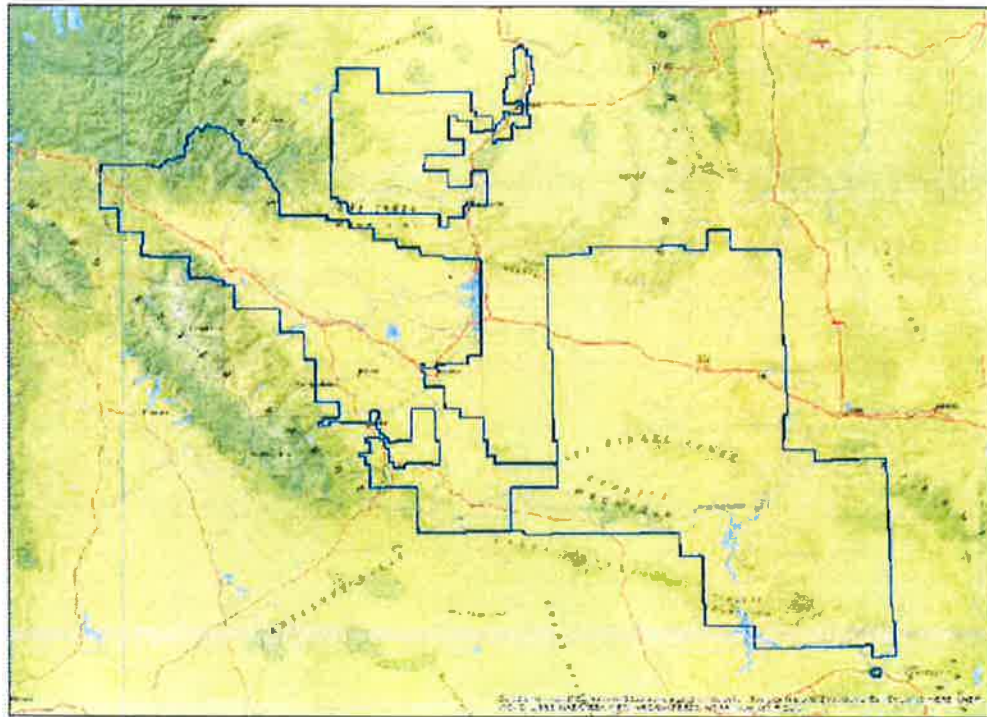




1775 East Monroe Street
Riverton, WY 82501

RULES, REGULATIONS, AND RATES

Certificated Territory



- District 1 – Jeffrey City, Gas Hills, Hudson areas
- District 2 – Ft. Washakie to Lander areas
- District 3 – Dubois area
- District 4 – Rural Riverton areas
- District 5 – North of Riverton and Midvale areas
- District 6 – Arapaho and Riverview areas
- District 7 – Crowheart area
- District 8 – Pavillion to Ethete areas
- District 9 – Lysite, Lost Cabin, Moneta, Grass Creek and Hamilton Dome areas
- District 10 – Worland area
- District 11 – High Plains Power Member-Owners in Natrona & Johnson Counties
- District 12 – High Plains Power Member-Owners in Carbon County

PUBLIC SERVICE COMMISSION
APPROVED

EFFECTIVE:

JUL 06 2017

10020-0058-CT-16

DOCKET NO:

STATE OF WYOMING

**RULES AND REGULATIONS
SCHEDULE OF FEES, ALLOWANCES & SUPPLEMENTAL RATES**

<u>Description</u>	<u>Charge</u>
Security Deposit	
<u>Residential</u>	
Maximum	Up to three (3) months of highest use based on the premises' monthly bills during the immediate previous 12-month period
If no location history	\$300
<u>Irrigation</u>	
With history	Up to three (3) months of highest use based on the premises' monthly bills during the immediate previous 12-month period
New service/No history	(installed h.p. x 12 days x 24 hours x 3 months x irrigation kWh charge) + (installed h.p. x irrigation h.p. charge per month x 3 months)
<u>Large Power</u>	
With history	Up to three (3) months of highest use based on the premises' monthly bills during the immediate previous 12-month period
New service/No history	Estimated 3 months of usage based on service request
Allocation Factor	9.09%
Reconnection Fee	
Business hours (8:00 a.m. - 4:30 p.m. Monday to Friday, excluding holidays)	\$45
After business hours (after 4:30 p.m. and holidays)	\$150
Line Extension Contribution	
Single-Phase	\$1,400
Three-Phase	\$1,900

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By: Marlene Morss

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JUL 06 2017

HIGH PLAINS POWER, INC.
1775 East Monroe
P.O. Box 713
Riverton, WY 82501

P.S.C. Wyo. No. 2
1st Revised Sheet No. SF-2
Cancels Original Sheet No. SF-2

Return Check Fee	\$25
Collection Visit Fee	\$45
Administrative Fee Assessed to accounts not billed through the normal billing software program (such as special contract or commercial accounts that require subtractive metered usage beyond their respective meters)	\$40 monthly
Temporary Service Fee	\$200
Idle Service Fee	75% of normal monthly facility charge for rate class
Monthly Penalty Interest on past due account, does not apply to disputed balances	1.5%
Commission Authorized Interest Rate	Set annually by Wyoming PSC
2nd Meter Accuracy Test Charge in 12 months	\$255
Staking Fee	\$100
Materials	
Member-Owner	20% plus cost
Nonmember-Owner	30% plus cost
Nonmember non-material direct charges	Cost

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STATE OF WYOMING

Avoided Cost	2020: \$0.01897 per kWh 2021: \$0.01987 per kWh 2022: \$0.02384 per kWh 2023: \$0.01632 per kWh
Employee Time	\$75 per hour
Digger Truck	\$70 per hour
Big Bucket Truck	\$65 per hour
Small Bucket Truck	\$45 per hour
Crew Truck	\$20 per hour
Backhoe/Trencher/Bobcat/ Vac Trailer/Plow/Semi	\$75 per hour

Date Issued: August 26, 2022

Effective Date: October 1, 2022

By: Darick Eisenbraun

Title: Chief Executive Officer
PUBLIC SERVICE COMMISSION
APPROVED
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STATE OF WYOMING

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Riverton, WY 82501

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STATE OF WYOMING

RULES AND REGULATIONS

GLOSSARY OF TERMS

AMPERAGE RATING - equipment rating for the flow of electricity.

CIRCUIT BREAKER - a switch that automatically interrupts an electric circuit under a faulted condition.

COMMISSION - Wyoming Public Service Commission.

COOPERATIVE - regarding High Plains Power, Inc., is a nonprofit, member-owned electric utility governed by the Board of Directors elected by the members.

CO-GENERATION - a Member-Owner owned generation from wind, solar or other source that is connected to the grid through the Member-Owner's meter.

DISTRIBUTION FACILITIES - electrical facilities that are used at distribution level voltages.

EXTENSION - any addition to existing electrical facilities to provide service to a Member-Owner or group of Member-Owners.

HARMONIC DISTORTIONS - voltage and current distortions that result in an adverse change in the supplied electricity caused by installation of electrical equipment on the Member-Owner's side of the point of delivery.

IDLE SERVICE - Any electrical account that has been disconnected for a period of twelve (12) consecutive months and is not presently paying an electric bill.

LOCKING DEVICE - a means of securing the meter to the meter base to prevent unauthorized access to the meter and related equipment.

MEMBER-OWNER - those persons who by their application for membership and acceptance by the Board of the Cooperative are part owners of High Plains Power, Inc., a rural electric cooperative.

METER - a device that is capable of measuring the flow (usage) of electricity.

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PUBLIC SERVICE COMMISSION
Title: General Manager

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POINT OF DELIVERY - the outlet point where the Cooperative's service facilities are connected with the Member-Owner's facilities, unless otherwise altered by a service contract. If the Cooperative's facilities are connected with the Member-Owner's facilities at more than one point, each connecting point shall be considered a separate point of delivery, unless the additional connection points are made by the Cooperative for its sole convenience in supplying service. Additional service of a different type supplied by the Cooperative shall also be considered a separate point of delivery.

RIGHT-OF-WAY - an easement, or a legal right of access to go over or across land, a service line permit, a franchise agreement, or any other possessory right or interest granted to the Cooperative to locate Cooperative facilities on a person's land.

SERVICE DISCONNECTS - electrical equipment that provides a means of electrically disconnecting the load from the supply.

SERVICE ENTRANCE EQUIPMENT - all electrical equipment such as meter sockets, meter masts, or circuit breakers that are required by applicable codes to provide service to an electrical load.

SINGLE-PHASE SECONDARY SERVICE - secondary voltage, as described in Section VI(7), supplied through transformation by a high voltage underground supply and/or overhead supply to the point of delivery.

STAKING FEE - a non-refundable charge assessed for initial review and processing of any request for extension of service. When service facilities are installed, the staking fee will be deducted from the total cost of construction.

SUBSTATION - a secure area containing electrical facilities that protect and regulate voltages for the distribution or transmission of power.

THREE-PHASE PRIMARY LEVEL SERVICE - service provided to a Member-Owner at a distribution voltage level, as described in Section VI(7). The Member-Owner is responsible for all the distribution facilities beyond the point of delivery.

THREE-PHASE SECONDARY SERVICE - secondary voltage, as described in Section VI(7), supplied through transformation by a high voltage underground supply and/or overhead supply to the point of delivery.

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TIME ZONE – all times will be set to local times for the State of Wyoming and follow daylight savings time as set by the state.

TPP DEMAND – The Tri-State Peak Period (TPP) is the time period from 12:00 PM (noon) through 10:00 PM (the billing ¼ hour period ending 12:15 PM through the billing ¼ period ending at 10:00 PM) daily, Monday through Saturday, with the exception of the following six (6) holidays if occurring on Monday through Saturday: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

TRANSFORMER CAPACITY - is used in connection with determining the minimum bill under a rate schedule. The Member-Owner will be charged for the minimum standard transformer capacity which is required to carry the load rather than the capacity installed. High Plains Power, Inc. may install larger transformers than actually required. Where two or more Member-Owners are served from the same transformer, the minimum charge for each shall be based on the transformer capacity that would normally be installed for each individual's requirements.

TRANSFORMER kVA - kilovolt amperes; the transformer rating required to serve the electrical load.

TRANSMISSION FACILITIES - electrical facilities that are used primarily at transmission voltages.

RULES AND REGULATIONS

I. Application Of Rules And Regulations

These Rules and Regulations apply to each Member-Owner receiving electric service from High Plains Power, Inc. These Rules and Regulations are a part of every contract made by High Plains Power, Inc., unless modified by special terms written therein, and govern all classes of service.

These Rules and Regulations may be revised, amended, supplemented or otherwise changed from time to time by the Board of Directors of High Plains Power, Inc. upon approval of the regulatory authority having jurisdiction. Copies are available at the offices of the Cooperative.

II. Application For Membership And Service

1. Membership And Service Contract

Application for membership and service may be made at the offices of the Cooperative or to a duly authorized agent or employee.

2. Application Contents

The application shall contain a description of the premises to be served, whether the applicant is the owner, agent, or tenant of the premises, and other information as the Cooperative may reasonably desire.

3. Service Contract Term

Standard service contracts involving an extension of service shall be for a minimum term of five (5) years. Where large or special investment is necessary for the supply of service, service contracts of longer term or with a special guarantee of revenue, or both, may be requested to safeguard such investment.

4. Acceptance Of Contract

An application for a service contract, when signed by the Member-Owner and approved by the Board of Directors, shall constitute the contract between the

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Member-Owner and the Cooperative and no other agent of the Cooperative has the power to modify, alter, or waive any of its conditions.

III. Rate Classification Of Member-Owners

Service shall be classified for the purpose of determining the applicable rate schedule in accordance with the Member-Owner's use of power. Rates are normally established on a twelve (12) month basis. A Member-Owner having accepted a rate suited for their service requirements may not change to another rate classification within a twelve (12) month period or avoid any applicable monthly facilities charges by requesting disconnection or reconnection within that twelve (12) month period, unless there is a substantial change in the character or condition of the service as determined by the Cooperative. Any request for disconnection/reconnection will be billed all applicable costs.

1. Single-Phase Service

Available to all Member-Owners of the Cooperative for general-purpose single-phase secondary service.

2. Residential Time Of Use Service(off-peak) - CLOSED RATE

Available to existing Member-Owners that use single-phase, standard secondary voltages for their controlled electric service.

3. Seasonal Single-Phase Service

Applicable to seasonal recreational cabins, and miscellaneous farm services such as water wells, livestock sheds, or mutually agreed upon uses.

4. Small Three-Phase Service

Applicable to Member-Owners of the Cooperative to the extent that appropriate facilities exist or it is feasible to install the facilities for three-phase secondary loads.

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5. Large Power Three-Phase Service

Applicable to all Member-Owners to the extent that appropriate facilities exist or it is feasible to install the facilities for three-phase loads that serve in excess of 45 kVA of installed transformer capacity.

6. Irrigation Service

Applicable to Member-Owners to the extent that appropriate facilities exist or it is feasible to install the facilities for irrigation during the irrigation season which is April 1st to September 30th of each year.

7. Renewable Co-Generation Service

Applicable to Member-Owners of the Cooperative who install facilities on their property for the purpose of generating electric power. This classification includes wind generation, solar-electrical generation, and other generation from reasonable renewable power resources that are eligible for net metering pursuant to W.S. §37-16-101 to 104.

IV. Member-Owner Deposits

The Cooperative may require a deposit to guarantee payment for each service. This deposit shall not be considered advance payment of bills, but shall be held as security for payment of service rendered. The Cooperative may refuse service to an applicant or discontinue service to a Member-Owner for failure to comply with this Article. The Cooperative shall apply the policies governing Member-Owner deposits uniformly.

1. The Cooperative may require a deposit if:
 - (a) A prior service account with the Cooperative remains unpaid and undisputed at the time of application for service;
 - (b) Service from the Cooperative has been terminated for:
 - (i) Nonpayment of any undisputed delinquent bill;
 - (ii) Failure to reimburse the Cooperative for damages due to the Member-Owner's negligent or intentional acts; or

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- (iii) Acquisition, diversion or use of service without the authorization of or knowledge by the Cooperative.
- (c) Information provided upon application for service is materially false or a misrepresentation;
- (d) The application is for initial service with the Cooperative or the applicant did not have service with the Cooperative for a period of at least twelve (12) consecutive months during the past four years;
- (e) The applicant or non-residential Member-Owner is unable to pass the Cooperative's objective credit screening. In order to pass the objective credit screening, the applicant or non-residential Member-Owner must fulfill one or a combination of the following:
 - (i) Have received twelve (12) consecutive months of service from the Cooperative, with the undisputed portions of the (twelve) 12 most recent bills paid in full when due;
 - (ii) Have a favorable credit rating with a third-party credit reporting agency;
 - (iii) Receive a favorable credit rating from the Cooperative's financial risk assessment tool; or
 - (iv) Provide an acceptable letter of credit or business reference.
- (f) The request is for service at an address where a former Member-Owner with an undisputed delinquent bill for service still resides or conducts business;
- (g) The applicant for service, or Member-Owner, has been brought within the jurisdiction of the bankruptcy court, or has had a receiver appointed in a state court proceeding, within the five-year period immediately preceding the request for service; or
- (h) The Cooperative has determined that it has a significant financial risk in continuing to provide service to a specific load or non-

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residential Member-Owner. The Cooperative and Member-Owner may attempt to reach a deposit agreement. If the Cooperative and Member-Owner are unable to reach an agreement, the Cooperative shall file a confidential petition requesting expedited review and Commission approval prior to collecting the Member-Owner's deposit. The petition shall contain the basis for the Cooperative's determination, the amount of deposit sought and sufficient information for the Commission to contact the Member-Owner.

2. The Cooperative shall not require a deposit as a condition of new or continued utility service based upon any criterion not specifically authorized by the Rules of the Commission.
3. The required deposit shall not exceed the total amount of the Member-Owner's estimated bill for three (3) months of highest use based on the premises' monthly bills during the immediate previous twelve (12) month period. If billing information for the immediate previous twelve (12) month period is not available, the deposit shown in the Schedule of Fees at Page SF-1 shall apply for residential Member-Owners. For all other Member-Owner classes, the deposit will be based on anticipated service characteristics and anticipated load.
4. The Cooperative shall retain records showing:
 - (a) The name and address of each Member-Owner making the deposit;
 - (b) The date and amount of the deposit; and
 - (c) Each accounting transaction concerning the deposit.
5. The Cooperative shall provide the Member-Owner a non-assignable receipt or other record of deposit, showing the date and amount received.
6. The Cooperative shall calculate simple interest on deposits at the Commission Authorized Interest Rate, described in the Schedule of Fees at Page SF-1. Interest shall apply only to deposits held for at least six (6) months, but shall accrue from the initial date of deposit through the date the deposit is returned to the Member-Owner.

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7. Deposits and any unpaid interest earned on deposits shall be applied as a credit to the Member-Owner's bill, unless requested by the Member-Owner to be refunded, when:
- (a) The accrued interest equals or exceeds \$10.00. The Cooperative shall apply the credit at least annually;
 - (b) A residential Member-Owner has received twelve (12) consecutive months of service, with no cause to disconnect, and the Member-Owner's bills have been paid when due;
 - (c) A commercial or industrial Member-Owner has received twelve (12) consecutive months of service with no cause to disconnect, the Member-Owner bills have been paid when due, and the Member-Owner passes the Cooperative objective credit screening; or
 - (d) Service is discontinued. The Cooperative shall not require the Member-Owner to provide the original receipt in order for the deposit to be returned. Any credit balance on the account after the deposit is applied shall be refunded to the Member-Owner. If the Cooperative is unable to make the refund due to lack of knowledge of the Member-Owner's location, additional interest will not accrue after the service discontinuation date. The Cooperative shall manage such deposits as unclaimed property as required by Wyoming law (W.S. § 34-24-109).

V. Refusal To Serve New Member-Owners Or Expand Existing Service

The Cooperative may refuse to provide, expand or materially change service to a requesting Member-Owner when:

- 1. The Cooperative does not have adequate facilities to render the service requested and the Member-Owner will not pay the line extension costs;
- 2. The requested service appears to be unsafe or likely to adversely affect service to another Member-Owner; or

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3. The requesting Member-Owner is indebted to the Cooperative for damages to Cooperative property or Cooperative related service charges previously rendered and satisfactory payment arrangements have not been made with the Cooperative.
- (a) If indebtedness for service rendered at a former location is in dispute, the requesting Member-Owner shall be provided service at the new location upon complying with the Cooperative's deposit requirements and paying the amount in dispute. Upon settlement of the disputed amount, any balance due the Member-Owner shall be refunded with accrued interest at the Commission Authorized Interest Rate as described on the Schedule of Fees at Page SF-1.
 - (b) The Cooperative shall not refuse service to a new Member-Owner because of debts of a previous Member-Owner at the same location.
 - (c) The Cooperative may refuse service due to unpaid line extension charges for facilities serving the location.

VI. Member-Owner's Wiring And Equipment

1. Member-Owner's Installation

A Member-Owner's service entrance equipment and wiring shall be installed in accordance with the National Electrical Code or any code of any governmental authority having jurisdiction and shall be subject to inspection and approval by agencies having jurisdiction.

The Cooperative may refuse to make connections to the Member-Owner or to continue service whenever, in the Cooperative's judgment, such installation is not in safe operating condition.

Every change in the wiring or repairs that involve a change in the entrance equipment or wiring shall also be subject to inspection and approval.

Neither inspection nor lack of inspection by the Cooperative nor its failure to object to the Member-Owner's installation shall render the Cooperative in any

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way liable for any injury or damage resulting from any defective installation of the Member-Owner.

The Cooperative requires that service disconnects be installed on all services. The Member-Owner is responsible for the cost of such equipment.

The furnishing of service by the Cooperative to a Member-Owner shall not render the Cooperative liable for the Member-Owner's facilities, installation, or practices on the Member-Owner side of the point of delivery.

2. Motor Starting Requirements

The following general requirements shall be adhered to in all power installations:

Motor installations in excess of 10 h.p. will be evaluated by the Cooperative. All motors over 10 h.p. shall be subject, at the Cooperative's discretion, to provide a reduced voltage starting switch supplied and installed by the Member-Owner to limit the starting current. Before installation, the Member-Owner shall have the reduced voltage equipment approved by the Cooperative.

3. Harmonic Distortions Or Highly Fluctuating Loads

If the Member-Owner uses equipment with highly fluctuating load characteristics, or having an abnormal effect on voltage, the Cooperative will determine the impact of these loads on the electrical system and reserves the right to require Member-Owners to filter harmonic distortions at the Member-Owner's expense and to impose requirements and conditions to ensure proper service to all Member-Owners. Power Quality standards as set forth in ANSI C84.1 Range A, IEEE 1159 and IEEE 519, including any amendments or revisions, are guidelines for evaluating load characteristics.

4. Point Of Delivery

The applicant shall communicate to the Cooperative the exact location on the premises and the estimated demand requirements which are to be installed. Upon receipt of such information, the Cooperative will designate a point of delivery at which service connections will terminate. The Member-Owner must provide, free of expense to the Cooperative, a suitable and accessible place that is satisfactory to the Cooperative for the transformer or transformers, meter or meters, or other equipment of the Cooperative which may be necessary for the fulfillment of the contracts the Member-Owner may enter into with the Cooperative.

5. Changes In The Member-Owner's Wiring and Equipment

All equipment supplied by the Cooperative for the use of each Member-Owner has a definite capacity. It shall be the responsibility of the Member-Owner to notify the Cooperative in writing before any change is made in the load characteristics, change of purpose, or location of the Member-Owner's installation. Failure to give such notice shall render the Member-Owner liable for any damage to meters, accessories, transformers, or wires of the Cooperative caused by the additional or changed installation.

6. Limits Of Responsibility

The Cooperative shall select, install and maintain its lines and equipment on its side of the point of delivery, but shall not be required to install or maintain any lines, equipment, or apparatus beyond this point. The Cooperative will install and maintain all meters and meter accessories. Member-Owners do not have the option to select the type of equipment to be installed by the Cooperative.

7. Availability And Type Of Electric Service

The type of electrical service which will be furnished to the Member-Owner will depend on the location size and type of load to be served.

It is necessary that the Member-Owner obtain from the Cooperative the phase and voltage of the service that will be furnished before proceeding with the purchase of motors or other equipment. The Cooperative renders 60 hertz (Hz) service from circuits of the following characteristics:

	<u>Nominal System Voltage</u>	<u>Type of System</u>
A.	120V	Single-Phase, 2 wire
B.	480 V	Single-Phase, 3 wire
C.	120/240 V	Single-Phase, 3 wire
D.	208Y/120 V	Three-Phase, 4 wire Wye
E.	240/120 V	Three-Phase, 4 wire Delta
F.	480/240 V	Three-Phase, 4 wire Delta
G.	480Y/277 V	Three-Phase, 4 wire Wye
H.	4160Y/2400V	Three-Phase, 4 wire Wye
I.	12,470Y/7200 V	Three-Phase, 4 wire Wye
J.	24,900Y/14,400 V	Three-Phase, 4 wire Wye

The preceding voltages are standard types of service supplied by the Cooperative where available and all other conditions for service have been agreed to by the Member-Owner and the Cooperative.

When other voltages are available and agreeable to the Member-Owner and the Cooperative, service can be established at those special voltage levels. If a special voltage is required by the Member-Owner, it shall be the Member-Owner's responsibility to install their own equipment which will transform the service voltage to the required level at their expense. Any such equipment installed must meet the approval of the Cooperative prior to being placed in service.

VII. **Member-Owner's Responsibility**

1. Nature Of Service

The Cooperative's undertaking extends only to the supplying of electric service at the point of delivery. The Member-Owner is advised of the risk of damage to property and the possibility of fire or personal injury resulting from improper wiring and manner of attachment or use and maintenance of electric appliances, fixtures, and apparatus and is further advised to allow no person except licensed electricians to install or make any changes, alterations, additions, or repairs to any part of the Member-Owner's installation.

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2. Member-Owner's Liability

The Member-Owner assumes full responsibility for the electricity upon the Member-Owner's premises at and from the point of delivery, for the wires, apparatus, devices, and appurtenances used in connection with the service, and for structures, personal property, and vegetation on the Member-Owner's property that may cause damage to the Cooperative's facilities. The Member-Owner shall indemnify and hold harmless the Cooperative against all claims, demands, cost, or expense directly or indirectly arising from, connected with, or occasioned by the foregoing.

3. Protection By The Member-Owner

The Member-Owner shall protect the equipment of the Cooperative on their premises and shall not interfere with, alter, or permit interference with the Cooperative's meters or other property, except when permitted by duly authorized representatives of the Cooperative.

Any loss or damage to the property of the Cooperative due to, caused by, or arising from, carelessness, neglect, or misuse by the Member-Owner or other persons shall be invoiced to the responsible party. If payment is not made by the responsible party, the Cooperative will pursue available legal remedies to recover its loss.

4. Notice Of Trouble

The Member-Owner shall give immediate notice to the Cooperative of any interruption, irregularities, unsatisfactory service, defects, or any conditions dangerous to electrical facilities known to the Member-Owner.

The Cooperative, at any time that it deems necessary, may suspend the supply of electrical energy to any Member-Owner for the purposes of making repairs, changes, or improvements upon any part of its system. The Cooperative shall make reasonable efforts to provide affected Member-Owners two business days notice of a planned service interruption.

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VIII. Theft Of Service

1. Definition

Theft of service is tampering with or bypassing the Cooperative's meter or equipment, or other instances of electric service diversion such as physically disorienting the meter, attaching objects to the meter to divert or bypass electric service or, insertion of objects into the meter, and other electrical and mechanical means of tampering with, bypassing, or diverting electric service.

2. Illegality

Theft of service is illegal, dangerous and is strictly prohibited. All known occurrences of theft of service will result in immediate disconnection of service with or without prior notification. The Cooperative will notify law enforcement of all instances of meter tampering.

3. Adjusted Bills Due To Theft Of Service

In the event of theft of service, any of the following may be used to calculate damages and assess charges for the billing periods in which the theft of service occurred.

- (a) Damages may be calculated based upon service consumed by that Member-Owner at that location under similar conditions during periods preceding the initiation of theft of service. Such damages shall be based on at least twenty-four (24) consecutive months of comparable usage history of that Member-Owner when available, or less history if the Member-Owner has not been served at that location for twenty-four (24) months.
- (b) Damages may be calculated based upon usage at that location after the theft of services has been corrected.
- (c) Damages may be calculated where the amount of unmetered consumption can be calculated by industry recognized testing procedures.

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- (d) The Cooperative may use other methods of calculating damages for unmetered electricity when the usage of other methods is more appropriate.
- (e) The Cooperative will include as damages all labor, material and equipment necessary to repair or replace all equipment damaged due to theft of service.
- (f) The Cooperative will include as damages all costs related to discovery, assessment, documentation, damage calculation, and restoration of service associated with the incident, including legal fees and expenses.
- (g) Pursuant to W.S. § 37-12-402, in a civil action the Cooperative may pursue recovery of damages which includes entitlement to double the above described damages if the theft of service is willful or intentional.

IX. Access To Premises

Duly authorized representatives, contractors, or agents of the Cooperative shall have the right of ingress and egress across the lands of the Member-Owner at all reasonable times and by reasonable routes for the purpose of right-of-way maintenance, reading, testing, inspecting, repairing, replacing, or removing the Cooperative's meters or other property, for inspecting the Member-Owner's installation, or for the purpose of removing the Cooperative's property on the termination of a contract or discontinuance of service for whatever cause. Failure to permit access may result in discontinuance of service.

X. Continuity Of Service

1. Regularity Of Supply

The Cooperative will use reasonable diligence to provide and maintain uninterrupted service. In case of cessation, deficiency, variation in voltage, or any other failure or reversal of the service resulting from acts of God, terrorism, public enemies, accidents, strikes, riots, wars, repairs, governmental action, order of Court, or other acts reasonably beyond the control of the Cooperative, the Cooperative shall not be liable for damages, direct or consequential, resulting from such interruption or failure.

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2 Relocation Of Existing Lines And Points Of Delivery

(a) Individual Responsibility

If a Member/Owner requests the Cooperative to relocate any portion of the line, including point of attachment, solely for the benefit of the Member/Owner, the Cooperative shall do so with these provisions:

- (i) The Cooperative approves the alternate relocation;
- (ii) The Member/Owner pays the total cost of the relocation;
- (iii) The relocation will not create an unsafe condition;
- (iv) The relocation will not adversely impact other Member/Owners or the system.

(b) Hazardous Conditions

When the Cooperative is made aware of any hazardous condition such as antennas, haystacks, building, equipment, etc., being constructed or having been constructed under or close enough to any of the Cooperatives Lines or facilities to endanger life or property, the Cooperative shall immediately notify the member, or individual responsible of the hazard and request the hazard be removed. If the Member/Owner refuses or is unable to remove the hazard, the Cooperative reserve the right to accomplish the same by one of the following methods:

- (i) Disconnect the line or facility, if by doing so will not affect any other Member/Owner
- (ii) The Cooperative will remove the hazard and the Member/Owner, or individual responsible, shall be liable for all expenses incurred by the Cooperative in the removal
- (iii) The Cooperative shall relocate the line or facility and the Member/Owner, or individual responsible, shall be liable for all expenses incurred by the Cooperative in the relocation

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(c) Cooperative Responsibility

(i) If a Member/Owner requests the Cooperative to relocate any portion of the line, including point of attachment, and it is determined by the Cooperative that the relocation of the Cooperative's line would be of the benefit to the Cooperative, the Cooperative may at its discretion, share in the cost of relocation of the line with the Member/Owner

(ii) If a relocation is proposed by the Cooperative and not caused by an Individual Responsibility or Hazardous Condition, the Cooperative may bear part or all of the cost of relocation

Cost of relocating an existing line shall be based on the present cost of constructing the new line including any necessary Right-of-way, plus costs of retirement of the old line less the salvage value of the old line. Said charges shall be paid in advance of relocation.

3. Providing Clearance For House And Equipment

Where a house, structure, or equipment is to be moved upon, across, or over roadways, or along a Right-of-way over which electric wires in place need to be temporarily moved, advance notice in writing is to be made to the Cooperative of the dimensions of the object being moved, the time it will be moved, and the exact route over which it will be moved.

In no case shall anyone other than authorized employees of the Cooperative remove, cut, raise, or handle any wires in connection with the providing of clearance.

The requestor shall make an estimated advance payment to the Cooperative of the cost of providing clearance of electric lines for the move. Such payment shall be the actual cost of Cooperative personnel and materials, plus administrative overhead and equipment required to provide the necessary clearance for the mover.

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HIGH PLAINS POWER, INC.
1775 East Monroe
P.O. Box 713
Riverton, WY 82501

P.S.C. Wyo. No. 2
Original Sheet No. 17 b

Actual cost figures will be compiled upon completion of the requested service. Should the estimated costs exceed the actual cost of providing clearance, the requester will receive a refund. Conversely, should the actual costs exceed the estimate, the requester will be billed for the remaining amount.

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By: Darick Eisenbraun

Title: Chief Executive Officer

XI. Discontinuation Of Service To Member-Owners

1. With Notice

- (a) When an account is delinquent and at least ten (10) calendar days prior to proposed discontinuation of residential electric service, and three (3) calendar days prior to proposed discontinuation of industrial, lighting, irrigation, or commercial service, the Cooperative will prepare and mail a notice. The ten-day time period is computed from the date the notice is deposited in the mail. The notice shall be given by first class mail or delivered to the premises. Said notice shall contain:
- (i) The name of the person whose account is delinquent and the service address to be discontinued;
 - (ii) The rule or regulation that was violated or the amount of the delinquent bill;
 - (iii) The date the notice is delivered or placed in the U.S. Mail, and the exact date on or after which service is to be discontinued;
 - (iv) The Cooperative's specific address and telephone number for information regarding how to avoid service discontinuation;
 - (v) The names of agencies or organizations that have notified the Cooperative that they render assistance to eligible persons who are unable to pay their Cooperative bills; and
 - (vi) A statement advising the Member-Owner how to contact the Commission if discontinuation is disputed.

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- (c) For residential Member-Owners, the notice shall inform the Member-Owner that, if prior to the initial date for the discontinuation, the Member-Owner provides the Cooperative with written verification from a health care provider responsible for the care of a Member-Owner or his/her co-habitants stating that their health or safety would be seriously endangered if service were discontinued, the Cooperative shall extend the date for discontinuation set forth in the notice by fifteen (15) days (twenty-two (22) days total) to allow for bill payment.
- (d) The Cooperative shall attempt to make actual contact with the Member-Owner either in person or by telephone, after Member-Owner verification, before discontinuing service during the cold weather period of November 1 through April 30.
- (e) The Cooperative shall also provide notice of discontinuation or account delinquency to a third party if a Member-Owner or person acting for the Member-Owner has requested that the Cooperative do so after Member-Owner identification verification. Third-party notification does not create a third-party liability for payment.
- (f) The Cooperative may discontinue service between 8:00 a.m. and 4:00 p.m., Monday through Thursday, without further notice when:
 - (i) The notification period has elapsed and the delinquent account has not been paid;
 - (ii) Acceptable payment arrangements have not been made with the Cooperative; or
 - (iii) The Cooperative is not satisfied the Member-Owner has ceased violating the Cooperative's rules and regulations.
- (g) The Cooperative shall not discontinue service for bill nonpayment:
 - (i) On a legal holiday or the day before;
 - (ii) During the period from December 24 through January 2, inclusive;

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- (iii) On any day the Cooperative cannot reconnect service;
- (iv) If the Member-Owner enters into an agreement with the Cooperative for payment of the delinquent billing over a reasonable time and the Member-Owner complies with the payment arrangements;
- (v) If the Member-Owner owes the Cooperative money due to a meter or other billing error and the Member-Owner complies with payment arrangements;
- (vi) At a previous address for a different class of service;
- (vii) For non-utility service or merchandise;
- (viii) If a Member-Owner is paying bills on time, even though a former Member-Owner with an undisputed delinquent bill for service resides or conducts business at the same address;
- (ix) If a Cooperative bill is in dispute and the Member-Owner duly pays the Cooperative bill or bill portion that is not in dispute; or
- (x) If the temperature is forecasted by the National Weather Service or other reputable source to be below 32° F in the impending 48 hours, or if conditions are otherwise especially dangerous to health, and the customer is a residential Member-Owner or a non-residential Member-Owner providing service essential for the protection of public health, safety or welfare and is:
 - (1) Unable to pay for service in accordance with the Cooperative's billing requirements and is actively seeking government assistance or has exhausted such assistance; or
 - (2) Able to pay for service in installments only.

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- (g) Service Limiter. When available, a Service Limiter (SL) to provide a temporary alternative to discontinuing electric service for non-payment by extending a controlled level of service to the delinquent Member/Owner prior to service being disconnected, may be utilized. Capacity-rated limiters shall be a minimum size of 10 Amps with a maximum of 20 Amps. Time based limiters will allow no fewer than 30 consecutive minutes per hour.

If High Plains Power chooses to install an SL, service may discontinue without further notification.

The Cooperative will attempt to contact the Member-Owner by telephone or in person prior to any service limiting. In the event that contact cannot be made, a notice of intent to Service Limit shall be delivered to the affected premises. Information provided to the Member-Owner shall include:

1. Member/Owner's name
 2. Date the SL was installed
 3. Member/Owner operational instructions for SL
 4. Total of delinquent amount, security deposit and reconnect if required by Cooperative. (see page SF-1)
 5. Telephone number and address of High Plains Power
 6. Warning that service may be discontinued without further notification.
- (h) The Cooperative shall assist elderly and handicapped persons who are unable to pay their Cooperative bills with determining available government assistance.

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2. Without Notice

The Cooperative may discontinue service to a Member-Owner without advance notice for reasons of safety, health, cooperation with civil authorities, fraudulent use, tampering with or destroying Cooperative service facilities or Member-Owner's failure to comply with Cooperative curtailment procedures during supply shortage.

3. Upon Request

Upon a Member-Owner's or legally authorized person's request, the Cooperative shall make reasonable efforts to terminate the Member-Owner's service as requested. Before terminating service, the Cooperative shall inform the Member-Owner of any additional charges.

XII. Reconnection Of Discontinued Service

When service has been discontinued for violation of the Cooperative's rules and regulations, nonpayment of bills or fraudulent use of service; and the Member-Owner desires the service to be reconnected, the Cooperative may require the Member-Owner to pay in full all bills due for service rendered up to the date service was discontinued, the reconnection charge, and a deposit when permitted by the Cooperative's or the Commission's Rules. The Cooperative may elect to accept a payment arrangement with the Member-Owner. Upon satisfaction of reconnection requirements, the Cooperative shall restore service as soon as practicable. If a Member-Owner requests reconnection of service on a weekend, on a holiday or outside the hours of 8:00 a.m. and 4:30 p.m. of a regular work day; the Cooperative shall inform the Member-Owner of the additional charge for after-hours reconnection before the Cooperative performs the reconnection. The Cooperative shall not charge to reconnect service when discontinuation was improper.

The reconnection charge amounts are shown in the Schedule of Fees at Page SF-1.

XIII. Foreign Electricity

No other source of supply of electricity shall be introduced or used by the Member-Owner in conjunction with Cooperative service without written consent of the Cooperative. This Section shall not apply to sources of supply generated on the

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Member-Owner's property which are otherwise in compliance with the Cooperative's Bylaws, Policies, and Rules.

XIV. Resale Of Service

The resale of electric service by a person without a certificate of public convenience and necessity is prohibited by Commission Rules, except as provided in W.S. § 37-1-101(a)(vi)(H).

XV. Meters

1. Use Of Meter

All meters furnished by the Cooperative are property of the Cooperative and only Cooperative-authorized personnel shall install, remove, test, adjust or conduct any repair or maintenance work thereon.

The Cooperative shall install and maintain at its own expense all equipment necessary to regulate and measure the commodity delivered for billing.

Upon the Member-Owner's request, the Cooperative may install and maintain additional metering at the Member-Owner's expense.

Any non-metered electric utility service shall be governed by tariff or special contract.

2. Separate Meter At Each Service

The Cooperative will furnish a suitable meter at each service. Any Member-Owner desiring service at two or more points of delivery shall be billed separately at each such point and the registrations of such meters shall not be added for billing purposes.

3. Meter Location

The meter may be installed on a pole, pedestal or a Cooperative approved structure in compliance with National Electrical Safety Code (NESC) and National Electrical Code (NEC) requirements, as applicable.

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Meters and associated devices shall be installed in a reasonable location accessible for reading, testing, inspection, removal and where such activities will minimize interference and inconvenience to the Member-Owner and the Cooperative. Under no circumstances shall any meter be removed or relocated except by authorized Cooperative personnel.

The Cooperative will furnish appropriate metering at the point of connection to the Member-Owner. The Member-Owner shall provide and maintain, without cost to the Cooperative, a suitable location accessible for metering and installation of equipment required to provide service. The Cooperative has the right to clear its service conductors, connections and Rights-of-way of any interfering tree, shrub or other obstruction or to require the Member-Owner to clear and remove the interfering obstruction at the Member-Owner's expense.

All meter bases, enclosures, and associated equipment mounted on a Cooperative-owned pole will be maintained by the Cooperative and remain its property.

Meter bases and enclosures will have a Cooperative-owned locking device installed.

4. Member-Owner Requests For Tests Of Meter Accuracy

If a Member-Owner requests a test of the accuracy of the Cooperative's meter used on the Member-Owner's premises, the following provisions shall apply:

- (a) If the meter has not been tested within twelve (12) months, the Cooperative shall perform the test within a reasonable time without charge to the Member-Owner. The Cooperative shall notify the Member-Owner of the time when the Cooperative will conduct the test so the Member-Owner or the Member-Owner's representative may be present.
- (b) If the meter has been tested within twelve (12) months, the Cooperative shall notify the Member-Owner of the cost to perform the test listed in the Schedule of Fees at Page SF-1. Upon receipt of payment, the Cooperative shall notify the Member-Owner of the time when the Cooperative will conduct the test so the Member-Owner or the Member-Owner's representative may be present.

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- (c) The Cooperative shall promptly advise the Member-Owner of the test results.

If a meter is found to be in non-compliance with the Cooperative's approved meter testing program, the Cooperative shall refund the payment the Member-Owner advanced for the meter test and shall repair or replace the meter. The Cooperative shall also adjust and refund to the Member-Owner the overpayment of preceding bills, pursuant to W.S. § 37-2-218. No refund is required from the Cooperative except to the Member-Owner last served by the meter prior to testing. If the Cooperative has under collected, the Member-Owner shall pay the adjusted costs back to when the error transpired but no greater than 183 days prior to the meter being shown in error, pursuant to W.S. § 37-2-222.

The meter accuracy test charge amount is shown in the Schedule of Fees at Page SF-1.

5. Meter Test Requested By Commission

Upon receipt of a written request by the Commission, the Cooperative shall, within twenty (20) days, test the accuracy of the meter through which the Member-Owner is served and notify the Commission of the findings. No charge shall be made for such tests.

6. Special Measurement

The Cooperative shall have the right, at its option and its expense, to place special meters or instruments on the premises of any Member-Owner for the purpose of special tests of all, or any part, of the Member-Owner's load.

7. Equipment Tests

Bench test standards will be tested annually in compliance with National Bureau of Standard (NBS) guidelines.

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8. Electric Meter Testing Program

All three-phase and large power meters shall be tested at least once in three (3) years. Current transformers (CT) and potential transformers (PT) shall be tested at the same time as the meter.

All three-phase self-contained meters shall be tested at least once in three (3) years.

All single-phase meters shall be tested on a rotating basis so that each meter is tested at least once in ten (10) years.

The Cooperative's meter test boards and a portable metering test set require annual calibration and recertification. Test equipment is calibrated by equipment that is traceable to the National Institute of Standards and Technology and the National Metrology Institute.

Member-Owners and the Commission shall have access to review calibration records of meter and CT/PT testing equipment upon request at the Riverton, Wyoming office where dated testing and calibration data shall be readily accessible. Meter testing equipment shall bear the most recent calibration date.

A copy of ANSI C12.1 shall be available for review at the Riverton, Wyoming office upon request.

All meter testing equipment shall be cared for and maintained in accordance with manufacturer's guidelines.

All test equipment will be of higher accuracy than the instrument being tested. Test equipment is tested and calibrated to within +/- .05% accuracy.

All solid state meters which are not calibrated will be tested to fall within parameters defined in ANSI C12. All meters display in kWh, kW or kVar as required per service. All solid state meters are .5% accuracy class with a typical accuracy of .2%. All solid state meters are tested by the manufacturer before shipment to the Cooperative.

Meter test records show the meter number, meter constant, date tested, full load results (in % accuracy), light load results (in % accuracy), power factor results

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(in % accuracy), reason for test (periodic, high bill complaint, request by Commission or Member-Owner) and the reading of the meter before the test. Inaccurate, improper or non-certified meters, including those for which accuracy has not been established will not be placed in service or be allowed to remain in service. Meters that register upon zero load shall be removed from service. All meter registers must test to within +/- 2% accuracy or shall be removed from service.

All meter records shall be available to the Commission and the Member-Owner. Records shall be maintained on a continuing basis. Meter records for each meter shall be retained for the life of the meter and shall indicate the manufacturer, type, capacity and results of meter tests. When a meter is retired from service all records shall be maintained for a minimum of six (6) months.

9. Service Surveys

Each substation and downstream voltage regulation device shall be checked at least on a monthly basis for: (a) safety, (b) security, (c) voltage, and (d) general condition. Records shall be made to indicate findings.

When reason exists to question the voltage level at a substation or the Member-Owner's premises, the appropriate monitoring instrument will be installed and corrective action taken when warranted.

XVI. Meter Reading And Billing

1. Meter Reading

Billing meters will be read by the Cooperative's automatic reading system. Bills shall show the meter readings at the beginning and end of the billing period, the date of the meter readings, the units consumed, the class of service and other information necessary to enable the customer to readily re-compute the amount of the bill. Each bill shall bear upon its face the date of the bill and the latest date it may be paid without penalty.

An estimated reading may be utilized if a reading cannot be obtained or if it is not feasible to read the meter. Estimated meter readings or budget billing shall be clearly identified on the bill. The amount of such an estimated bill will be adjusted as necessary when the next actual reading is obtained.

Each service meter shall clearly indicate the units of measurement. If the Cooperative invoices Member-Owners in a different unit of measurement than the service meter indicates, the conversion factor shall be stated on the Member-Owner bill. In cases where special types of meters are used or where the readings of a meter must be multiplied by a constant to obtain the units consumed, that information shall be placed on the Member-Owner bill.

When service is discontinued, a bill for final usage will be processed within 30 days following discontinuance.

2. Billing Period

Bills for regular service will be rendered monthly from meter readings or otherwise computed according to the Cooperative's rate schedules and Rules and Regulations then in effect, and shall be due by the date stated on the bill. Bills for special, or short term service, including the cost of connecting and disconnecting, may be rendered at the Cooperative's discretion and shall be due by the date stated on the bill.

3. Billing Rate

- (a) The Cooperative reserves the right to determine the appropriate rate tariff for any requested service.

- (b) If the Cooperative undercharged a Member-Owner as the result of a meter or metering inaccuracy, non-registration of meter, rate error, or other continuing problem under the Cooperative's control, the Cooperative may bill the Member-Owner, in accordance with Wyo. Stat. § 37-2-222, for the amount of unmetered electricity rendered in the 183 days immediately prior to the date the Cooperative remedies the meter inaccuracy. The typical time period over which the undercharge may be collected shall be 12 consecutive months. The Member-Owner may elect to pay over a shorter period, or the Cooperative may allow repayment over a longer period.
- (c) In accordance with Wyo. Stat. § 37-2-218, if the Cooperative charged, collected or received any rate or rates in excess of the rates fixed in the Cooperative's tariff, the Cooperative shall immediately refund to the Member-Owner the difference between the rates fixed in the tariff and the rates charged, collected or received.
- (d) Whenever the Cooperative shall charge, collect or receive any rate or rates in excess of the rates fixed in the tariff of charges then in force, the Cooperative shall refund to the Member-Owner the difference between the lawful rates fixed in such tariff and the rates so charged, collected or received.

4. Waiver Of Minimum Monthly Payments

If the Cooperative is prevented from furnishing or if the Member-Owner is prevented from receiving all or any considerable portion of the electric service contracted for and should such failure to deliver or receive be due to acts of God, terrorism, public enemies, strikes, riots, wars, repairs, governmental action, order of Court, or to other acts reasonably beyond the control of either the Cooperative or the Member-Owner, then the minimum monthly payment provided for shall be waived or adjusted for no longer than three (3) months.

5. Terms Of Payment

All bills for regular services are payable monthly. Unless otherwise provided, billed charges are due by the due date stated on the bill. If payment is not

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received by the due date on the bill, the billed charges, plus any unpaid balance, shall be increased by the monthly penalty listed in the Schedule of Fees at Page SF-1 for each month the bill is past due.

6. Failure To Receive A Bill

Failure to receive a bill will not entitle the Member-Owner to any discount or to the remission of any charge for non-payment within the specified time.

7. Budget Billing

Member-Owners served under a single-phase rate may request Budget Billing from the Cooperative under the following terms and conditions:

- (a) The Member-Owner must be current with their electric energy payments at the time of the application.
- (b) The Member-Owner must have at least twelve (12) months of history at the requested budget billing service location.
- (c) The enrollment period will be between April 1st and June 1st of each year.
- (d) Budget Billing energy will be determined by dividing the most recent twelve (12) months of history by the allocation factor listed in the Schedule of Fees at Page SF-1. The allocation factor is subject to change by the Cooperative as conditions warrant. The single-phase rate will be applied to the energy to determine the Budget Billing payment. Changes in the single-phase rate will be applied to Member-Owners on Budget Billing as authorized by the appropriate regulatory agencies.
- (e) If the settlement amount at the end of a twelve (12) month period is a credit balance, the Cooperative will issue a check to the Member-Owner in the amount of the credit balance. If the settlement is a debit balance, the amount will be due by the due date of the bill by the Member-Owner. If the debit balance exceeds the average payment by \$20.00, the Member-Owner may elect to pay the debit

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over a two (2) month period with at least one-half of the total debit being paid in the settlement month.

- (f) If a Member-Owner electing the Budget Billing Plan fails to pay the Budget Billing obligation in any month, normal collection procedures shall be applicable for the outstanding balance owed. The failure to make a Budget Billing payment will result in removal of the Member-Owner from the Budget Billing Plan.
- (g) Upon removal of the Member-Owner from the Budget Billing Plan, the entire amount of the account for actual usage shall be due and payable by the Member-Owner to the Cooperative. If a credit balance exists, it shall be refunded by the Cooperative.

XVII. Rights-of-Way

1. Definitions

- (a) Rights-of-way shall include easements or legal rights of access to go over or across land, service line permits, franchise agreements, or any other possessory rights or interests granted to the Cooperative to locate Cooperative facilities on a person's land.
- (b) Distribution Rights-of-way will include Rights-of-way, or portions thereof that have electrical facilities that are used at distribution level voltages up to and including 35 kV.
- (c) Governmental Rights-of-way will include Rights-of-way entered into with a federal, state, or tribal government, or a political subdivision of such governments.
- (d) Right-of-way Costs shall include all direct and indirect costs of acquisition or renewal, including, but not limited to, written notice, surveys, trespass or other damages, negotiations, environmental reviews, regulatory filings, historical, cultural, and archeological reviews and inspections, appraisals, bid and hiring preferences, and legal and professional fees.

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- (e) Transmission Rights-of-way will include Rights-of-way, or portions thereof that have electrical facilities that are used at transmission voltages.

2. Procurement Or Renewal Of Distribution Rights-Of-Way

- (a) When the Cooperative determines there is a need for Rights-of-way to provide or continue service, the Cooperative shall identify the necessary and convenient Distribution Rights-of-way.
- (b) It is the responsibility of the Member-Owner served by the service to acquire the necessary Distribution Rights-of-way.
- (c) The Cooperative may provide a reasonable time for the Member-Owner to procure the necessary Right-of-way prior to termination of service, provided in the case of trespass, the affected landowners or governmental enforcement authority consents to its interim use by the Cooperative and waive any claim for trespass or other damages. Member-Owners shall be responsible for all Right-of-way Costs levied against or incurred by the Cooperative and shall indemnify and hold harmless the Cooperative for those claims and costs.

3. Procurement Of Transmission Or Governmental Rights-Of-Way

The Cooperative will use its best efforts to procure Transmission Rights-of-way and Governmental Rights-of-way.

4. Failure Or Inability To Procure A Right-Of-Way

The failure of the Member-Owner or the Cooperative to procure Rights-of-way may result in the Cooperative declining to provide service or terminating service until the Rights-of-way are procured.

5. Right-Of-Way Costs

- (a) Distribution Rights-of-Way Costs. The Cooperative shall contribute toward the Right-of-way Costs at the rate established by Board Policy. Distribution Right-of-way Costs above the contribution established by Board Policy will be paid by the Member-Owners.
- (b) Transmission Rights-of-Way Costs. The Cooperative shall contribute toward the Right-of-way Costs at the rate established by Board policy. Transmission Rights-of-way Costs shall be recovered as an expense when the Cooperative sets service rates.
- (c) Governmental Rights-of-Way Costs. Governmental Right-of-way Costs shall be prorated and assessed as a surcharge paid by Member-Owner(s) benefiting from the facility at a per unit of consumption cost or percentage basis as determined by the Board.
- (d) If more than one of the above categories applies to all or a portion of Rights-of-way, the Board shall determine the most appropriate cost recovery method.

6. Rights-Of-Way Maintenance

The Cooperative reserves the right to maintain Rights-of-way in a condition that will ensure public safety and operation of the electric system. After the Member-Owner has been notified of work to be done on their property, this right will include, but not be limited to, the following:

- (a) The right to access Member-Owner's land to manage vegetation, inspect, maintain and repair equipment, and conduct other activities that are necessary to maintain a Right-of-way. This access includes reasonable and appropriate actions outside the boundaries of the Right-of-way to comply with applicable requirements for vegetation management.
- (b) The right to require removal or relocation of any building, storage tank, hay stacks, or other combustible material.

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XVIII. Beginning And Ending Service

Any Member-Owner starting the use of service without first notifying and enabling the Cooperative to read the meter will be held responsible for any amount due for service supplied to the premises from the time of last reading of the meter immediately preceding their occupancy as shown on the Cooperative's records.

A Member-Owner terminating service shall give written notice of intended termination and be responsible for all amounts due on the service and is liable for service taken after notice to terminate the contract until the meter is read and disconnected or a new membership established. The Cooperative will make reasonable efforts to terminate service when requested.

Notice of discontinuance of service prior to the expiration of a contract term will not relieve a Member-Owner from any minimum or guaranteed payment under any contract or rate.

XIX. Extensions

1. General Terms And Conditions

- (a) An extension shall include a new service, relocated service, service upgrade, or reconnection.
- (b) The financing of all extensions will depend primarily on the estimated life and income from the service. Therefore, the Cooperative has separated new extensions into three categories depending on the estimated life of the service. These are:
 - (i) Permanent Service - Services expected to remain in place and active for five (5) years or more. They shall include, but not be limited to, homes, schools, and businesses that are affixed to a permanent foundation.
 - (ii) Speculative Service - Services of a speculative nature shall include, but not be limited to, trailer parks, oil or natural gas wells, unproven mines or quarries, or where the ultimate user of the service will not sign a five (5) year contract.

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- (iii) Temporary Service - Services such as power for construction jobs, rodeos, fairs, and other uses.
- (c) A staking fee listed in the Schedule of Fees at Page SF-1 will be charged for requests for an extension whether or not the extension is constructed.
- (d) All facilities will be constructed, owned, and maintained by the Cooperative. One hundred percent (100%) of the estimated construction cost not contributed by the Cooperative must be paid before construction is started. If the actual cost of constructing the service is less than the estimated cost, the Member-Owner will be refunded the difference. If the actual cost of constructing the service is greater than the estimated cost, the Member-Owner shall pay the difference to the Cooperative upon demand for payment. Amounts paid by the Member-Owner will be considered a contribution in aid of construction. Contributions in aid of construction shall not bear interest.
- (e) Whenever an additional application is made for service to be connected to an existing extension within five (5) years from the date the work was completed the following shall apply:
 - (i) The applicant shall be charged their pro-rata share of the common facilities based on the original cost.
 - (ii) Upon receipt of the pro-rata share from the applicant, the original contributors will be refunded their pro-rata share of the common facilities based on original cost.
 - (iii) The refund to each original contributor shall be made based on the ratio of each individual contributor's payments to the Cooperative compared to amounts paid by other original contributors, unless the original contributors notify the Cooperative at the time of construction that they agree to have the refund allocated on a different basis. Any private agreement between original contributors, or original contributors and third parties, for allocation of refunds will not

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be binding on the Cooperative and the Cooperative shall have no liability with respect to such agreement.

- (f) All necessary Rights-of-way and landowner consents must be provided by the Member-Owner that is requesting an extension.
- (g) In the event a transfer of ownership of the property to be served prior to payment of the construction contract in full, the Cooperative reserves the right not to energize the service or discontinue service unless all liabilities are paid in full or the contract is assumed in writing by the new owner.
- (h) All applications and agreements will be reviewed and approved by the Board of Directors.

2. Specific Conditions Of Service

- (a) Permanent Service - Single-Phase
 - (i) Single-phase secondary service is defined as secondary voltage, as described on Original Sheet No.13, supplied through transformation by a high voltage underground supply and/or overhead supply to the point of delivery.
 - (ii) The Cooperative will contribute the Line Extension Contribution listed in the Schedule of Fees at Page SF-1. The Member-Owner will pay any additional costs.
 - (iii) The Member-Owner will be required to sign and honor a minimum five (5) year contract.
 - (iv) A contract for electric service must be signed by the Member-Owner and filed with the office before construction is started. Refusal to sign a contract for electric service will be considered a speculative service.

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(b) Permanent Service - Small Three-Phase

- (i) Small three-phase secondary service is defined as secondary voltage, as described on Original Sheet No.13, supplied through the transformation by a high voltage underground supply and/or overhead supply to the point of delivery. These facilities are for a three-phase service with 45 kVA or less of transformer capacity complying with the standard voltages available.
- (ii) The Cooperative will contribute the Line Extension Contribution listed in the Schedule of Fees at Page SF-1. The Member-Owner will pay any additional costs.
- (iii) The Member-Owner will be required to sign and honor a minimum five (5) year contract.
- (iv) A contract for electric service must be signed by the Member-Owner and filed with the office before construction is started. Refusal to sign a contract for electric service will be considered a speculative service.

(c) Permanent Service - Irrigation

- (i) Permanent service irrigation is defined as service for irrigation based on total horsepower during the irrigation seasons which is April 1 to September 30 of each year. The minimum charge is based on 10 h.p.
- (ii) The Cooperative will contribute the Line Extension Contribution listed in the Schedule of Fees at Page SF-1. The Member-Owner will pay any additional costs.
- (iii) The Member-Owner will be required to sign and honor a minimum five (5) year contract.
- (iv) A contract for electric service must be signed by the Member-Owner and filed with the office before construction

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- (v) is started. Refusal to sign a contract for electric service will be considered a speculative service.
- (d) Permanent Service - Large Power
 - (i) Large power service is defined as three-phase service greater than 45 kVA of transformer capacity complying with standard voltages available.
 - (ii) The Cooperative will contribute the Line Extension Contribution listed in the Schedule of Fees at Page SF-1. The Member-Owner will pay any additional costs.
 - (iii) The Member-Owner will be required to sign and comply with a minimum five (5) year contract.
 - (iv) A contract for electric service must be signed by the Member-Owner and filed with the Cooperative before construction is started. Refusal to sign a contract for electric service shall mean the service shall be construed as a speculative service.
 - (v) The Cooperative reserves the right to establish other terms and conditions with respect to particular Large Power Member-Owners.
- (e) Subdivision and Housing Projects
 - (i) Electric distribution facilities will be installed, owned, and maintained by the Cooperative to and within subdivisions and housing projects, in advance of applications for service by ultimate users, only in accordance with a written agreement which meets the requirements of this subsection (v) and addresses any unique circumstances of line extension.
 - (ii) The developer shall pay in advance the entire installed cost of the primary voltage facilities required to make service

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available to each lot or unit, tract, parcel, or similar subunit including the staking fee. The subdivision backbone facilities do not qualify for Section XIX(1)(e) of these Rules and Regulations.

- (iii) The ultimate Member-Owner must meet the line extension provisions as set forth in these Rules and Regulations.
- (iv) The route of an extension shall be selected by the Cooperative in order to provide reliable service to the subdivision, housing project, or other Member-Owners. It shall be the responsibility of the developer to provide the Cooperative two (2) copies of approved plats with adequate utility Rights-of-way prior to commencement of construction.

(f) Services of Speculative Nature

- (i) Services of a speculative nature include, but are not limited to, mobile home parks, trailer parks, oil or natural gas wells, unproven mines or quarries, or where the ultimate Member-Owner will not sign a five (5) year contract.
- (ii) The Cooperative will require users of a speculative nature to pay the entire direct cost of the service, any related system costs, and retirements.
- (iii) The Member-Owner may stop taking service at any time and the Cooperative may, at its discretion, remove the service when there is no further income from the facilities.

(g) Temporary Services

- (i) For purposes of this section, temporary services shall be defined as temporary power for rodeos, fairs, other users of known limited permanence, or a service installed for construction purposes at any location until construction is completed or one (1) year, whichever occurs first.

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- (ii) The Member-Owner will advance to the Cooperative all estimated construction and retirement costs to make the service available, including any new extension and upgrading needed to serve the load. There will be no refund of these charges.
- (iii) There is no contract minimum time. The Member-Owner may stop taking service whenever he wishes and the Cooperative will at its discretion remove the service.
- (iv) Temporary service that lasts beyond one (1) year may apply for an extension of temporary service. The extension of temporary service may be subject to a temporary service fee as listed in the Schedule of Fees at Page SF-1 and may be valid up to one additional year.
- (v) If the Cooperative deems the temporary service no longer meets these requirements, the Cooperative may convert the service to a Speculative Service.

(h) Co-Generation

Co-generation will be considered and appropriate rate schedules filed in accordance with federal and state regulations. The Cooperative's existing Member-Owners shall bear none of the costs of connecting a co-generation facility and shall not be burdened with increased energy costs due to co-generation.

(i) Service Outside Certified Area

All facilities installed outside of the Cooperative's certificated areas as filed with the Commission shall be made with the Member-Owner providing as a contribution in aid of construction 100% of all costs for all facilities necessary to provide the service.

In addition, the Cooperative will not provide electrical service outside its certificated area unless and until the Cooperative has obtained a letter of agreement with the electric utility authorized to provide electric service in said area and the Commission has approved the agreement.

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XX. Idle Service

An idle service is any electric account that has been disconnected for a period of twelve (12) consecutive months and is not presently paying an electric bill.

At the end of the twelve (12) month period, the Member-Owner will be notified by certified mail, return receipt requested, to the last known address of the options concerning the idle service with thirty (30) days in which to respond.

The Member-Owner shall have three options:

1. Leave the service facility energized for which the Member-Owner will pay the monthly facility charge plus any kWh usage.
2. De-energize the facility. This facility will be characterized as an Idle Service. The Member-Owner will pay the monthly Idle Service Fee listed in the Schedule of Fees at Page SF-1.
3. Remove the entire facility at no cost to the Member-Owner. In the event that the Member-Owner elects option 3, the Cooperative may retire the entire service and any line extensions serving the service without further notice.

When any service that has been idle for sixty (60) consecutive months and the Idle Service Fee is not being paid, the service is subject for removal at the discretion of the Cooperative.

Upon request to reinstate service any service that has been retired for a period of less than twenty-four (24) months, the Member-Owner will be responsible for the entire installed cost of construction.

Any service that has been retired for a period of more than twenty-four (24) months will be subject to the current terms and conditions in effect for extension of services.

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XXI. General

1. Office Of High Plains Power, Inc.

Whenever these regulations provide that notice be given or sent to the Cooperative, or the office of High Plains Power, Inc., such notice, delivered or mailed, postage prepaid shall be deemed sufficient when mailed to P.O. Box 713, Riverton, Wyoming 82501, or 1775 East Monroe Avenue, Riverton, Wyoming 82501.

2. No Prejudice Of Rights

The failure by the Cooperative to enforce any of the terms of these Rules and Regulations shall not be deemed as a waiver of the right to do so.

3. Exceptional Cases

Where special service supply conditions or problems arise for which provision is not otherwise made, the Cooperative may modify or adapt its supply terms to meet the special requirements of such cases.

4. Assignment

Subject to these Rules and Regulations, all contracts by the Cooperative shall be binding upon, and oblige, and inure to the benefits of, the successors and assigns, heirs, executors, and administrators of the parties thereto.

5. Enforcement

Whenever the Cooperative is required to enforce the terms of these Rules and Regulations, the Bylaws, Board Policies, or a service contract, line extension contract, or other contract with the Cooperative in proceedings before any agency, commission, or court of competent jurisdiction, the Member-Owner or person against whom the action is taken may be responsible for all costs of enforcement, including attorney fees.