

1 **REGULATIONS GOVERNING ELECTRIC SERVICE**

2

3

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10  
11 **I. INTRODUCTION**  
12

13 **General Statement and Delegation of Authority**

14 The following Regulations are issued pursuant to the authority conferred upon the Utilities Director  
15 by the Utility Code. They are issued in order to provide for the efficient and reliable operation and  
16 administration of the City of Fountain’s Electric Utility (hereafter referred to as “Utilities” or the  
17 “Electric Department” as the case may be). The following Regulations shall govern all classes of  
18 service and all territory served by the Electric Department.  
19

20 **Availability of Regulations**

21 Copies of these Regulations and any amendments thereto shall be available for inspection during  
22 regular business hours in the office of Utilities and shall be posted and maintained on the City’s  
23 website under “Utilities”.  
24

25 **Revisions**

26 These Regulations may be revised, amended or otherwise changed at any time by written action of the  
27 Utilities Director, subject to Charter, Utility Code, applicable ordinances, resolutions and statutory  
28 and constitutional provisions. These Regulations cancel and supersede all previous “Rules and  
29 Regulations Governing Electric Service”.  
30

31  
32 **Conflict**

33 In the case of conflict between any provisions of a particular rate schedule and these Regulations, the  
34 provisions of the particular rate schedule shall govern.  
35

36 **Liability and Indemnification**

37 See Utility Code.  
38

39 **II. DEFINITIONS**  
40

41 Unless the context specifically indicates otherwise, the definitions below are in addition to the  
42 definitions set forth in Section 1.04.030 of the City Code and those contained in the Utility Code and  
43 such definitions are fully incorporated by reference in these Regulations.

1  
2 Codes: Safety, installation, and equipment standards generally used and applied in the electric  
3 utility industry and by the Electric Department. Such codes include, but are not limited to, the  
4 National Electric Code (NEC), the Institute of Electrical and Electronics Engineers (IEEE), the  
5 American National Standards Institute (ANSI), the National Electrical Manufactures  
6 Association (NEMA), and the National Electrical Safety Code (NESC).

7  
8 Electric Specifications: Electric Department's Design Standards and Construction  
9 Specifications.

10  
11 Kilovolt-Ampere (KVA): A unit of apparent electric power in thousand volt-amperes.

12  
13 Line Extension: Any addition to Utilities existing distribution lines and facilities.

14  
15 Power Factor: A ratio of kilowatts to kilovolt-amperes.

16  
17 Primary Voltage: A nominal electric distribution voltage, typically 7200 volts.

18  
19 Secondary Voltage: Nominal electric service voltage, typically lower than 600 volts.

20  
21 Rate: The amount imposed for a unit of service for the delivery of service, for the availability  
22 of service during a specified time period regardless of use, or for a combination of the above.  
23 Unless otherwise excepted by statute, rate includes an amount subject to public hearing under  
24 40-3.5-104(1)(a), C.R.S. relating to electric service. The term does not include fees or charges  
25 but a rate may be used to determine fees and charges.

26  
27  
28 **III. SERVICE CONDITIONS**

29  
30 **Customer's Installation**

- 31  
32 A. Before purchasing or beginning construction of a proposed installation, the customer shall  
33 confer with the Electric Department to determine if the type of service, capacity, and voltage  
34 desired by customer is available; to determine if extensions of, or additions to, the Utilities  
35 facilities will be required; and to determine the definite location of the point of delivery.  
36 Before any additions to or alternations of existing installations are made by the customer  
37 which will materially affect the amount of service required, or which may require a change in  
38 the type of service or the point of delivery, the Electric Department must be notified  
39 reasonably in advance as to the proposed additions or alterations in order that it may be first  
40 determined by the Electric Department if the service desired is available and, if so, that the  
41 necessary changes in the Utilities facilities may be arranged for and completed.  
42  
43 B. All wiring and other electrical equipment on the customer's side of the point of delivery will

1 be furnished, installed and maintained at all times by the customer in conformity with good  
2 electrical practice and with the requirements of the National Electric Code (NEC), the  
3 National Electric Safety Code (NESC), the wiring regulations of the public body having  
4 jurisdiction, and in accordance with these Regulations as well as administrative rules adopted  
5 by the Electric Department. The Electric Department may also require the customer to meet  
6 additional safety conditions when deemed necessary due to the customer's proposed use or  
7 installation. It shall be the customer's responsibility to provide suitable protective equipment  
8 to adequately protect the customer's wiring and equipment.

- 9
- 10 C. The customer's side of the point of delivery, wiring and equipment shall be required to meet  
11 the service conditions set forth in these Regulations and also all requirements adopted by the  
12 Pikes Peak Regional Building Department. Failure to meet these conditions shall constitute  
13 cause for refusal to serve or discontinuance of service, whichever is appropriate. Any waiver  
14 by Utilities of any service condition contained herein must be in writing. The Electric  
15 Department retains the sole discretion to determine compliance with these service conditions.

16

17 Interference with Quality of Service

18 If, in the opinion of the Electric Department, service to a customer creates interference with the  
19 quality of service supplied to neighboring customers, including those situations where the customer  
20 fails to comply with these Regulations and the Codes, the Electric Department may require the  
21 customer to provide at the customer's own expense such special or additional equipment as is  
22 required. The Electric Department may, in its discretion, provide such equipment if customer fully  
23 pays the net estimated installed cost of such equipment. If the customer refuses to provide its own  
24 corrective equipment, or to reimburse the Electric Department for the cost of such additional or  
25 special equipment as is required to eliminate interference with the quality of service to neighboring  
26 customers resulting from the failure to install corrective equipment or take appropriate corrective  
27 practices, Utilities may refuse or discontinue the customer's service.

28

29 Phase Balancing

- 30
- 31 A. Where any single phase or three phase is supplied, the load must be balanced as nearly as  
32 practicable between the two sides or several phases, respectively. In no case is the load on one  
33 side of a three-wire single-phase service to be greater than twice that on the other, nor the load  
34 on any one phase of a three-phase wye-connected service greater than twice that on any other  
35 phase.
- 36
- 37 B. If the customer does not comply, within 30 days of a request by the Electric Department to  
38 balance the service, Utilities has the option of discontinuing service or upgrading the facilities  
39 at the customer's expense to accommodate the imbalance. The repair of any damage to the  
40 Utilities facilities caused by the imbalance will be at the expense of the customer causing the  
41 imbalance.

42

43 Customer's Wiring and Equipment

1 It shall be the customer's responsibility to provide suitable protective equipment such as fuses, circuit  
2 breakers and relays to adequately protect their equipment. If three-phase equipment is used, it shall be  
3 the customer's responsibility to protect it against phase failure, phase reversal, and under and over  
4 voltage. Specific requirements governing conditions of service shall be contained in standards,  
5 specifications or guidelines issued by the Electric Department.  
6

#### 7 Welders

8

- 9 A. Utilities will serve, at the applicable rate and without additional compensation, welding  
10 equipment of the limited input type which conforms to the standards of the National Electrical  
11 Manufacturers Association (NEMA), and which has a maximum input (primary) current rating  
12 not exceeding 12 amperes at 120 volts or 50 amperes at 208 or 240 volts.  
13
- 14 B. Welding equipment which does not meet the standards of NEMA, or which exceeds in input  
15 rating 12 amperes at 120 volts or 50 amperes at 208 or 240 volts, will also be served at the  
16 applicable rate, at the discretion of the Electric Department, provided that service to such  
17 welders has no detrimental effect on service to neighboring customers. Such equipment may,  
18 at the direction of the Electric Department, require an upgrade in service to the customer. All  
19 costs of said upgrade will be paid by the customer.  
20

#### 21 Motor Protective Devices

22 All motor installations shall have protective apparatus or construction within the motor to accomplish  
23 equivalent protection as follows:  
24

- 25 A. Motors that cannot be safely subjected to full-rated voltage at starting shall be provided with a  
26 device to insure that on failure of voltage, such motors will be disconnected from the line.  
27
- 28 B. Suitable overload and overcurrent running protection shall be provided for each motor so as to  
29 disconnect the motor from the line to protect it from damage caused by overheating.  
30
- 31 C. Phase reversal and open-phase protection is required on all three-phase installations, and is  
32 required for such installations involving elevators, hoists, and similar equipment to disconnect  
33 motors from the line in the event of phase reversal or opening of one phase.  
34
- 35 D. Motor Starting Limitations. Motors 10 horsepower (HP) and larger must be equipped so as  
36 not to exceed 300% of normal load at start-up.  
37
- 38 E. In the event any of the above is not followed and damage to customer equipment occurs,  
39 Utilities will assume no responsibility.  
40

#### 41 Instantaneous Demand

42 In order to protect service and equipment, motors of ten (10) HP or larger shall have such  
43 characteristics, or be equipped with a starter of such design, that the instantaneous starting current

1 requirement will be limited to approximately 300% of normal full load current.

2  
3 Harmonics and Harmonic Current Distortion Limits

- 4  
5 A. Each customer requesting electric service from Utilities, single-phase or three-phase, shall be  
6 responsible for limiting the harmonic current distortion levels at their electric service metering  
7 point to the levels prescribed in the latest edition of the Institute of Electrical and Electronics  
8 Engineers (IEEE) 519 standard.  
9  
10 B. The requirements, terms, conditions and remedies for noncompliance with the harmonic  
11 current distortion levels may be set forth in a rate schedule approved by Council.  
12

13 Power Factor

- 14  
15 A. All non-residential customers with a maximum monthly demand in excess of 20 kw shall be  
16 required to maintain a 95% power factor at the customer's peak. Failure to maintain a 95%  
17 power factor may result in additional charges to the customer pursuant to the terms of the rate  
18 schedule approved by Council for the particular service category.  
19  
20 B. All 5 HP or larger motors shall be required to install capacitors connected to the motor starter  
21 to be energized when the motor is running.  
22  
23 C. In the event it is not practicable for the customer to correct the power factor as required by  
24 these Rules, Utilities may, at the option of the customer, discontinue service or install  
25 corrective equipment on the Utilities system at the customer's expense.  
26  
27 D. All services, equipment, and installations must meet all applicable Codes.  
28

29 **IV. METERS**

30  
31 Point of Delivery

32 Metering Equipment Requirements:

- 33  
34 A. The point of delivery is that point on the customer's premises (or other agreed point) where  
35 Utilities terminates its electrical service conductors and the customer's wires are connected to  
36 Utilities conductors. All equipment on the load side of the point of delivery shall belong to,  
37 and be the responsibility of the customer, except meters and other equipment provided by  
38 Utilities, including instrument transformers. If an outage occurs due to failure of the housing  
39 components, the customer is responsible for repairs.  
40  
41 B. It shall be the responsibility of the customer, or the customer's electrical contractor, to obtain  
42 the Electric Department's most current standards, specifications or guidelines and to advise  
43 the Electric Department of the customer's requirements in advance of installing the service

1 entrance equipment, and to ascertain that the location is acceptable to the Electric Department.  
2

3 C. The customer shall furnish and install a meter housing approved by the Electric Department  
4 for the installation of the Electric Department's metering equipment. If, in the Electric  
5 Departments' discretion, instrument transformers are required, the customer shall furnish and  
6 install an approved suitable metal enclosure for the installation of instrument transformers and  
7 the metering sockets for which the Electric Department will furnish and install the meters. In  
8 the case of meter clusters, the customer shall furnish and install metering equipment that has  
9 been approved by the Electric Department's Engineering and Metering Divisions. Electric  
10 Department staff will inspect installations at the time of service connection.  
11

12 D. In multi-unit buildings each meter socket shall be plainly and permanently marked with an  
13 engraved brass badge to indicate which apartment or unit it supplies. The marking shall be the  
14 same as the mailing address for each apartment or unit. The owner or developer shall be  
15 responsible for all electricity delivered through unmarked, illegible or incorrectly labeled  
16 meter sockets. Utilities will bill all expenses incurred by the Electric Department related to  
17 correcting improperly labeled meters to the developer or owner, who shall pay such expenses  
18 within 30 days of receipt of said billing.  
19

#### 20 Meter Locations

21

22 A. Meter housings for all types of services shall be located on the outside of the building or  
23 structure and accessible to personnel of the Electric Department. The location of meters and  
24 metering equipment will be located at the front third of the garage, unencumbered by any  
25 permanent structures, and readily accessible at all reasonable hours for reading, testing,  
26 inspecting, and other maintenance purposes. Meters will not be installed where they will  
27 interfere with traffic, sidewalks, driveways or behind fences.  
28

#### 29 Construction Specifications

30

31 A. Meters shall not be installed in places difficult to access, such as over open pits, moving  
32 machinery, hatchways, in the path of water from eaves or rain spouts, or subject to live steam  
33 or corrosive vapors. It shall be the responsibility of the customer to maintain a clear space of  
34 at least 36 inches in front of the meter. No hazardous plants, shrubs or other obstructions shall  
35 be placed within the 36-inch clearance area. If a violation of this requirement occurs, the  
36 customer shall be given 7 days to comply after written notice. After the expiration of the 7  
37 days, the Electric Department, in its discretion, may conform the meter access to these  
38 requirements at the customer's expense or discontinue service.  
39

40 B. Meters shall not be installed on poles or on pad-mounts.  
41

42 C. Meters shall be installed at a height of approximately five and one-half (5 ½) feet on center  
43 above the ground or platform (except in meter pedestals provided by the Electric Department).

1 In cases where unusual conditions exist, the Electric Department shall be consulted prior to  
2 installation.

- 3
- 4 D. All electric meters and enclosures containing metering equipment shall be sealed. The seals  
5 are not to be broken without prior permission from authorized personnel of the Electric  
6 Department. Personnel of the Electric Department will seal all compartments, including  
7 instrument transformer compartments, and main switch enclosures located on the line side of  
8 multiple metering installations. Breaking of seals shall be grounds for terminating service and  
9 the imposition of diversion fees.

10

11 Meter Tests

- 12
- 13 A. The Electric Department will, at its own expense, make periodic tests and inspections, as  
14 required, on its meters to insure a high standard of accuracy. Utilities may, in its discretion,  
15 test a meter at any time. Utilities will, at its own expense, make one meter test per year upon  
16 the customer's request. A meter shall be considered accurate if it tests within 2% plus or  
17 minus. Bills will be adjusted if a meter tests in excess of the 2% accuracy standard, but the  
18 maximum adjustment period shall not exceed the time from the last meter test or 6 months,  
19 whichever is less.
- 20
- 21 B. Additionally, more frequent tests will also be made at the request of the customer. However,  
22 in the event the meter is found to register within 2% plus or minus, the customer will be  
23 required to pay a test fee as set forth in the then current Fee Schedule. If the meter is found to  
24 exceed the 2% limit plus or minus, the bill may be adjusted accordingly for the preceding six  
25 (6) month period or until the previous test, if tested less than six (6) months before, and no  
26 charge will be made for the testing.

27

28 Separate Meter for Each Class of Service

29 When the customer receives service under more than one rate schedule, a separate meter must be  
30 installed for service under each rate schedule. The customer will be billed under each rate schedule  
31 based on the measurement registered by the applicable meter and under the applicable rate schedule.

32

33 Additional Meters; Prohibition on Resale of Electricity

34 Should the customer desire the installation of additional meters other than those deemed necessary by  
35 the Electric Department to adequately measure the service taken by the customer, such additional  
36 meters shall be provided, installed and maintained at the expense of the customer. Electricity  
37 supplied by Utilities is for the exclusive use of the customer. The customer may not, by sub-metering,  
38 determine a quantity of electric energy and resell said electric energy with any type of mark-up to any  
39 other person or persons on the customer's premises or for use on any other premises.

40

41 **V. MISCELLANEOUS**

42

43 Additional Load

1 If the customer desires a material change in load, the customer shall notify the Electric Department in  
2 writing and in advance of the material change so that, if necessary, the Electric Department may  
3 change its line and/or service equipment at customer expense. In the event the customer fails to notify  
4 the Electric Department, and, as a result, the equipment of the Electric Department is damaged, the  
5 customer shall be liable for the cost of such damage. Utilities will not be responsible for providing  
6 adequate service in the event that it is not properly notified as set forth herein.

7  
8 Attachments to Utility Property

9 No posters, banners, placards, radio or television aerials, or other objects will be attached to the poles  
10 or other utility property of Utilities. Any attachment to Utilities poles or other utility property must  
11 have the express prior written authorization of Utilities. Attachment to the pole by others under the  
12 1996 Federal Telecommunications Act for providing services must be made pursuant to a pole  
13 attachment agreement provided by the city.

14  
15 Customer Power Outage

16 If service fails, the customer shall endeavor to determine if blown fuses, tripped breakers, or,  
17 customer equipment is at fault before calling the Electric Department. If an Electric Department  
18 service employee is sent out at the customer's request and it is determined that the customer's  
19 equipment is at fault, a charge may be made for the call as set forth in the Fee Schedule adopted by  
20 Council.

21  
22 Diversion of Electric Energy

23  
24 A. Definitions. See Utility Code.

25  
26 B. Prohibited Activity. Energy diversion constitutes theft and a safety hazard. As such, energy  
27 diversion is prohibited. Due to its hazardous nature, discovery by the Electric Department that  
28 energy diversion has occurred shall be grounds for immediate disconnection of service without  
29 prior notice to the customer or user at such premises, and service shall not be reconnected  
30 until any and all deficiencies in wiring, connections, meters and/or electric facilities at the  
31 premises have been repaired, corrected or otherwise altered to conform with the requirements  
32 of the Electric Department. In any case where energy diversion has occurred and immediate  
33 disconnection is effected, Utilities will give notice concurrent with the disconnection or as  
34 soon as practicable thereafter and provide an opportunity for hearing as provided in the Utility  
35 Code regarding possible resolution of the dispute.

36  
37 C. Estimated Bill. In all cases where the Electric Department discovers that energy diversion has  
38 occurred, Utilities may bill the customer for estimated energy consumed but not properly  
39 registered. Such billing shall include, in appropriate circumstances the cost of any consultant  
40 retained by Utilities to assist in determining the estimated energy use.

41  
42 D. Additional Charges. Where Utilities discovers that energy diversion has occurred, Utilities, in  
43 its discretion, may charge the customer for the reasonable costs of investigation and the costs

1 resulting from the installation of protective devices by the Utilities.  
2

- 3 E. Waiver. The foregoing rule and payment by the customer of any charges thereunder in no way  
4 limits or waives Utilities rights to pursue any and all remedies provided or affects any action  
5 or prosecution, under applicable Colorado laws and ordinances of the City of Fountain, absent  
6 an express written agreement to the contrary.  
7

### 8 Service Failures 9

- 10 A. Utilities will endeavor to provide a constant and uninterrupted supply of power and energy to  
11 its customers and to avoid service failures, but does not guarantee same. Utilities shall not be  
12 liable for any loss or damages, including consequential or special damages, resulting from  
13 service failures caused by accidents, acts of God, action of the elements, public enemy, strikes  
14 and other work stoppages, wars, authority or orders of government, required maintenance  
15 work, equipment breakdown, the unavailability, restriction or interruption of its wholesale  
16 power and energy supply, or any other causes or contingencies beyond its control.  
17
- 18 B. Service failures include, but are not limited to, phase reversals and/or single phasing of three-  
19 phase services, voltage transients, frequency deviations, wave shape deviation and service  
20 interruptions. In addition to the causes listed above, service failures may result from  
21 generally accepted utility system design, construction or operating practices and procedures.  
22
- 23 C. The customer shall provide at its expense any devices necessary for adequate protection of its  
24 equipment, processes, products or personnel against such service failures. Utilities shall not  
25 be liable for any loss or damages caused by service failures resulting from utility system  
26 design, construction or operating practices and procedures unless both the Utilities acted in a  
27 negligent manner and the loss or damage would have occurred despite the proper installation  
28 and operation of the appropriate protective devices by the customer.  
29

### 30 Notice of Trouble

31 In the event service is interrupted or is not adequate, or any hazardous condition is known to exist, it  
32 shall be the obligation of the customer to promptly notify Utilities of such existing condition.  
33

### 34 Resale of Electric Energy

35 Electric energy supplied by Utilities is for the exclusive use of the customer. The customer may not,  
36 by sub-metering, determine a quantity of electric energy and resell said electric energy to any other  
37 person or persons on the customer's premises or for use on any other premises. A master meter  
38 customer may, however, check meter tenants, lessees, or other persons to whom ultimately the  
39 electricity is distributed for the purpose of reimbursing the master meter customer through an  
40 appropriate allocation procedure. In that event, Utilities reserves the right to check said meters and  
41 evaluate the reimbursement procedure to protect against inequities and guarantee that the customer is  
42 not reselling the electric energy. Utilities' reserves the right to refuse to furnish electric service to any  
43 customer where the purchase of such service is for the purpose of resale by the customer to others. In

1 the event electric energy is sold in conflict with this rule, Utilities shall have the right to discontinue  
2 service to the offending customer.

### 3 4 Right of Access

5 Access to the premises of customers shall be provided by the customer at all reasonable times for  
6 authorized employees of the Electric Department for any proper purpose incidental to the supplying of  
7 electric service. This includes, but is not limited to, reading meters and testing, inspecting, repairing  
8 or replacing any equipment which is the property of Utilities; investigating possible energy diversion;  
9 and responding to emergency circumstances to protect the public safety and welfare. If access to the  
10 property or any equipment is limited in any fashion, the customer shall take all steps, including the  
11 provision of keys where necessary, to provide access to the Electric Department's authorized  
12 employees or contractors. All easement areas shall be maintained for adequate access to Utilities  
13 equipment. Utilities shall have the right to remove any obstruction at the customer's expense if the  
14 customer does not correct the access problem within 72 hours after notification of the problem. In the  
15 case of an emergency, Utilities may correct the access problem without notice.

### 16 17 Complaints

18  
19 A. Utilities will investigate promptly all complaints by its customers. Utilities will keep for at  
20 least two (2) years, a record of all written complaints including:

- 21
- 22 1. The complaint itself;
- 23 2. The date received;
- 24 3. The date finally disposed; and
- 25 4. The actual disposition of the complaint.
- 26

27 B. The following procedure governs complaints to Utilities:

- 28
- 29 1. A customer may contact Utilities informally by telephone or in person to attempt to  
30 resolve any complaint. The appropriate staff person will investigate the complaint and  
31 may take appropriate action.
- 32
- 33 2. If the customer is not satisfied with the outcome of the informal complaint process, the  
34 customer may request a formal hearing pursuant to provisions contained in the Utility  
35 Code.
- 36

### 37 Computation of Time

38 In computing any period of time required or allowed by these Regulations, the day of the act, event,  
39 mailing or delivery from which the designated period of time begins to run shall not be included. The  
40 last day of the period so computed shall be included unless it is a Saturday, Sunday or a City of  
41 Fountain observed holiday, in which event the period runs to the end of the next day which is not a  
42 Saturday, Sunday or observed holiday. All references to a number of "days" herein, shall refer to  
43 calendar days and not working days, unless indicated otherwise.

1  
2 Line Extension Policy  
3

4 A. General Information. The Electric Department is responsible for the standards; electrical  
5 engineering and design associated with all Utilities-owned and maintained electric facilities.  
6 All electric distribution systems will comply with the requirements outlined in these  
7 Regulations and the “Fountain Electric Construction Standards and Specifications” (“Electric  
8 Specifications”), as adopted by the Utilities Director. Line extensions will begin at the closest  
9 suitable point of the electric distribution system, as determined by the Electric Department.  
10 The developer or owner will be responsible for acquisition of easements outside of developing  
11 areas that may be needed for system upgrades in order to serve the project. Utilities shall own,  
12 install, and maintain all primary voltage systems, including transformers. The developer or  
13 owner shall pay all construction and installation costs required for street lighting systems  
14 along public roadways within the development, and the appropriate portion of costs required  
15 for street lighting systems along public roadways contiguous to the development.  
16

17 B. Residential Service Extensions. Residential subdivision developments within the Utilities  
18 electric service territory will incorporate front of lot underground facilities, with a redundant  
19 loop feed to ensure reliability. Individual building lots within areas with established overhead  
20 facilities and rural subdivision developments may incorporate either overhead or underground  
21 facilities pursuant to the requirements of the Electric Specifications. Underground installations  
22 will utilize pad mounted transformers. Available single phase voltage will be 120/240 volts.  
23 The extension will end at the customer’s point of delivery and the responsibility for service  
24 facilities is:  
25

- 26 1. Meter Pedestals: The customer will install, own, and maintain the service facilities  
27 from the meter pedestal. These facilities shall be in accordance with the requirements  
28 of the NEC and the Pikes Peak Regional Building Department.  
29
- 30 2. Secondary Junction Vaults: Where secondary junction vaults have been installed in  
31 residential subdivisions in lieu of pedestals, the Electric Department will install the  
32 secondary service to the home. The customer will install the meter housing and  
33 associated wiring on the home. These facilities shall be in accordance with the  
34 requirements of the NEC and the Pikes Peak Regional Building Department or  
35 governing inspection agency.  
36
- 37 3. Overhead and the secondary voltage system: Utilities will own and service wiring up  
38 to the service mast. The customer will own, install, and maintain the service facilities  
39 including the mast and attachment point for the secondary service wire drop that is  
40 secure and provides proper clearance for associated wiring. These facilities will be in  
41 accordance with NEC requirements and be inspected and approved by the Pikes Peak  
42 Regional Building Department or governing agency  
43

1 C. Connections  
2

- 3 1. Underground Service: All connections to Utilities-owned facilities must be made by  
4 Electric Department personnel.  
5  
6 2. Overhead Service: Under standard practice, Electric Department personnel will  
7 connect the Utilities-owned service drop to the customer-owned mast wiring.  
8

9 D. Procedures. To initiate the design and cost estimating process for residential development, the  
10 builder or developer shall contact the Electric Department for project coordination.  
11

12 E. Fees. The on-site and off-site cost will be paid by the developer or builder or other  
13 responsible party. "On-site and off-site" refers to facilities directly associated with service to  
14 the development or building and/or facilities physically located on the development or  
15 building site. The cost will be the total of material, labor, labor overheads, equipment, Utilities  
16 subcontracted work associated with the project, and engineering/administration costs, based  
17 on standard estimating procedures established by the Electric Department. Additionally, a line  
18 extension fee will be charged to the builder or other responsible party for the cost associated  
19 with the service line from the residential meter to the source of power together with the  
20 installation cost. This line extension fee is collected as part of the permit fee issued by the  
21 City Clerk. Currently, that fee is \$500.00; however, the Electric Department is considering an  
22 update to the cost analysis associated with this fee. Any change to this line extension fee will  
23 be posted in these Regulations. The developer or builder is responsible for paying all costs  
24 required for street lighting systems within the development, and the appropriate portion of  
25 costs required for street lighting along public roadways adjacent to the development. A System  
26 Development Charge (SDC) for all new electric services is required. Specific details of the  
27 SDC are found in the electric rate schedule entitled "System Development Charge" as  
28 approved by the City Council. Payment will be made as required by Utilities.  
29

30 F. Commercial/ Industrial Service Extensions. Installation and Ownership of Facilities.  
31 Underground installations will utilize pad mounted transformers. Overhead installations are  
32 limited to a maximum transformer size of 150 kVA.  
33

- 34 1. Underground: The customer will own, install, and maintain the service facilities from  
35 the transformer secondary spades to the facility. These facilities will be in accordance  
36 with NEC requirements and be inspected and approved by the Pikes Peak Regional  
37 Building Department or governing agency.  
38  
39 2. Overhead: Utilities will own service wiring up to the service mast. The customer will  
40 own, install, and maintain the service facilities including the mast, an attachment point  
41 for the secondary service wire that is secure and provides proper clearance, and  
42 associated wiring. These facilities will be in accordance with NEC requirements and  
43 be inspected and approved by the Pikes Peak Regional Building Department or

1 governing agency.  
2

- 3 3. Primary Meter Service: Utilities will own, install, and maintain all primary voltage  
4 facilities up to and including the customer's metering point. The customer will own,  
5 install, and maintain all facilities on the load side of the metering point unless  
6 determined otherwise by individual contract. All customer facilities will be in  
7 accordance with NESC and NEC requirements.  
8
- 9 4. Connections of Service Facilities: Customer-owned facilities must be inspected and  
10 approved by the Pikes Peak Regional Building Authority or appropriate governing  
11 agency prior to final connection to the Utilities-owned facilities and/or system.  
12
- 13 5. Underground Service: All connections to Utilities-owned facilities will be made by  
14 Electric Department personnel. Unless specifically approved by the Electric  
15 Department, the customer will install cable of sufficient length for termination.  
16
- 17 6. Overhead Service: Under standard practice, Electric Department personnel will  
18 connect the Utilities owned service drop to the customer-owned mast wiring.  
19

20 G. Procedures: To initiate the design and cost estimating process for Commercial/ Industrial  
21 Service Extensions, the builder or developer shall contact the Electric Department for project  
22 coordination  
23

24  
25 H. Residential Service Modifications. The service modification may include a meter relocation,  
26 electric panel upgrade, conversion from overhead to underground, etc., and may include the  
27 customer's point of delivery. The responsibility for service facilities is:  
28

- 29 1. Overhead service to underground service modification. The Electric Department will  
30 furnish and install conduit and wire from pole to meter housing. The customer or  
31 owner will furnish trench from pole to meter housing and backfill after conduit and  
32 wire is installed. Installation of meter housing is the responsibility of the Owner.  
33
- 34 2. 100 amp underground to 200 amp underground service modification. Utilities will  
35 furnish and install the conduit and service wire from the transformer to the meter  
36 pedestal. Owner may provide a trench in accordance with Utilities trench  
37 specifications, or, pay the cost to trench from the transformer to the new meter  
38 location.  
39
- 40 3. 100 amp overhead to 200 amp overhead service modification.  
41

42 Utilities will furnish service wiring up to the service mast. The customer will install 200 amp  
43 service facilities including the mast and an attachment point for the secondary service.

1 \*All service modifications must be approved by Pikes Peak Regional Building Department or  
2 appropriate governing agency prior to final connection to Utilities-owned facilities and/or  
3 system. All connections to Utilities-owned facilities will be made by Electric Department  
4 personnel.  
5

6 I. Procedures. To initiate the design cost estimating process for residential modification the  
7 customer shall contact the Electric Department for project coordination.  
8

9 J. Fees. The cost/fees associated with the service modification is established in the Utilities  
10 Design Standards and Construction Specifications and will be paid by the customer or other  
11 responsible party. Payment shall be made as required by Utilities.  
12

### 13 Commercial/Industrial Service Modifications

#### 14 Service Modification

15  
16  
17 The service modification may include meter relocation, electric panel upgrade, etc., and will include  
18 the customer's point of delivery. The customer is responsible for all modification and all cost of  
19 material, labor, equipment, Utilities subcontracted work associated with the project, and engineering/  
20 administration costs, based on standard estimating procedures established by the Electric Department.  
21 These costs may include the relocation or alteration of existing electric facilities necessitated by the  
22 project. Payment shall be made as required by Utilities  
23

#### 24 Cogeneration and Small Power Production

25  
26 A. The Federal Energy Regulatory Commission ("FERC") has promulgated regulations with  
27 regard to small power production and cogeneration (Part 292 of Title 18 of the Code of  
28 Federal Regulations (1984). As required by Federal law, Utilities, as a nonregulated electric  
29 utility, will implement the requirements of the FERC regulations through this rule.  
30

31 B. This rule applies to all qualifying cogeneration and small power production facilities  
32 ("qualifying facilities"), as defined in the FERC regulations, which are willing and able to  
33 enter an agreement with Utilities. This rule represents general guidelines, since the nature,  
34 size and character of qualifying facilities may vary widely. Utilities' reserves the right to  
35 evaluate each qualifying facility on a case-by-case basis.  
36

37 C. Utilities shall purchase energy, or, if satisfactory conditions have been met, capacity and  
38 energy, from any qualifying facility who offers to sell energy or capacity and energy. The  
39 standard rates for purchases from qualifying facilities with a design capacity of 100kw or less  
40 are set forth on the appropriate rate schedule of Utilities as approved by the City Council.  
41 Rates for purchases from qualifying facilities with a design capacity in excess of 100kw shall  
42 be established by contract on a case-by-case basis.  
43

- 1 D. In establishing rates for purchases from qualifying facilities, Utilities shall consider the criteria  
2 set forth in the FERC's regulations at 18 C.F.R. §292.304(e). Such rates shall: be just and  
3 reasonable, be in the public interest, and not discriminate against qualifying facilities.  
4 Whether capacity payments shall be made and the amount of capacity to be credited to a  
5 qualifying facility shall be determined based upon the criteria established by Utilities pursuant  
6 to 18 C.F.R. §292.304(e). Said criteria include, but are not limited to, reliability, availability,  
7 dispatch ability, the avoided cost of the Utilities wholesale suppliers, the type of equipment,  
8 degree of coordination with the Utilities power supply sources and the Utilities ability to avoid  
9 capacity costs.
- 10
- 11 E. In the event of the imposition of any tax or payment in lieu thereof on the Utilities, by any  
12 lawful authority, on the production, transmission, sale or purchase of energy or capacity and  
13 energy that would not occur in the case of a comparable non-generating customer, such tax  
14 shall be paid by the qualifying facility.
- 15
- 16 F. Upon notification to the qualifying facility, Utilities may discontinue its purchases from the  
17 qualifying facility if Utilities determines that purchases from the qualifying facility would  
18 result in costs greater than those that the Utilities would incur if it did not make such  
19 purchases.
- 20
- 21 G. Utilities will determine the appropriate equipment required to meter capacity and/or energy  
22 provided by the qualifying facility. This equipment shall be installed, maintained and read at  
23 the expense of the qualifying facility.
- 24
- 25 H. Utilities will provide electric service to all qualifying facilities located in its service territory  
26 pursuant to its standard applicable rate schedules and the Utilities rules and regulations  
27 governing electric service. Supplementary, back-up, maintenance and interruptible power may  
28 be provided to qualifying facilities, upon request, at a contract rate determined on a case-by-  
29 case basis.
- 30
- 31 I. Utilities must be consulted in advance of any construction or operation by a qualifying facility.  
32 The qualifying facility shall provide to Utilities all information requested by the Utilities  
33 relevant to the proposed construction and operation of the qualifying facility. Utilities will  
34 evaluate each proposal on a case-by-case basis and may prescribe reasonable terms and  
35 conditions governing construction, operations and interconnection of the qualifying facility.
- 36
- 37 J. Utilities may require the execution of a written agreement prior to interconnection containing  
38 such terms and conditions as deemed reasonable by the Utilities governing the relationship  
39 between Utilities and the qualifying facility. In all cases where the design capacity of the  
40 qualifying facility is in excess of 100kw, a written agreement shall be required.
- 41
- 42 K. Any and all costs of interconnection, including those incurred by Utilities, shall be the sole  
43 responsibility of the qualifying facility. Utilities will also charge the qualifying facility for

1 administrative costs, consulting and legal fees incurred in processing the qualifying facility's  
2 application and negotiating an agreement.

- 3
- 4 L. Based on mutual agreement, Utilities, in its discretion, may transmit energy or power and  
5 energy, supplied by the qualifying facility, to another utility, pursuant to an appropriate  
6 contract, to the extent that transmission capacity is available. Utilities may make an  
7 appropriate charge to the qualifying facility for such transmission.  
8
- 9 M. Utilities shall provide, upon request, sufficient data to allow a potential qualifying facility to  
10 determine the Utilities avoided costs. The data provided will generally conform to the outline  
11 provided in 18 C.F.R. §292.302 (1984).  
12
- 13 N. The qualifying facility shall comply with all requirements of the National Electrical Safety  
14 Code, American National Standards Institute, Institute of Electrical and Electronic Engineers,  
15 American Society of Mechanical Engineers, and any other applicable local, state, or national  
16 codes (including any standards prescribed by Utilities) and shall operate its equipment  
17 according to prudent utility practice. In case of any conflict in the foregoing codes or  
18 standards, Utilities shall decide which shall govern.  
19
- 20 O. The qualifying facility shall, to the point of interconnection, furnish, install, operate and  
21 maintain in good order and repair and without cost to Utilities such relays, locks and seals,  
22 breakers, automatic synchronizers, and other control and protective equipment as shall be  
23 designated by Utilities as being required as suitable for the operation of the qualifying facility  
24 in parallel with the Utilities system. The qualifying facility shall take appropriate steps to  
25 ensure that operating in parallel will not degrade in any fashion the quality of service to its  
26 customers that is normally maintained on the Utilities system.  
27
- 28 P. The qualifying facility, at its own expense, must provide switching equipment capable of  
29 isolating the qualifying facility from the Utilities system. This equipment must be designated  
30 for the exclusive use of Utilities and shall be accessible to Utilities at all times.  
31
- 32 Q. Utilities, in its sole discretion and without notice or liability, may choose to operate the  
33 switching equipment described above if, in the opinion of Utilities continued operation of the  
34 qualifying facility in connection with the Utilities system may create or contribute to a system  
35 emergency or safety hazard. Utilities failure to operate such equipment shall not relieve the  
36 qualifying facility of liability for any damage resulting to the Utilities system. Utilities  
37 obligation to purchase from the qualifying facility ceases when Utilities operates the switching  
38 equipment described above. Utilities shall endeavor to minimize any adverse effects of such  
39 operation on the qualifying facility.  
40
- 41 R. The qualifying facility shall indemnify and hold harmless Utilities from any and all liability  
42 arising from the operation and interconnection of the qualifying facility. The qualifying  
43 facility shall bear full responsibility for the installation and safe operation of the equipment

1 required to generate and deliver energy or capacity and energy to the point of interconnection.  
2 All facilities constituting the qualifying facility are subject to the inspection and approval of  
3 Utilities, as often as deemed necessary by Utilities, at any time after construction has begun.  
4 This right to inspection shall continue after the qualifying facility has interconnected with  
5 Utilities. Utilities shall also have a right to inspect maintenance schedules and records. Such  
6 inspection or approval of facilities shall not be construed to endorse their design, warrant  
7 safety, durability or reliability, or waive any of the Utilities rights. The inspection and  
8 approval shall be solely for the use of Utilities. The qualifying facility must, at the request of  
9 Utilities, modify existing facilities or install additional facilities to comply with the existing or  
10 changing requirements of the Utilities system.  
11

12 S. The qualifying facility shall be required to procure and maintain such insurance as is deemed  
13 necessary by Utilities, solely at the expense of the qualifying facility.  
14

15 T. Utilities may, without cost or liability, discontinue purchases from the qualifying facility;  
16

- 17 1. To allow Utilities to perform maintenance, tests or repairs on the qualifying  
18 interconnection facilities;  
19
- 20 2. During a system emergency where continuing purchases would contribute to such  
21 emergency;  
22
- 23 3. When the operation of a qualifying facility is jeopardizing the integrity of the Utilities  
24 system or interfering with the service to customers or other sources of generation and  
25 transmission on the Utilities system; or  
26
- 27 4. When monitoring or inspection by Utilities of the qualifying facility reveals a  
28 condition hazardous, in Utilities opinion, to the Utilities system or a lack of scheduled  
29 maintenance or maintenance records for equipment necessary to protect the Utilities  
30 system.  
31

32 U. The qualifying facility shall obtain and supply all easements necessary for operation and  
33 maintenance of those interconnection facilities owned by Utilities on the property of the  
34 qualifying facility or a third party. This shall include the switching equipment designated  
35 above and necessary metering equipment.  
36  
37  
38