS

Upon approval by the City that certain generating unit's protective devices and/or system(s) meet the standards set out in these guidelines, such approval shall be made available to the appropriate manufacturer upon written request. For subsequent applications using some or **all** the identical generating unit's protective devices and/or systems, the manufacturer may submit a copy of the approval with the application as proof that its equipment has already been approved for use on the City's system. Use of pre-approved equipment will not eliminate any applicable requirement for a pre-interconnection study to determine the suitability of the equipment for each application, given the unique arrangements and characteristics of both the Generator Owner and the City systems at the point of the interconnection.

#### 10. CONNECTION APPROVAL

The Generator Owner can connect their generation to the City System only after the Interconnection Application has been approved and the Generation Owner has received a written approval notification. The City will provide notification within four weeks after the receipt of the Interconnection Application and all required data.

#### 11. INTERCONNECTED GENERATION SITE WARNING LABEL

The Generator Owner shall install a warning label in a conspicuous place on their electric meter or meter box to notify the City personnel that there is a generator source installed on the load side of the meter. The warning label shall not be placed in a location that would interfere with the ability of the City personnel to read the electric meter. The City will provide the warning label to the Generator Owner. The warning label must be placed before the generation can be interconnected.

#### 12. DISCONNECTION AND RECONNECTION

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The City may disconnect a Distributed Generation unit under the following conditions:

- A. Application Termination - Upon termination of the approved Interconnection Application.
- B. **Non-Compliance** - For non-compliance with the technical guidelines specified in this document or other requirement contained in the applicable Tariff, provided that the City has given notice to the Generator Owner and provided the Generator Owner reasonable time (consistent with the condition) to correct such non-compliance. The City will reconnect the unit only upon receipt of certification from the Generator Owner and verification by the City that the unit **complies**. The City will provide verification within a reasonable time period.
- C. In Case of a system emergency outage of the City's primary Electrical Sources - The Generator Owner's generation equipment must be installed and configured so that parallel operation must automatically cease immediately and automatically during outages or loss of the City's electric source in accordance with these guidelines. The Generation Owner must also cease parallel operation upon notification by the City of a system emergency, abnormal condition or in cases where such operation is determined to be unsafe, interferes with the supply of service to other Customers or interferes with the City's system maintenance or operation. In addition, the City may disconnect the generator from the system for system emergencies without notice. However, the City will use reasonable efforts to notify the Generation Owner prior to disconnecting.
- D. For Routine Maintenance and Repairs - The City may disconnect a Customer/Generation Owner for routine maintenance and repairs on the City's system consistent with applicable tariffs and agreements. The City will make reasonable efforts to provide advance notice to the Customer/Generation Owner of service interruptions resulting from routine maintenance.
- E. The City will reconnect the Customer/Generation Owner as quickly as possible following any such service interruption.

13. TERMINATION

The Generation Owner may terminate the approved Interconnection Application at any time upon thirty (30) days of providing a written notice to the City. The City may terminate the Interconnection Application for a cause after 60 days written notice to the Generator Owner of a material violation of the terms of the approved Interconnection Application and after the Generator Owner has had a reasonable opportunity to remedy the violation. The Generator Owner must give the City notice that it intends to permanently shut down **its** generation.

14. PRIVILEGED COMMUNICATIONS CONCERNING PROPOSED DISTRIBUTED GENERATION PROJECTS

In the course of processing applications for parallel operation and in the conduct of pre-interconnection studies, the Generation Owner shall provide the City with detailed information concerning the proposed Distributed Generation project. The City shall not use such knowledge of proposed Distributed Generator projects submitted to it for review to prepare competing proposals to the Generator Owner whereby the City, or its affiliate, offers either discounted rates in return for not installing the Distributed Generation, or offers competing Distributed Generation projects.

15. TECHNICAL GUIDELINES FOR PARALLEL OPERATION OF ON-SITE DISTRIBUTED GENERATION UNITS

This subsection describes minimum requirements and procedures for safe and effective connection and operation of Distributed Generation. A Generator Owner may operate 60 Hertz, three phase or **single-phase** generating equipment, whether a QF or non-QF, in parallel with the City's system pursuant to an approved Interconnection Application provided that the equipment and Generator Owner meet or exceed the requirements of these guidelines or the NSM Rider

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Tariff requirements and that the City has approved the Generator Owner's application to interconnect. This subsection describes typical interconnection requirements. Certain specific interconnection locations and conditions may require the **installation** of additional protective settings or hardware, especially when exporting power to the system. If the City concludes that an application for parallel operation requires additional protective settings or hardware, the City shall make those requirements known to the Generator Owner within 14 days after all pertinent studies are completed.

## 16. APPROVAL FOR INTERCONNECTION

Approval to connect to the City system indicates only that the minimum requirements for a safe proper interconnection have been satisfied. Such approval does not imply that the Generator Owner's facility meets all federal, **state**, and local standards or regulations.

### A. GENERAL INTERCONNECTION AND PROTECTION REQUIREMENTS

1. The Generator Owner's generation and interconnection installation must meet all applicable national, state, and local construction and safety codes.
  - a. The Generator Owner's generator shall be equipped with protective hardware and software designed to prevent the generator from energizing one of the City's de-energized circuits. The Generator Owner's generator must automatically disconnect from the City's system if the Grid source is lost, **irrespective** of connect loads or other generators.
  - b. The generator shall be equipped with the necessary protective hardware and software designed to prevent sustained parallel operation of the generating equipment with the City's system unless the system service voltage and frequency are within acceptable magnitudes as defined in Section 15.
  - c. Pre-approved equipment shall be accepted as part of an interconnection proposal without the need to re-review the equipment itself. However, the application, design and setting of pre-approved units and/or equipment must be reviewed and coordinated according to the unique needs of the specific location of the proposed installation. Where a complete unit or system has been pre-approved, only location-specific issues will typically need to be reviewed.
  - d. The Generator Owner shall be responsible for protecting its own generating and interconnection equipment in such a manner so that City system outages, short circuits, single phasing conditions or other disturbances including zero sequence currents and Ferro resonant over-voltages do not damage the Generator Owner's generating equipment. The protective equipment shall also prevent excessive or unnecessary tripping that would adversely affect the City's service reliability to other Generator Owners and Customers.
  - e. The generator and interface protection schemes shall be continuously monitored and **functioning**, and the generator shall immediately disconnect from the City's system for any condition that would make the protection scheme inoperable.
  - f. The operating power required for the protection and control schemes for the generator and the control power used to disconnect the generator from the City must not be dependent on the City grid power.

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- g. Where multiple generators are connected to the system through a single point of common coupling, the sum of the ratings of the generators will be used to determine the applicability of these guidelines. Protection scheme performance with one or more units **offline** will have to be considered.
  - h. Applicable circuit breakers or other interrupting devices at the Generator Owner's facility must be capable of interrupting the maximum available fault current at the site, including any contribution from the Owner's generator(s).
  - i. The Generator Owner will furnish and install a manual disconnect device which, when opened, will have the effect of isolating the generator from the City's system. The disconnect device shall have a visual break (a disconnect switch, a draw-out breaker, fuse block, etc. as appropriate to the voltage level), will, at times, be accessible to the City's personnel, and shall be capable of being locked in the open position via a City padlock. The City shall use reasonable efforts to utilize padlocks of a size consistent with typical manufacturer's specifications. The Generator Owner shall follow the City's switching, clearance and tagging procedures which the City shall provide and attach the Warning Label noted in Section 11.
    - (1) On generation installations of 25kW or less, the Generator Owner may elect not to install a manual disconnect switch provided that the meter can be safely "pulled" by the City to isolate the generation equipment from the City's System. If the Generator Owner elects not to install a manual disconnect device, the Generator Owner assumes all risks and consequences when a meter must be "pulled" to disconnect the generator thereby also interrupting electric service to the Customer.
  - j. The design, procurement, installation, and maintenance of the equipment at the Generator Owner's site is the responsibility of the Generator Owner and at the Generator Owner's expense.
  - k. Any necessary enhancements or improvements needed within the City's system and/or at the Customer sites to accommodate the parallel interconnection of the Generator Owner's generation will be at the Generator Owner's expense.
  - l. The Generator Owner has full responsibility and liability for the safe and proper operation of their equipment and the power originating from their generator. The Generator Owner is also responsible for synchronizing their generator(s) with the City's system and maintaining **synchronous** operation.
  - m. The Generator Owner must immediately cease parallel operation upon notification by the City if such operation is determined to be unsafe, interferes with the supply of service to other Customers, or interferes with the City's system maintenance or operation.
  - n. The City reserves the right to specify the type of transformer connection (**e.g.**, delta-delta, wye-delta, wye-wye) that will be employed for all multiphase interface transformers consistent, where reasonable, with the Generator Owner's power system.

B. PREVENTION OF GENERATOR OWNER GENERATION INTERFERENCE WITH CITY SYSTEM.

To eliminate undesirable interface caused by operation of the Generator Owner's generating equipment, the Generator Owner's generator shall meet the following criteria:

1. Voltage - The generating equipment will be operated in such a manner that the voltage levels on the City's system are in the same range as if the generating equipment were not connected to the City's system. The Generator Owner shall provide an automatic method of initiating a disconnect sequence of his generating equipment from the City system with set points noted in the table below.

Generating Systems with Inverters Up to 25kw	Generating Systems with Inverters Greater than 25kw	Non-Inverter or Rotating Machine Generating Systems
<ul style="list-style-type: none"> <li>· Trip in 0.1 second for <math>V &lt; 50\%</math></li> <li>· Trip in 2 second for <math>50\% \leq V &lt; 88\%</math></li> <li>· Trip in 2 seconds for <math>06\% &lt; V &lt; 137\%</math></li> <li>· Trip in 0.03 second for <math>137\% \leq V</math> (Above times and voltages taken directly from IEEE 929)</li> </ul>	<ul style="list-style-type: none"> <li>· Trip in 0.1 second for <math>V &lt; 50\%</math></li> <li>· Trip within 0.1 to 30 seconds for <math>50\% \leq V &lt; 88\%</math></li> <li>· Trip within 0.1 to 30 seconds for <math>106\% &lt; V &lt; 137\%</math></li> <li>· Trip in 0.03 second for <math>137\% \leq V</math> (Specific voltage and time delay set points will be determined for each installation.)</li> </ul>	<ul style="list-style-type: none"> <li>· Trip in 0.1 second for <math>V \geq 115\%</math></li> <li>· Trip within 0.1 to 30 seconds for <math>V &gt; 110\%</math> or <math>V &lt; 90\%</math> (Specific voltage and time delay set points will be determined for each installation.)</li> </ul>

Note: Trip time refers to the time between when the abnormal voltage condition occurs, and the generator being disconnected from the utility Company.

2. On three phase generator installations, full three phase voltage sensing should be employed. Voltages must be sensed on the high side of any interface transformer if the transformer high voltage winding is ungrounded.
3. The Generator Owner may reconnect to the grid when the system voltage returns to normal range and is stabilized as defined in Section III, Definitions.
4. Flicker - The Generator Owner shall not cause excessive voltage flicker on the company's system. This flicker shall not exceed the "Borderline of Irritation" curve, Fig. 10.3, as defined in IEEE Std 519-1992, Recommended Practices and Requirements for Harmonic Control in Electric Power Systems. Lower levels of flicker may be required in areas where equipment such as computers and instrumentation are impacted.
5. Frequency - The operating frequency of the generating equipment shall not deviate more than the values noted in the table below.

Generating Systems with Inverters Up to 25kw	Generating Systems with Inverters Greater than 25kw	Non-Inverter or Rotating Machine Generating Systems
<ul style="list-style-type: none"> <li>· Trip in 0.1 second for <math>F &lt; 59.3</math> Hz</li> <li>· Trip in 0.1 second for <math>F &gt; 60.5</math> Hz</li> <li>· (Set points taken from IEEE 929)</li> </ul>	<ul style="list-style-type: none"> <li>· Trip in 0.1 second for <math>F &lt; 59.3</math> Hz</li> <li>· Trip in 0.1 second for <math>F &gt; 60.5</math> Hz (Other frequency and time delay set points may be necessary for a specific installation.)</li> </ul>	<ul style="list-style-type: none"> <li>· Trip in 0.1 second for <math>F &lt; 59.3</math> Hz</li> <li>· Trip in 0.1 second for <math>F &gt; 60.5</math> Hz (Other frequency and time delay set points may be necessary for a specific installation.)</li> </ul>

Note: Trip time refers to the time between when the abnormal frequency condition **occurs**, and the generator being disconnected from the City.

6. The Generator Owner may reconnect when the system frequency returns to normal range and is stabilized as defined in Section III, Definitions.
7. Harmonics - Non-linear circuit elements such as inverters can produce harmonics. Per IEEE Std 519, Recommended Practices and Requirements for Harmonic Control in Electric Power Systems, Table 11.1, the total harmonic distortion (THD) voltage shall not exceed 5% of the fundamental 60 Hz frequency nor 3% of the fundamental for any individual harmonic as measured at the location where the Customer interfaces with the City's system (Point of Common Coupling). In addition, the level of harmonic current that the Customer is allowed to inject into the City's system shall not exceed that specified in Table 10.3 in IEEE Std 519. Furthermore, any commutation notch should be limited as defined by Table 10.2 in IEEE Std 519. The preceding requirements apply to all types of generation systems.
8. The Generator Owner is responsible for the installation of any necessary controls or hardware to limit the voltage and current harmonics generated by his equipment to defined levels.
9. Power Factor - The generator must not adversely impact the power factor of the Generator Owner site. Most inverters are designed to operate close to unity power factor. The operating power factor of the generator shall be contained within the limits defined in the table below.

Generating Systems with Inverters Up to 25kw	Generating Systems with Inverters Greater than 25kw	Non-Inverter or Rotating Machine Generating Systems
0.85 Lagging or Leading when output exceeds 10% of inverter rating. (From IEEE 929-1999)	0.85 Lagging or Leading When output exceeds 10%of inverter rating	0.85 Lagging or Leading

10. To the extent that a Generator Owner's power factor at the Point of Common Coupling falls below 0.9 lagging as a direct result of the installation of the generating unit(s), the Generator Owner must obtain, **install**, and maintain, at his expense, corrective apparatus that compensates for the drop in power factor caused by the installation of the generator.
11. Current - In some cases, directional over-current protection may be required to limit fault current flowing onto the Grid in the event of a line fault. DC inverters that are incapable of producing fault current do not require directional over-current protection.
12. Inverter systems should not inject DC current greater than 0.5% of rated inverter output in the AC interface point under either normal or abnormal conditions.
13. Fault and Line Clearing - The Generator Owner shall automatically disconnect from the City's system during electrical faults **to** the City's electrical system and upon loss of the City's electric source. The Generator Owner may reconnect when the system voltage and frequency return to normal range and is stabilized as defined in Section III,

Definitions. Detection of the loss of the City's primary electric system, where the Generator Owner is operating **on** an island with other Customer load, becomes increasingly difficult as the level of dispersed generation on a feeder approaches the connected load. For generating units 25kw and below, the over/under voltage and over/under frequency settings described previously along with the anti-**islanding** provisions of IEEE 929/UL 1746 inverters, should be sufficient to satisfy this provision. For units greater than 25kw the voltage and frequency set-points are to be adjustable, with the actual setting determined by the City based on the electrical characteristics of the generator and the City's electrical system. In addition, additional protection such as power directional or directional overcurrent functions may be required. For units 500kw or larger, a direct tripping scheme to trip the generator upon loss of the City's feeder may be required by the City. This decision will be based on the saturation of Distributed Generation on a particular feeder circuit and in those cases where under voltage or under frequency sensing may not adequately detect loss of the City source.

14. Automatic Reclosing - The Generator Owner is responsible for protecting his equipment from the effects of switching or automatic reclosing of the City's feeder circuit. The Generator Owner may request the City to delay high speed reclosing on the City's feeder to allow the interconnected generator sufficient time to remove itself from an **islandized islanding** or de-energized feeder prior to automatic reclose. Since delaying the automatic reclose time degrades the level of service provided to other Customers on the circuit, the City will limit the automatic reclose time delays to a few seconds or less. The Generator Owner may also request that a direct transfer trip scheme be added to remove the interconnected Generator from service prior to automatic reclosing by using communications equipment between the generator site and the City. **Similarly**, the Generation Owner may request that a synchronizing check, or reclose blocking scheme be installed on the City's feeder to prevent out of phase reclosing. The Generation Owner is responsible for all costs associated with the installation and maintenance of these requested modifications.

C. CONTROL, PROTECTION AND SAFETY EQUIPMENT REQUIREMENTS SPECIFIC TO GENERATORS OF 25 KW OR LESS.

1. All Generators 10 kW or less can be single phase. Customer owned generators greater than 10 kW must be evaluated by the City to determine if it can be single phase. The following table describes necessary control, **protection**, and safety equipment specific to generator of 25 kW or less connected to Secondary or Primary Voltage Systems:
  - a. Control, Protection and Safety Equipment for Generators of 25 kW<sup>1</sup> or Less Connected to Secondary or Primary System.

<b>Generator Size 25kW or less</b>	
Generator Disconnect Device <sup>2</sup>	X
Over-Current Trip	X
Over-Voltage Trip	X
Under Voltage Trip	X
Over/Under Frequency Trip	X

Synchronizing Check <sup>3</sup>	Manual or Automatic
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Notes:

- 1) Exporting to the City system **may** require additional operational/protection devices.
- 2) Generator Owner may elect to have the meter act as the disconnect device.

(See XIV.A.10)

- 3) For synchronous and other **types** of generators with stand-alone capability.

D. CONTROL, PROTECTION AND SAFETY REQUIREMENT SPECIFIC TO THREE PHASE SYNCHRONOUS GENERATORS, INDUCTION GENERATORS, AND INVERTER SYSTEMS.

1. Generators greater than 25 kW must be three phase machines connected to three phase circuits.
  - a. Three Phase Synchronous Generators. Generator circuit breakers shall be three phase devices with electronic or electromechanical control. The Generation Owner is solely responsible for properly synchronizing his generator with the City's system. For a synchronous generator, the excitation system response ratio shall not be less than 0.5 (five-tenth). The generator's excitation system(s) shall confirm, as near as reasonably achievable, to the field voltage vs. time criteria specified in American National Standards Institute Standard C50.13-1989 in order to permit adequate field forcing during transient conditions.
  - b. Three Phase Induction Generators and Inverter Systems. Induction generation may be connected and brought up to synchronous speed (as an induction motor) if it can be demonstrated that the initial voltage drop measured on the City's side at the point of common coupling is within the visible flicker limits stated in Section XIV.B.2. Otherwise, the Generator Owner may be required to install hardware to other techniques to bring voltage fluctuations to acceptable levels. Line-commutated inverters do not require synchronizing equipment. Self-commutated inverters whether of the utility-interactive type or stand-alone type shall be used in parallel with the City system only with synchronizing equipment.

Control, Protection and Safety Equipment<sup>1</sup>

Less than 1 MW Three Phase Connected to Primary System	
Generator Disconnect Device <sup>2</sup>	X
Over-Voltage Trip	X
Under Voltage Trip	X
Over-Current Trip	X
Over/Under Frequency Trip	X
Ground Over-Voltage Trip <sup>3</sup>	
OR	X
Ground Over-Current Trip <sup>3</sup>	
Synchronizing Check <sup>4</sup>	Manual or Automatic
Power Direction <sup>5</sup>	X
Transfer Trip/Reclose Blocking <sup>6</sup>	X

Notes:

- 1) Exporting to the City's system may require additional operating/protection devices and will require coordination of operations with the City.
- 2) For installations of 25kW or less, the Generation Owner may elect to have the meter act as the disconnect device. (See XIV.A.10)
- 3) Selection depends on grounding system, if required, by the City.
- 4) For synchronous and other types of generators with stand-alone capability.
- 5) To be determined on a **site-specific** basis. The relay will operate if the power flow from the generator into the Grid exceeds a predetermined level. A time delay will have to be incorporated into this relay to prevent it from operating during synchronous swings.
- 6) May be required as part of any necessary transfer tripping/reclose blocking protection scheme.

E. REQUIREMENTS SPECIFIC TO GENERATORS PARALLELING FOR 0.1 SECOND OR LESS (CLOSED TRANSITION SWITCHING)

1. The table below shows the protective functions required by this requirement for generators less than 1 MW which parallel with the City's system for 0.1 second or less such as during source or load transfers.

Control, Protection and Safety Equipment  
 Generators Connected to Secondary or Primary System Voltage  
 For 0.1 Second or Less  
 (Closed Transition Switching)

Generator Size Up to 1 MW	
Over-Voltage Trip	X
Under Voltage Trip	X
Synchronizing Check <sup>1</sup>	
Manual or Automatic	
Excessive Closed Time Trip <sup>2</sup>	X

Notes:

- 1) For synchronous and other types of generators with stand-alone capability.
- 2) Scheme will trip generator if closed transition parallel mode remains in effect longer than 0.1 second. Reverse power relay and current transformer may be required by the City.

F. INVERTER TYPE

DC Generation installations using inverters for interconnection with the City must use non-islanding type inverters as defined in IEEE 929, IEEE Recommended Practices for Utility Interface of Photovoltaic (PV) Systems (including Annex B, D, E, and G) and UL Subject 1741, May 1999, Standard for Static Inverters and Charge Controllers for use in Photovoltaic Power Systems.

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G. INSPECTION AND START-UP TESTING

The Generator Owner shall provide the City with reasonable prior notice at least 2 weeks before the initial energizing and start-up testing of the Generator Owner's generating equipment and the City, at its discretion, shall witness the testing of any equipment and protective systems associated with the interconnection. The Generator Owner shall revise and re-submit the application information for any proposed modification that may affect the safe and reliable operation of the City's system. The generator may be reconnected to the City system only after the modified application has been reviewed, testing has been confirmed and the City has given approval to reconnect.

H. SITE TESTING AND COMMISSIONING

Testing of protection systems shall include procedures to functionally test all protective elements of the installation up to and including tripping of the generator and interconnection point. Testing and testing intervals should be in accordance with **manufacturers** and industry recommendations. Testing will verify all protective set points and relay/breaker trip timing. The City may witness the testing of installed switchgear, protection systems, and generator. The Generator Owner is responsible for all maintenance of the generator, **control**, and protective equipment. The Generator Owner will maintain records of such maintenance activities which the City may review at reasonable times. For generation systems greater than 500 kW, a log of generator operations may be required in order to determine its output and run times for system planning purposes.

I. METERING

Metering requirements will be reviewed on each specific installation.

J. DEDICATED TRANSFORMER

A dedicated transformer will be required where the Generator Owner is served from the same transformer secondary as another City's Customer and inverter-based technology not meeting IEEE 929-1999 and IEEE 519-1992 specifications is used. In addition, a dedicated transformer or other current-limiting device is needed for any type of generator installation where the increase in available short circuit current could adversely impact other City's Customers on the same secondary circuit.

K. SUGGESTED REFERENCES

The following references can supply technical support and insight into the safe, reliable interconnection of Distributed Generation with the City's systems. These references should be reviewed by those individuals or firms contemplating parallel operation of generation with the City.

IEEE C37.95 (1989) - IEEE Guide for Protective Relaying of Utility-Consumer Interconnections

IEEE Std 1001 (1988) - IEEE Guide for Interfacing Dispersed Storage and Generation Facilities with Electric Utility Systems

IEEE Std 929 - IEEE Recommended Practices for Utility Interface of Photovoltaic (PV) Systems

IEEE Std 1021 (1988) - IEEE Recommended Practices for Utility Interconnection of Small Wind Energy Conversion Systems

IEEE Std 519 - 1992 - IEEE Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems

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## 24-12. NET METERING SERVICE

### 1. AVAILABILITY

This Net Metering Service (NMS) Rider is available to all Customers, including all Farm Customers, who own their renewable power generation resource(s) (Customer Generator). The primary intent of this installation is to offset part or all the Customer's own electricity requirements. Capacity under the NMS Rider cannot be more than 25 kilowatts for Residential Customers, 100 kilowatts for Farm Customers or usage for farming activities and 500 kilowatts for all other non-Residential Customers. The primary source of fuel must be solar, wind, hydro, fuel cell, gas from anaerobic digestion of organic material or another approved source of renewable energy which must be located at the Customer's premises for which the Customer is using the NMS Rider. The NMS Rider is applicable to a Customer-Generator interconnected and operated in parallel with the City's transmission and/or distribution facilities. Application for the installation of a Customer Generator system in excess of the above-specified limitations, but not to exceed 2 megawatts, may be considered at the City's sole discretion and shall be made under a special contract.

Any Customer who elects the NMS Rider must apply by filling out the Generation Interconnection Application at least 60 days in advance of the proposed activation date. Approval of the application by the City must be granted prior to activation of the electric generation facility.

The City may elect not to provide the NMS to any additional Customer-Generators should the total generating capacity exceed the threshold outlined in Title 26 of the Delaware State Code.

### 2. APPLICATION FOR THE NMS RIDER

Any Customer who elects the NMS Rider must apply by filling out the Generation Interconnection Application at least 60 days in advance of the proposed activation date. The Application must include the generator size, type, manufacturer, and manufacturer specifications of all components of the electric generation facility. Approval of the application by the City must be granted prior to activation of the Customer Generator.

### 3. CONNECTION TO THE CITY'S SYSTEM

- A. The Customer Generator cannot be connected to the City's system unless it meets all applicable safety and performance standards set forth by the following: The Technical Considerations Covering Parallel Operations of Customer Owned Generation dated January 1, 2007, National Electric Safety Code, Underwriters Laboratories, Institute of Electrical and Electronic Engineers, North America Electric Reliability Council ("NERC") and the City's Electric Service Handbook. Special Attention should be given to the National Electric Code Sections 690 and 705. The Customer must, at his expense, obtain any and all necessary permits, inspections, and approvals required by any local public authorities and any other governing regulations in effect at that time. All the interconnection with the City's System shall be either done by the City or approved by the City.
- B. The Customer Generator must be installed and configured so that parallel operation must cease immediately and automatically during system outages or loss of the City's primary power supply. The Customer must also cease parallel operation upon notification by the City of a system emergency, abnormal condition, or in cases where such operation is determined to be unsafe, interferes with the City's supply of service to other Customers, or with the operation or maintenance of the City's system. Customer Generator system and equipment that comply with the above listed codes and standards shall be deemed to have generally complied with these requirements.
  1. If it is necessary for the City to extend or modify portions of its systems to accommodate the delivery of electricity from the Customer Generator, such extension or modification shall be performed by the City at the Customer's expense. For new Customers, such

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expense shall be determined by the difference between the total cost and the investment the City would make to install a normal service without the Customer Generator.

- C. In the event that a net-metering customer abandons the property where the energy generating equipment is located, the equipment may remain connected to the electric distribution system, unless the equipment presents a risk to the safety and reliability of the electric distribution system.
4. DELIVERED VOLTAGE

The delivered voltage and delivery point of the Customer Generator shall be at the same delivered voltage and delivery point that would be supplied by the City if the Customer purchased all its electricity from the City.
  5. CONTRACT TERM

The contract term shall be the same as the Customer's applicable Rate Schedule or Service Classification.
  6. RATE
    - A. The monthly billing shall be as stated in the Rate Schedule applicable to the Customer. Under the NMS Rider, only the per kWh charge component billed for electricity delivered by the Customer is affected. The Customer will pay for all kWh delivered by the City to the Customer. If the Customer has delivered electricity to the City system, the City will provide for Customers to be credited in kilowatt hours valued at an amount per kilowatt hour equal to the sum of Delivery Service charges and Supply Service charges for Residential Customers, and the sum of the volumetric energy (kWh) components of the Delivery Service charges and Supply Service charges for non-Residential Customers for any excess energy production of their generating facility that exceeds the Customer's on-site consumption of kWh in a billing period. Excess kWh credits shall be credited to subsequent billing periods to offset a Customer's consumption in those billing periods. Disposition of excess kWh Credits at the end of the annualized billing period shall be in accordance with Delaware State Code
  7. METERING

An electric meter service will be installed at the Customer's location to measure the energy consumed and the energy delivered to the City system. The City will furnish, install, maintain, and own all metering equipment. Cost will be determined under the Additional Costs and Responsibilities clause below.
  8. ADDITIONAL COSTS AND RESPONSIBILITIES

The Customer will be required to pay for any additional transmission and distribution costs, the cost of metering, transformation, system protection, and any related safety/protective equipment in excess of what would normally be paid for by the City. Protective equipment will be installed by the Customer to provide safety for personnel, provide adequate protection for the City's electric utility system and to the Customer's property, and to prevent any interference with the City's supply of energy to the City's Customers. This equipment will be owned, installed, and maintained by the Customer at its own expense.
  9. FAILURE TO COMPLY

The City may disconnect the **Customer's** Service from the City's electric system if the Customer fails to comply with any of the provisions of the NMS Rider. The City also retains the right to disconnect the Customer Generator if it interferes with the City's Service or poses a safety or reliability risk to the City's electric system. The Customer shall also be responsible for all the penalties and costs caused by Customer's failure to comply with this Section.
  10. RULES AND REGULATIONS

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All the City's applicable Rules and Regulations shall apply to the Service rendered under this NMS Rider. All minimum billings, charges for kWh, kW, Purchased Power Cost Adjustment, General Cost Adjustment, Public Utility Tax, Renewal Energy Charge, etc. will be covered under the applicable Rate Schedule.

[Ord. No. 2017-12, §§ 2—8, 5-8-2017; Ord. No. 2018-27, § 1, 10-9-2018; Ord. No. 2020-13, §§ 3—5 , 5-11-2020; Ord. No. 2022-43, § 2, 11-28-2022; Ord. No. 2023-19, § 4, 4-24-2023]

Editor's note(s)—Ord. No. 2017-12, §§ 2—8, adopted May 8, 2017, amended § 24 in its entirety to read as herein set out. Former § 24 pertained to fee schedule.

## **APPENDIX 1—APPLICATION FOR VOLUNTARY RENEWABLE/GREEN ENERGY (VGRE) SERVICE**

City of Milford offers the Customer the choice of contributing to the development of renewable energy. The Customer can sign up by completing the following application. Each 100-kWh block of renewable energy will result in an additional monthly charge specified in the VGRE Service Classification. This selection will appear on your Electric bill as a separate item. The renewable energy charge is an additional fee to the Customer's regular monthly electric bill. Participation in this program is for a one-year period. The Customer's subscription will automatically renew on an annual basis, absent 30-day prior written notification of cancellation.

### **Contact Information**

Customer's Name:

(As it appears on your electric bill)

Customer's Account Number:

(Found on your electric bill)

Service Address:

(Customer's street address)

**IMPORTANT:** Day-time telephone number where we can reach you with any questions regarding your application:

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Enter the number of 100 kWh blocks of renewable energy desired, then multiply number of blocks by the rate per kWh specified in the VGRE Service Classification Rate to obtain the additional total monthly cost for the renewable energy subscription:

\_\_\_\_\_ Blocks X VGRE Rate, \$/Block = \$\_\_\_\_\_

(This Cost will be an addition to the Customer's regular monthly electric bill.)

I have reviewed and understand the terms and conditions of City's Voluntary Renewable Energy Tariff. I hereby request service under the Voluntary Renewable Energy Subscription Tariff and agree to be bound by the terms and conditions of that tariff.

\_\_\_\_\_  
Signature of Customer

Date

Mail To Customer Service Center at:

City of Milford  
119 S Walnut Street  
Milford, DE 19963

PART II - GENERAL LEGISLATION  
APPENDIX B - ELECTRIC RULES AND REGULATIONS  
APPENDIX 1—APPLICATION FOR VOLUNTARY RENEWABLE/GREEN ENERGY (VGRE) SERVICE

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Section 5. Dates.

Introduction: 09/25/2023

Adoption: 10/09/2023

Effective: 10/19/2023

For related questions or to view a complete copy of APPENDIX B ELECTRIC RULES AND REGULATIONS of the Code of the City of Milford, please contact the City Clerk's Office by calling 302-422-1111 Ext 1300 or 1303 or by emailing [cityclerk@milford-de.gov](mailto:cityclerk@milford-de.gov). If further information on this or other matters is needed, you may also visit the City of Milford website at [cityofmilford.com](http://cityofmilford.com).

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