

Rule No. 5

SERVICE CONDITIONS

5-1 Supply of Service

- A. To the extent permitted by law or agreement, service shall be supplied only under and pursuant to these rules and any modifications or additions thereto lawfully made and under such applicable rates, schedules, and contracts as may from time to time be lawfully established. Service shall be supplied under the applicable rates, schedules, and contracts only at such points of delivery as are within the free extension limits, or such extended limits as are provided for in Rule No. 6, from the Utility's facilities which are adequate and suitable as to voltage, phase, and capacity for the service desired.
- B. When, to make service available to a prospective Customer, the Utility must extend its lines beyond the free extension limit or increase or change transformer capacity or other facilities, a special service agreement may be required.
- C. If an extension is of such length and the prospective business, which may be developed, by it is so meager as to make it doubtful whether the business from the extension would yield a reasonable return, the facts may be reported to the Commission for investigation and determination as to the reasonableness of such extension.
- D. Where separate points of delivery exist for supplying service to a single Customer, or separate meters are maintained for measurement of service to a single Customer, each point of delivery or metering shall be separately billed under the applicable rates, schedules, or contracts, unless such contracts specify otherwise.

5-2 Permits - A Customer or prospective Customer must furnish all easements, cleared rights-of-way, and permits necessary to enable the Utility to supply the service requested by Customer. The Utility may elect to obtain rights-of-way, easements, and permits across and along public property, but the Customer or prospective Customer is not thereby relieved of the obligation to clear it initially. Customer shall grant the easement to the Utility, its successors, assigns, and apportionees.

5-3 Utility's Responsibility - The Utility is responsible only to the Customer for supplying electric service. If a service agreement with Customer exists, service is provided in accordance with conditions set forth in that service agreement, irrespective of ownership of the premises served. The Utility shall not be responsible for inconvenience, damage, or injury to persons or property resulting from the Utility's termination or discontinuance of service to any premises in accordance with Rule No. 5-9 or Rule No. 13 or interruptions to service pursuant to Rule No. 8-2B.

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5-4 Kind of Service Available

- A. The voltage, phase, frequency, and capacity of the Utility's facilities may vary in different areas. As protection against the installation of unsuitable lamps, appliances, motors, motor starters, and other equipment, Customers are advised to ascertain from the Utility the type of service available at their point of delivery. The type of service available under different rates and schedules varies, so the Customer should consult the Utility prior to purchasing and installing equipment to ascertain the type of service available under rates or schedules which will result in the lowest probable operating cost to Customer.
- B. Residential service shall be single-phase in character. If a residential Customer requires three-phase service and if existing utility facilities are such that it can be supplied, the service application shall so state and such service shall be provided as prescribed under the applicable rate schedule.

5-5 Use of Service

- A. Service shall be used by the Customer only for the purposes specified in the service agreement, contract, applicable rates, or schedules; and the Customer shall not retransfer, sell, or permit others to use such service, except when expressly authorized to do so by the rates, schedules, or contract under which the service is supplied.
- B. In no case may a Customer extend its electric facilities across or under a street, alley, lane, court, avenue, or other public or private space under different ownership in order to obtain a rate advantage by taking service for two or more premises through one meter.

5-6 Seasonal, Construction, Short-Term, or Temporary Service and Service to Individual Mobile Homes and Trailers (See Rule No. 5-11)

- A. The Utility may require the Customer to pay in advance the estimated cost of connecting and disconnecting and installing and removing, less salvage credits, the facilities required for rendering such service. Individual mobile homes and trailers shall not be entitled to a free line extension under the terms of Rule No. 6 until they have been classified as permanent in accordance with one of the following two paragraphs.

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- B. Should an individual mobile home or trailer remain in one location for 12 consecutive months, it shall be considered a permanent Customer and the deposit for estimated connection and disconnection charges, exclusive of line extension contribution required under Rule No. 6, shall be refunded upon request by the Customer. (For service to trailer courts see Rule No. 7-10.)
- C. A mobile home affixed to a permanent foundation and with modern all-weather provision for water and sewer facilities will be considered permanent. The provision for water and sewer requires either connection to city or town provided utilities, or to a State of Montana approved water well and septic tank system.
- D. Contractors, builders, or owners are required to execute a contract for the use of electricity for building and other purposes in construction work at a location not served by the Utility with electricity. Another Customer shall not allow a contractor, builder, or owner to use that Customer's service unless the contractor, builder, or owner obtains the Utility's permission specifying the other premises where the electric service is to be used. Permanent service will not be turned on at any new premises until payment has been made for all construction service.
- E. Service to structures with seasonal occupancy including but not limited to seasonal cabins and summer homes will be supplied only if Customer agrees to pay for service to that structure for 12 months of the year.

5-7 Loads of Uncertain Duration

- A. The Utility may require a Customer with Loads of Uncertain Duration to advance the entire cost of installing facilities used in rendering such service and shall credit the account of the Customer, the Customer's successor, or assignee with an amount equal to 20 percent of the Customer's annual electric utility bill until the cost of the free line extension allowance provided under the terms of Rule No. 6 has been refunded; provided, however, that the refund period for the Customer, the Customer's successor, or assignee at this location shall not extend more than five (5) years from date of initial service regardless of the amount of the unrecovered advance. The customer credits will be calculated on an annual basis, and such credits will be applied to the Customer's, the Customer's successor's, or assignee's account on an annual basis only, or after discontinuance of service. Rule No. 5-11 also applies to Loads of Uncertain Duration.

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- B. Service to carnivals and circuses or other similar temporary events - The Utility shall collect from the Customer, in advance, the estimated cost of connecting and disconnecting service and the cost of installing and removing, less salvage credits, the facilities required for rendering such service, in addition to the deposit required for electric service. Energy charges shall be prorated for that portion of the month that service is rendered, but no proration will be applied to the demand charge.
- C. Any amount collected from a Customer which is in excess of the actual cost of installing and removing the facilities required for rendering such service will be refunded to the Customer within 30 days after service is disconnected and facilities have been removed.

5-8 Refusal and Termination of Service by Utility

- A. The Utility may refuse service to any delinquent Customer owing the Utility for service at a present or previous location in the Utility's service area until such past balance has been paid or a satisfactory arrangement has been made for paying it.
- B. The Utility may refuse service to an applicant for service on the basis of the delinquency of another Customer only under the following circumstances:
  - 1. In the case of a residential Customer:
    - a. If the applicant was a spouse or co-responsible party on the account of the delinquent Customer at the time the delinquency occurred; or
    - b. If the applicant was a parent of the delinquent Customer and the delinquent Customer was a minor at the time the delinquency occurred.
  - 2. In the case of nonresidential Customer, the Utility may refuse service to an applicant on the basis of such past delinquency only if the applicant has a legal obligation to pay the delinquency.
- C. The Utility may refuse service if the applicant for service refuses to establish credit as required under Rule No. 4.

5-9 Renting of Rooms - Where four or less rooms, not intended to constitute a separate family suite, within a residence are rented to the public for domestic purposes only by one owning or occupying



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the residence and where a single meter is installed, a single application of the rate shall apply to the entire service.

- 5-10 Surcharge on Advances or Contributions: Whenever, under the provisions of this Rate Schedule, an advance or contribution is required, the current surcharge as required by Utility operations shall be applied to such advance or contribution. This is to offset the effect caused by the Utility's delayed tax depreciation reimbursement of the current year tax on this advance or contribution. This surcharge is not applicable where advances or contributions are the result of highway relocations or any government directed relocations that benefit the public and the government is not receiving utility service.

