

January 23, 2009

Betty McCauley  
Chief of Docketing  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215

RE: Compliance Tariff Filing in Case Nos. 07-551-EL-AIR et seq. and 08-1172-EL-ATA

Dear Ms McCauley:

Accompanying this letter, please find enclosed for filing on behalf of Ohio Edison Company and The Toledo Edison Company (respectively, "OE", "TE", or, individually, "Company" and collectively, the "Companies") the following tariffs:

**All tariffs contained in PUCO Tariff No. 8 for Ohio Edison and PUCO Tariff No. 11 for Toledo Edison, as authorized in Case Nos. 07-551-EL-AIR et seq. and 08-1172-EL-ATA.**

The tariffs are submitted as the compliance filing pursuant to the Commission's Opinion and Order of January 21, 2009 in Case No. 07-551-EL-AIR ("Distribution Case") and their effect and implementation are as follows:

- To accommodate the newly approved rate structure for distribution and transmission rates, while maintaining the existing rate structure for other charges, the Companies have reformatted the existing tariff book for each individual Company (OE – PUCO Tariff No. 8; TE – PUCO Tariff No. 11) into two parts. The first part contains all distribution and transmission related tariffs and is referred to as the Delivery Service book. The second part contains tariffs for all charges other than those contained in the Delivery Service book and is referred to as the Electricity Supply book. Both the Delivery Service and the Electricity Supply books retain the existing PUCO tariff numbers.
- The Delivery Service book contains the new distribution tariff sheets as proposed by the Companies in the Distribution Case, as modified to comply with the Commission's Opinion and Order.
- The following existing distribution related tariff sheets were deleted as proposed by the Companies in the Distribution Case:

OE – Pole Attachment Tariff, Late Payment Charges for Government Accounts, Conservation Service Program, General Service – Polymer Growth Fund Program, State kWh Tax Self-Assessor Credit Rider, Residential Transmission and Ancillary Charge Rider, Commercial Transmission and Ancillary Charge

Rider, Industrial Transmission and Ancillary Charge Rider, Streetlighting Service – Provisions of Rate;

TE – Residential Conservation Service Program, State kWh Tax Self-Assessor Credit Rider, Residential Transmission and Ancillary Charge Rider, Commercial Transmission and Ancillary Charge Rider, Industrial Transmission and Ancillary Charge Rider, and Direct Load Control Experiment.

- Tariff sheets that are not changed as a result of the Distribution Case Opinion and Order remain as part of each Company's tariff and have not been deleted.
- While not a part of the Distribution Case compliance tariff filing, a new transmission rider is being filed today in Case No. 08-1172-EL-ATA and will go into effect at the same time the new Distribution Case tariffs go into effect. The transmission rider tariff sheet hereafter will be included in the Delivery Service book for each Company.
- All distribution and transmission attributes have been removed from Electricity Supply tariffs – and the remaining portions of the existing tariffs now constitute new tariffs in the Electricity Supply book. Those tariff sheets in the Electricity Supply book have been designated as original sheet numbers and have been renumbered as necessary to conform to the new format. Electricity Supply-related tariff sheets that did not change as a result of the Distribution Case Opinion and Order have been retained and constitute part of the Electricity Supply books, but may have been renumbered to conform to the new format. Similarly, Delivery Service related tariff sheets that did not change as a result of the Distribution Case Opinion and Order were retained and comprise part of the Delivery Service book, but may have been renumbered to conform to the new format. All of the existing tariff sheets that would be changed as a result of the Distribution Case Opinion and Order have been deleted.
- Certain tariff sheets appear in both the Delivery Service and Electricity Supply books based upon the nature of the substance of the tariff. In these instances, the tariff sheet is identified as being contained in both books in the Table of Contents for each book, and the tariff in the one book is identical to the same tariff in the other.

Please file one copy of the Distribution Case compliance tariffs in Case No. 07-551-EL-AIR and 89-6006-EL-TRF and 89-6008-EL-TRF. Also please file one copy of the transmission rider tariff sheet in Case No. 08-1172-EL-ATA and 89-6006-EL-TRF and - 89-6008-EL-TRF .

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William R. Ridmann", with a stylized flourish at the end.

William R. Ridmann  
Director, State Regulatory Affairs

Enclosures

**P.U.C.O. No. 8**



**SCHEDULE OF RATES  
FOR  
DELIVERY SERVICE**

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The following rates, rules and regulations for electric service are applicable throughout the Company's service territory except as noted.

	<b><u>Sheet</u></b>	<b><u>Effective Date</u></b>
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<b>RATE DESIGNATIONS</b>	2	01-23-09
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Street Lighting (Rate "STL")	31	01-23-09
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Universal Service		
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Temporary Rider for EEF		
(Tariff appears in Delivery Service and Electricity Supply)	91	01-01-06
State kWh Tax		
(Tariff appears in Delivery Service and Electricity Supply)	92	01-23-09
Net Energy Metering		
(Tariff appears in Delivery Service and Electricity Supply)	93	04-01-03
Demand Side Management	97	01-23-09
Green Resource Rider		
(Tariff appears in Delivery Service and Electricity Supply)	104	01-01-09
Advanced Metering Infrastructure / Modern Grid	106	01-23-09

**RATE DESIGNATIONS**

Electricity Supply Schedules		Delivery Service Schedules							
Sheet	Tariff Description	RS	GS	GP	GSU	GT	STL	TRF	POL
10	Residential Rate "R-01"	●							
11	Residential Rate "R-02" (g)	●							
12	Residential Rate "R-01a"	●							
13	Residential Optional Heating Rate "R-06" (g)	●							
14	Residential Optional Heating Rate "R-06a" (g)	●							
15	Residential Rate "R-04" (Water Heating) (g)	●							
16	Residential Rate "R-04a" (Water Heating) (g)	●							
17	Residential Rate "R-07" (g)	●							
18	Residential Rate "R-07a" (g)	●							
19	Residential Rate "R-09" (Apartment Rate)	●							
20	Residential Rate "R-09a" (Apartment Rate)	●							
40	Small General Service Rate "GS-16" (g)		●						
41	Small School Rate "SR-1a"		●	●					
42	Large School Rate "SR-2a"		●	●					
43	Large General Service "GS-12" (g)			●		●			
44	General Service Rate "GS-14"		●					●	
45	Small General Service Schedule		●	●					
46	Medium General Service Schedule		●	●	●	●			
47	General Service Electric Space Conditioning "GS-1" (g)		●	●					
48	Opt.Elect Proc HTG & Elect Boiler Load "GS-3" (g)		●	●		●			
49	General Service Heating Rate "GS-17" (g)		●	●					
50	Controlled Water Heating Rate "GS-19" (g)		●	●					
51	Controlled Water Heating Rate "GS-19a" (g)		●						
52	Partial Service Rate "GS-15"		●	●	●	●			
53	Outdoor Night Lighting Rate "GS-13"		●	●					
54	Outdoor Security Lighting Rate "GS-18"								●
61	Large General Service Rate "PV-45"			●	●	●			
65	Small water and waste water rate "WR-1"		●	●		●			
66	Medium water and waste water "WR-2"		●	●		●			
70	Cogeneration and Small Power Producer Rate		●	●	●	●			
71	Street Lighting Rate "SL-1"						●		
74	Experimenal Market Based Tariff		●	●	●	●			
83	Rider No. 6 Direct Load Control Experiment	●							
84	Rider No. 7 Prepaid Demand Option			●	●	●			
85	Rider No. 8 Replacement Electricity					●			
87	Rider No. 4 Economic Development Rider (g)		●	●	●	●			
88	Rider No. 4a Economic Development Rider (g)		●	●	●	●			

● - Schedule is applicable or available to the schedules indicated  
(g) - Grandfathered Schedule

**NOTE:** This chart reflects the applicable and available rate schedules, subject to qualifications specified in each rate schedule as pertaining to an individual customer account. It is not intended to limit a customer's options regarding choice of tariff that may otherwise be available.

Filed pursuant to Order dated January 21, 2009, in Case No. 07-551-EL-AIR, before

The Public Utilities Commission of Ohio

Issued by: Richard R. Grigg, President

Effective: January 23, 2009

**DEFINITION OF TERRITORY**

**COMPANY'S TERRITORY:**

The term "Company's Territory" shall be deemed to mean and include the territory served by the Company's distribution system in Defiance, Fulton, Henry, Lucas, Ottawa, Putnam, Sandusky, Seneca, Williams and Wood Counties.

Further information concerning specific cities and townships can be found at the PUCO website:  
<http://www.puc.state.oh.us/pucogis/newcntymaps/elcnty.html>

**ELECTRIC SERVICE REGULATIONS**

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## **ELECTRIC SERVICE REGULATIONS**

### **I. GENERAL PROVISIONS**

- A. Filing:** The Schedule of Rates and the Electric Service Regulations for the supply of electric service throughout the territory served by the Company are filed with The Public Utilities Commission of Ohio ("PUCO" or "Commission").
- B. Revisions:** The Company's Schedule of Rates and the Electric Service Regulations as herein contained may be terminated, amended, supplemented or otherwise changed from time to time in accordance with law and the rules promulgated thereunder by The Public Utilities Commission of Ohio.
- C. Applicability:** These Electric Service Regulations, together with the provisions of the applicable rate schedule, are a part of every service contract entered into by the Company.

### **II. APPLICATIONS AND CONTRACTS**

- A. Service Application:** For each class of service requested by a customer, before such service is supplied by the Company, an accepted application from the customer or other form of contract between the Company and the customer will be required. This requirement shall apply to new installations, to installations where service is to be re-established, to a change in the class of service to be provided to the customer, or to a change in the identity of the customer to be served.
- B. Acceptance Of Application:** When the application for service is accepted by the Company or service is supplied according to the provisions of the application, the application constitutes a service contract between the Company and the customer for the supply of electric service subject to these Electric Service Regulations.
- C. Service Contract:** The service contract shall constitute the entire agreement between the customer and the Company and no promise, agreement, or representation of any agent, representative or employee of the Company shall be binding upon it unless the same shall be incorporated in the service contract.
- D. Refusal Of Application:** The Company may refuse to provide electric service, consistent with Ohio law, including without limitation, for those reasons specified in Chapters 4901:1-10 and 4901:1-18 of the Ohio Administrative Code. Specifically among these reasons, the Company may refuse to furnish electricity to a customer's premises on account of arrearages due it for electricity furnished to persons or entities formerly receiving services at the same premises as customers of the Company, provided the former customers are continuing to reside or do business at such premises.
- E. Same Day Connection:** If the customer requests service for the same day on which the request has been made and the service is presently not connected, the Company will charge the customer pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Same Day Connection Charge. This fee may be charged at the time of the request or charged with the customer's next monthly billing, at the Company's discretion, and only if the Company provides the service on the date requested. (The Same Day Connection Charge does not apply to requests for reconnection after nonpayment which are governed by Electric Service Regulations, Sheet 4, Section XI, Paragraph D.)

### **ELECTRIC SERVICE REGULATIONS**

- F. Seasonal Or Temporary Discontinuance Of Service:** When service has been disconnected at the customer's request because of seasonal occupancy of the premises or when the same customer has moved in and out of the same premise within a 12 month period without another party signing for service during that 12 month period, the Company will charge the customer pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Reconnection Charge, to reconnect the service.
- G. Large Capacity Arrangements:** Existing customers who seek to substantially increase (by at least 1,000 kW) their existing capacity requirements and new customers who seek to purchase substantial capacity (at least 1,000 kW) from the Company shall negotiate agreements with the Company containing equitable arrangements both as to the term of the contract and other terms and conditions requiring special consideration, in recognition that serving such increases in capacity may require changes in area facilities or rearrangement of facilities owned by the Company and/or the customer. These arrangements may be subject to the approval of The Public Utilities Commission of Ohio.

### **III. CREDITWORTHINESS AND DEPOSITS**

- A. Establishment Of Creditworthiness:** Applicants are required to establish creditworthiness, which may include providing a cash deposit, as a condition to furnishing or continuing to furnish service.
- B. Deposits:** For those applicants making a cash deposit to establish creditworthiness, interest will be paid on the deposit as prescribed by Chapter 4901:1-17 of the Ohio Administrative Code. Deposits plus accrued interest will be returned to the customer in accordance with the provisions of the Ohio Administrative Code.

### **IV. CHARACTERISTICS OF SERVICE**

- A. Type:** Except as otherwise provided in the Company tariffs, electric service supplied by the Company will be 60-Hz alternating current delivered at the standard voltages available adjacent to the premises where the customer is located.
- B. Continuity:** The Company will endeavor, but does not guarantee, to furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits. The Company shall not be liable for damages which the customer may sustain due to variations in service characteristics or phase reversals.

The standard secondary voltages are 120/240 volt three wire single phase, 208Y/120 volt four wire three phase and 480Y/277 volt four wire three phase. The Company designs its system so that under normal operating conditions the sustained service voltage is within a range of plus or minus 5% of the normal voltage level for that service. Whenever voltages shall be known to exist outside of such ranges, the Company will take steps to promptly initiate corrective action to restore the sustained voltage level within said ranges.

For primary voltage services, the Company provides standard three phase distribution, subtransmission, and transmission voltages that are available from existing facilities. The Company designs its system so that under normal operating conditions the sustained service voltage is within a range of plus or minus 10% of the normal voltage level for that service. If the voltage is unsatisfactory for particular customer applications or for special apparatus requiring close regulation, then the customer shall install regulative apparatus at the customer's own expense.

### **ELECTRIC SERVICE REGULATIONS**

- C. Delivery Voltage:** Subject to the provisions of paragraph IV.B above, and after the Company determines that facilities of adequate capacity are available and adjacent to the premises to be served, the types of service available with the nominal voltages are:

1. **Secondary Service** - Less than or equal to 600 volts
2. **Subtransmission Service** - 23,000 volts three wire and 34,500 volts three wire
3. **Transmission Service** - Greater than or equal to 69,000 volts
4. **Primary Service** - All other available voltages

Delivery voltage will be specified by the Company and will be based upon the availability of lines in the vicinity of the customer's premises and commensurate with the size of the customer's load. Customers with demands in excess of twenty-five hundred (2,500) kW will generally be served at Transmission Service.

### **V. RATE SCHEDULE ALTERNATIVES**

- A. Selecting Rate Schedule:** Where two or more alternative rate schedules are applicable to the same class of service, the Company, upon request, will assist a customer in selecting an appropriate rate schedule to be applied. The customer, however, shall select from the alternative rate schedules and such selection shall be the basis for the application or contract for service. No refund will be made representing the difference in charges under different rate schedules applicable to the same class of service except as required by law.
- B. Changing Rate Schedule:** Subject to limitations in the service contract or applicable rate schedule, the customer may change to an alternative applicable rate schedule, except that a customer contracting for a specified capacity served at available primary or transmission voltage shall not be eligible to recontract for service at secondary voltage, unless a secondary voltage circuit of adequate capacity is available adjacent to the premises and the customer complies with all of the provisions of the applicable secondary rate schedule.

### **VI. BILLING AND PAYMENT**

- A. Billing Periods:** Bills for electric service will be rendered monthly or at the Company's option at other regular intervals. Bills rendered monthly shall typically cover a period of approximately 30 days.
- B. Due Dates:** For residential customers, bills are due and payable to the Company on or before fourteen (14) days from the date the bill is mailed to said customer. Governmental customers' bills are due and payable to the Company on or before thirty (30) days from the date the bill is mailed to said customer. All other customers' bills are due and payable to the Company on or before twenty-one (21) days from the date the bill is mailed to said customer. When the due date for payment falls on Saturday, Sunday or a holiday the due date for payment is extended to the next business day. Remittances mailed by the customer for the amount(s) due shall be accepted by the Company as tendered within the period to avoid late payment charges if such payment is received by the Company no more than five (5) days after the due date of the bill.

### **ELECTRIC SERVICE REGULATIONS**

- C. Late Payment Charges:** If remittances mailed by the customer are received by the Company offices more than five (5) days after the due date of the bill, an additional amount equal to 1.5% may be charged on any unpaid balance existing after the due date. This provision is not applicable to unpaid account balances of customers enrolled on income payment plans pursuant to 4901:1-18 of the Ohio Administrative Code.
- D. Transfer Of Final Bill:** If the customer fails to pay in full of any final bill for service rendered by the Company at one location, and if the customer is receiving Like Service at a second Company location, the Company may transfer such unpaid balance of the final bill to the service account for such second location. "Like Service" refers to an end use within the broad categories of residential, commercial or industrial service, without regard to whether the customer is receiving generation service from the Company. Such transferred amount shall maintain its original due date at such second location and be subject to collection and disconnection action in accordance with Ohio law, which includes without limitation Chapter 4901:1-18 of the Ohio Administrative Code.
- E. Meter Readings Not To Be Combined:** Even if used by the same person, firm or corporation, electricity delivered and metered separately or at different locations will not be combined for bill calculation purposes, except that under the following conditions meter registrations of two or more installations on the same premises may be combined for billing purposes:
1. Where the applicable schedule of rates specifically authorizes the combination of meter registrations, or
  2. Where the Company elects, for administrative reasons or engineering reasons affecting the supply of its service, to install or maintain at one or more locations on one premises two or more service connections with separate metering equipment for furnishing service at the same or different voltage levels or number of phases.
- F. Equal Payment Plan:** The Company has available for residential customers a plan providing for equal monthly payments for electric service. The equal payment plan amount will be reviewed quarterly and will be adjusted if the customer's recent bills indicate a significant change from past history.
- G. Estimated Bills:** The Company attempts to read meters on a regular basis but there are occasions when it is impractical or impossible to do so. In such instances the Company will render an estimated bill based upon past use of service. Where the customer has a load meter and the actual load reading when obtained is less than the estimated load used in billing, the account will be recalculated using the actual load reading.
- H. Returned Payment:** When the Company reverses the customer's payment because the payment transaction has been dishonored, the Company shall charge the customer pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Returned Payment Charge. This charge shall be rendered with the customer's next monthly billing.
- I. Rate Pricing Changes:**
1. **Seasonal Price Changes:** For billing purposes, unless otherwise specified, the winter rates shall be applicable beginning with service rendered September 1 through service rendered for May 31. The summer rates, unless otherwise specified, shall apply in all other billing periods.
  2. **Non-Seasonal Price Changes:** For billing purposes, non-seasonal price changes will begin with service rendered on the effective date of the price change.

## **ELECTRIC SERVICE REGULATIONS**

### **VII. SERVICE CONNECTIONS AND LINE EXTENSIONS**

#### **A. Secondary Voltage Service Connection**

1. **Overhead Connection:** Where overhead distribution facilities are available, the Company will install a suitable overhead service drop to a point of attachment on the customer's premises as designated by the Company.
2. **Underground General Service Network Connection:** Where underground distribution facilities are available in commercial areas where network service is available, the Company will install underground service connections from its mains to a point, as designated by the Company, located immediately inside the customer's building wall except where, because of the distance between the customer's building and the Company's mains, an equitable arrangement for prorating the cost of installing these facilities may be required. Where underground service cable and conduit are required within the building to reach a customer's service terminals, the customer will be required to pay the cost of these facilities. Such underground service connection facilities paid for by the customer shall be owned by the customer and maintained at the customer's expense and, when required, replaced by the customer.

Customers requiring underground service from overhead or underground distribution facilities shall at their own expense install and maintain the underground facilities in accordance with the Company's specifications from the meter location on the customer's premises to the Company's distribution wires to which connections are to be made by the Company. The customer shall own such underground facilities and maintain and replace such facilities when required.

3. **Change In Service Connection Facilities:** Should any change in the Company's service connection facilities be necessary due to the erection of, remodeling of or change in any structure on the premises of the customer, or due to any ordinance or any other cause beyond the Company's control, the entire cost of the change in the service connection facilities shall be borne by the customer.
4. **Temporary Service Drop Connection:** When requested by a customer, the Company may provide a Temporary Service Drop Connection. A Temporary Service Drop Connection shall mean the installation of single-phase service up to 200 amps from existing secondary conductors. The charge for a Temporary Service Drop Connection shall be that set forth in the Company's Tariff Sheet 75, Miscellaneous Charges, Temporary Service Drop Connection.
5. **Temporary Facilities:** Temporary Facilities are any separate installation that the Company does not expect to be permanent or where a substantial risk exists that the Company's facilities will be used and useful for a period substantially shorter than their normal expected life, or in which the customer or consumer has no substantial permanent investment. When Temporary Facilities are required for any purpose, the applicant shall deposit with the Company the total estimated cost of construction, plus the total estimated cost of removal, minus the estimated salvage value of all equipment and materials. The amount of the deposit shall be adjusted by a refund or an additional payment when the cost of construction and removal, less the salvage value is determined. No interest will be paid on deposits covering the cost of constructing facilities for temporary electric service. (Temporary facilities shall not include Temporary Service Drop Connections as defined in paragraph 4 above).

## **ELECTRIC SERVICE REGULATIONS**

### **B. Line Extensions**

#### **1. Definitions:**

General Service Installation - Any Line Extension request for Secondary, Primary or Subtransmission level service by a commercial or industrial customer, builder, or developer, or any other Line Extension that is not either a Residential Installation or a Transmission Installation. Customers in a development may be required to have their own General Service Installation in order to be connected to the Company's distribution system.

Line Extension - the provision of such facilities (poles, fixtures, wires and appurtenances) as are necessary for delivering electrical energy to one or more customers located such that they cannot be adequately supplied from a secondary system of the Company's existing distribution system.

Multi-Family Installation - Any Line Extension to a new residential dwelling that will have two or more dwelling units, where each unit has a separate account for electric service with the Company.

Non-Standard Single Family Installation - Any Line Extension to a new home (or home site) where the service connection requested is no more than 200 amp/single phase service, where the Company's cost to build the Line Extension is \$5,000 or greater, and where no premium service is requested. A home with a Non-Standard Single Family Installation will have one account for electric service with the Company.

Residential Installation - A Standard Single Family Installation, a Non-Standard Single Family Installation, or a Multi-Family Installation.

Standard Single Family Installation - Any Line Extension to a new home (or home site) where the service requested is no more than 200 amp/single phase service, where the Company's cost to build the Line Extension is less than \$5,000, and where no premium service has been requested. A home with a Standard Single Family Installation will have one account for electric service with the Company.

Transmission Installation - Any Line Extension request for Transmission Service by a commercial or industrial customer, builder or developer.

Premium Installation - Any Line Extension including, but not limited to, customer-requested oversizing of facilities and underground construction.

#### **2. Terms And Conditions:**

Premium Service:

- a. For any residential project, where a customer, builder, or developer requests a Line Extension involving a premium service (the "Premium Installation"), the customer, builder, or developer shall make an up-front payment to the Company equal to the Company's cost to provide the Premium Installation minus the Company's cost to install a Line Extension for 200 amp/single phase service for the project.

### **ELECTRIC SERVICE REGULATIONS**

- b. For any general service project, where a customer, builder, or developer requests a Line Extension involving a premium service (the "Premium Installation"), the customer, builder, or developer shall make an up-front payment to the Company equal the Company's cost to provide the Premium Installation minus the Company's cost to install a Line Extension for 200 amp/single phase service for the project.
3. **Line Extensions On Private Property:** Customers that require Line Extensions to be constructed on their private property shall in all cases provide, without cost to the Company, land clearance, trenching and backfilling (including excavation for and installation of vaults), and an easement for right-of-way in a form acceptable to the Company before the Company's construction is started. The expectation that property will be dedicated to the public use at the conclusion of construction shall not preclude such property from being deemed the customer's private property for purposes of this subsection 3. All Line Extensions shall be the property of and shall be operated and maintained by the Company. The Company shall have the right to use such Line Extension in furnishing service to any applicant located adjacent to such Line Extension and the further right to construct other extensions from the distribution facilities so constructed. Except as provided herein, no customer or third party installation of Line Extension facilities will be permitted on private property or public right-of-way.
4. **Relocation For Residential, Commercial Or Industrial Customer:** A change in location of an overhead or underground service for the customer's convenience shall be made at the customer's expense.
5. **Relocation For Highway, Street Or Public Works Project:** A change in location of an overhead or underground service to provide space necessary for highway, street, or public works projects shall be made in accordance with the contractual agreement with the government entity involved.
6. **Other Items:**
  - a. The Company shall not be required to begin any construction on any Line Extension until all required applications have been made by the customer, developer, or builder, as applicable.
  - b. The Company shall not be required to install Line Extensions using rear lot line construction. The Company may elect, however, to use rear lot line construction at no additional cost to the customer.
  - c. Line Extension cost estimates should not include costs normally incurred by the utility to maintain, protect, or upgrade its distribution system. Nor should system improvements required for the general distribution system that serves multiple customers, which are driven by the customer's load addition, be factored into the Line Extension calculations.

### **VIII. USE OF SERVICE**

- A. **Increased Loads:** The customer shall notify the Company of any significant additions or modifications to the customer's facilities that will affect the customer's load characteristics so that the Company may provide facilities sufficient to maintain adequate service.
- B. **Individual Customer Metering:** Service will be supplied under the appropriate rate schedule, to each separate dwelling (single or part of a multiple unit), apartment, farm, commercial or industrial establishment as one customer through one meter or one unified set of meters for each class of service.

### **ELECTRIC SERVICE REGULATIONS**

**C. Resale:**

1. Electric service is provided for the sole use of the customer, who shall not sell any of such service to any other person, or permit any other person to use the same, without the written consent of the Company.
2. The above provision does not apply to service provided to a landlord for resale or redistribution to tenants where such resale or redistribution takes place only upon property owned by the landlord and where the landlord is not otherwise operating as a public utility.

**D. Parallel Operation:** The Company shall provide service in parallel with a customer's generating facilities if the customer has adequate protective and regulating equipment and has sufficient trained personnel to perform the necessary operations, and further, at the Company's option, if the customer provides direct telephone connection with the offices of the Company's load dispatcher. Net Energy Metering Rider customers shall not be required to install a telephone line. The Company will not furnish service in parallel with a customer's generating facilities when, in the opinion of the Company, such parallel operation may create a hazard or disturb, impair or interfere with the Company's service to other customers.

**E. Regulation Of Power Factor:** The Company may require the customer to maintain a power factor in the range of 85% to 100% for secondary, primary and subtransmission service and 90% to 100% for transmission service, coincident with the customer's maximum monthly peak demand and to provide, at the customer's expense, any corrective equipment necessary in order to do so. The Company may inspect the customer's installed equipment and/or place instruments on the premises of the customer in order to determine compliance with this requirement, as deemed appropriate by the Company. The Company may charge the customer the Company's installation cost incurred for corrective devices necessary for compliance with this provision. The Company is under no obligation to serve, or to continue to serve, a customer who does not maintain a power factor consistent with the parameters set forth in this provision.

**F. Unbalanced Loads:** The customer shall not use three phase electric service in such a manner as to impose an unreasonable unbalance between phases.

**G. Interference:** The Company reserves the right to discontinue service to any customer if the service is used in a manner that disturbs or impairs the operation of the Company's system, or interferes with the service to other customers. When such interference occurs due to the use of any apparatus installed upon a customer's premises, the customer must either remove said apparatus, or provide the equipment necessary to alleviate such interference. The Company may discontinue service until such adverse conditions are alleviated.

## **ELECTRIC SERVICE REGULATIONS**

### **IX. METERS, TRANSFORMERS AND SPECIAL FACILITIES**

- A. Installation:** The Company will furnish and maintain one meter or one unified set of meters and metering equipment capable of producing data necessary to bill the customer under Company tariffs. Service will normally be metered at the Company's supply voltage. The customer shall provide, at no cost to the Company and close to the point of service entrance, suitable space for the installation of meters, transformers, protective equipment, and other equipment required by the Company. Meters, transformers, protective equipment, and other equipment required by the Company shall be placed at locations in accordance with Company standards. In cases where service is metered at primary voltage, transformers, when furnished by the Company, shall be located adjacent to the terminus of the Company's supply facilities. Additional or special transformers required by the customer for the customer's convenience shall be furnished and maintained by the customer at the customer's expense. Any metering equipment required by the customer to accommodate requirements of a Certified Supplier, as defined in Section XII, will be installed, owned and maintained by the Company and paid for by the customer.

When a transformer vault is necessary, said vault shall be furnished and maintained consistent with the Company's standards, by the customer at the customer's expense.

- B. Equipment Ownership:** Unless otherwise agreed between the Company and the customer, all equipment furnished by the Company shall remain its exclusive property and the Company shall have the right to remove the same after termination of service for any reason whatsoever.
- C. Meter Testing:** The Company tests its meters for accuracy and mutual protection consistent with Chapter 4901:1-10 of the Ohio Administrative Code.

In addition, the Company will test a meter at the request of the customer. If the accuracy of the meter is found to be within the tolerances specified in Chapter 4901:1-10 of the Ohio Administrative Code, the Company may charge the customer a meter test fee as provided in the Company's Tariff Sheet 75, Miscellaneous Charges, Meter Test Charge, except that the customer shall not be charged for the first test at the customer's request within the period specified in Chapter 4901:1-10 of the Ohio Administrative Code.

- D. Meter Failure:** If it is determined that a meter fails for any reason to operate correctly, the customer shall pay, for the service furnished during the period in which the meter was not properly operating an estimated amount based upon: (1) the results of a test, or (2) energy usage during a comparable period, or (3) a combination of both of these methods. For residential customers, the estimated amount determined by the Company shall be billed consistent with Chapter 4933.28 of the Ohio Revised Code. For non-residential customers the estimated amount determined by the Company shall be billed consistent with Chapter 4901:1-10 of the Ohio Administrative Code.
- E. Customer Responsibility:** The customer shall permit only Company employees, other authorized agents of the Company, or other persons authorized by law, to inspect, test or remove Company equipment located on the customer's premises. If this equipment is damaged or destroyed due to the negligence of the customer, the cost of repairs or replacement shall be payable by the customer.

### **ELECTRIC SERVICE REGULATIONS**

- F. Special Facilities:** All costs (including, without limitation, any government imposed fees) for any special services, facilities, or instrumentation which may be rendered or furnished by the Company for a customer at the customer's request or at the direction of any governmental authority, and not provided for in the Company's rate schedules and not ordinarily necessary or directly involved in the furnishing of electric service, shall be paid for by the customer for whom such services, facilities, or instrumentation are furnished, by the customers residing within the boundaries of the governmental entity for whom such services, facilities, or instrumentation are furnished. Any such costs shall be in addition to the charges for electric service provided for in the applicable rate schedule, and may be itemized on the electric bill to such customer(s) or billed separately by the Company. Upon request by the customer and in the sole discretion of the Company, such special services, facilities, or instrumentation may be supplied and maintained by the customer at the customer's expense.
- G. Access To Premises:** The customer or, if applicable, the landlord, shall grant Company's employees and authorized agents access to the customer's premises at all reasonable hours for the purpose of reading, inspecting, testing, repairing, maintaining, replacing, installing, analyzing or removing meters or other Company property. In the event of an emergency, the Company's employees and authorized agents shall have access to customer's premises at any time.

If a customer or a landlord fails to grant access for reasons described above, and judicial redress is necessary to secure such access, the Company may collect from the customer or the landlord any and all costs incurred to secure such access.

### **X. CUSTOMER'S WIRING, EQUIPMENT AND SPECIAL SERVICES**

- A. Installation:** The customer shall supply all wiring on the customer's side of the point of attachment as designated by the Company. All of the customer's wiring and electrical equipment should be installed so as to provide not only for immediate needs but for reasonable future requirements and shall be installed and maintained by the customer to meet the provisions of the National Electrical Code, the regulations of the governmental authorities having jurisdiction over such installations and the reasonable requirements of the Company. As required by Chapter 4901:1-10 of the Ohio Administrative Code, before the Company connects service for any new installations, such installation must be inspected and approved by the local inspection authority or, when there is no local inspection authority, by a licensed electrician. An inspection is also necessary for any changes in wiring on the customer's premises.
- B. Limitation Of Liability:** The Company shall not be liable for any loss, cost, damage or expense that the customer may sustain by reason of damage to or destruction of any property, including the loss of use thereof arising out of, or in any manner connected with interruptions in service, variations in service characteristics, high or low voltage, phase failure, phase reversal, the use of electrical appliances or the presence of the Company's property on the customer's premises whether such damages are caused by or involve any fault, failure or negligence of the Company or otherwise except such damages that are caused by or due to the willful and wanton misconduct of the Company. The Company shall not be liable for damage to any customer or to third persons resulting from the use of the service on the customer's premises or from the presence of the Company's appliances or equipment on the customer's premises.

The PUCO approval of the above tariff language in respect to the limitation of liability arising from the Company's negligence does not constitute a determination that such limitation language should be upheld in a court of law. Approval by the Commission merely recognizes that since it is a court's responsibility to adjudicate negligence and consequent damage claims, it should be also the court's responsibility to determine the validity of the exculpatory clause.

### **ELECTRIC SERVICE REGULATIONS**

Any customer desiring protection against interruptions in service, variations in service characteristics, high or low voltage, phase failure, phase reversal, the use of electrical appliances or the presence of the Company's property on the customer's premises, shall furnish, at the customer's expense, any equipment desired by the customer for such purpose. Interruptions in service shall not relieve the customer from any charges provided in the rate schedule.

- C. Special Customer Services:** The Company may furnish customers special customer services as identified in this section. No such special customer service shall be provided except where the Company has informed the customer that such service is available from and may be obtained from other suppliers. A customer's decision to receive or not receive special customer services from the Company will not influence the delivery of competitive or non-competitive retail electric service to that customer by the Company. Such special customer services shall be provided at a rate negotiated with the customer, but in no case at less than the Company's fully allocated cost. Such special customer services shall only be provided when their provision does not unduly interfere with the Company's ability to supply electric service under the Schedule of Rates and Electric Service Regulations.

Such special customer services include: design and construction of customer substations; resolving power quality problems on customer equipment; providing training programs for construction, operation and maintenance of electrical facilities; performing customer equipment maintenance, repair or installation; providing service entrance cable repair; providing restorative temporary underground service; providing upgrades or increases to an existing service connection at customer request; performing outage or voltage problem assessment; disconnecting a customer owned transformer at customer request; loosening and refastening customer owned equipment; determining the location of underground cables on customer premises; disconnecting or reconnecting an underground pedestal at customer request; covering up lines for protection at customer request; making a generator available to customer during construction to avoid outage; providing pole-hold for customer to perform some activity; opening a transformer at customer request for customer to install an underground elbow; providing a "service saver" device to provide temporary service during an outage; resetting a customer-owned reclosure device; providing phase rotation of customer equipment at customer request; conducting an evaluation at customer request to ensure that customer equipment meets standards; or upgrading the customer to three phase service.

### **XI. COLLECTION OF PAST DUE BILLS AND DISCONNECTION OF SERVICE**

- A. Procedures:** The Company's procedures for collecting past due bills and disconnecting service are set forth in the Ohio Administrative Code, except as permitted by the Order in Case No. 02-1944-EL-CSS.
- B. Field Collection:** When a customer has a delinquent bill, as defined in Chapter 4901:1-18 of the Ohio Administrative Code, the Company may make a field collection visit to attempt to collect the delinquent amount.

Whenever a field collection visit is made by a Company employee or authorized agent of the Company, the Field Collection Charge included in the Company's Tariff Sheet 75, Miscellaneous Charges, shall either be collected during the field collection visits, or assessed on the customer's next bill. Such Field Collection Charges shall be limited to once per billing cycle.

### **ELECTRIC SERVICE REGULATIONS**

- C. Disconnection Of Service:** Employees or authorized agents of the Company who actually perform the disconnection of service at the meter shall be authorized to accept payment in lieu of disconnection. If payment is made prior to disconnection, service that otherwise would have been disconnected shall remain connected. Any such payment shall include a Field Collection Charge consistent with Field Collection procedures described above. In the event that the Company employee or authorized agent is unable to gain access or is denied access to the meter and it becomes necessary to disconnect service at the pole, the employee or authorized agent disconnecting service shall not accept payment in lieu of disconnection.
- D. Reconnection:** When service has been disconnected pursuant to any of these Electric Service Regulations, a charge for reconnection pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Reconnection Charge, will be required.
- E. Unauthorized Use Of Service:** In the event of fraudulent practice, tampering, or theft of service by the customer, consumer or other person, the Company will comply with the provisions of Chapters 4901:1-10 and 4901:1-18 of the Ohio Administrative Code. In these instances, the Company will assess a charge pursuant to the Company's Tariff Sheet 75, Miscellaneous Charges, Unauthorized Use Investigation Charge.

### **XII. CERTIFIED SUPPLIERS - CHANGE OF SUPPLIER**

Certified Supplier shall mean all of the entities set forth in Ohio Revised Code, Section 4928.08(A) and (B) which have received certification from the Public Utilities Commission of Ohio under Ohio Revised Code, Section 4928.08 and have otherwise complied with the requirements set forth in the Company's Supplier Tariff. The Company shall change the customer's Certified Supplier only upon receipt of notice instructing such change with respect to the individual customer from a Certified Supplier.

Such notice to the Company will be as provided in the Supplier Tariff and customer instructions that the Certified Supplier is designated to provide services for a minimum time period of one month.

The Company shall develop, update, and maintain a list of Certified Suppliers that offer electric service within the Company's service territory and shall publish such list on the Company's website. All applicants for new service, customers returning from a Certified Supplier and any customer upon request will be directed to the location of this list on the Company's website.

The timing of the change of a customer to a different Certified Supplier shall occur only at the end of a customer's billing month based on and determined by the Company's meter reading schedule.

A customer may have only one Certified Supplier per account for any billing month. A customer may not split non-interruptible generation supply between two Certified Suppliers or between the Company's standard-offer service and service by a Certified Supplier during a billing month.

Except in the event of the default of the customer's Certified Supplier, the Company shall not be obligated to process a change of the customer's selected Certified Supplier more frequently than once every billing month. For purposes of these Electric Service Regulations, default by a Certified Supplier shall mean a failure to deliver services as defined in the Ohio Revised Code, Section 4928.14(C)(1) through (4).

### **XIII. RETURN TO STANDARD OFFER SUPPLY**

- A.** If a customer that has been receiving service from a Certified Supplier subsequently seeks to have the Company resume providing generation service, the Company will provide service at standard offer rates provided that sufficient notice of such return has been provided to the Company.

### **ELECTRIC SERVICE REGULATIONS**

- B.** This provision applies to Residential and Small Commercial customers. This provision also applies to Large Commercial and Industrial customers during the Market Development Period. Customers taking generation service from the Company during the period from May 16 through September 15, must remain a Full Service customer of the Company through April 15 of the following year before they may elect to switch to a Certified Supplier, provided that:
1. Customers may switch to a Certified Supplier at any time if they have not previously switched.
  2. Following the stay-out period through April 15, customers may switch to a Certified Supplier but must exercise the right to switch by May 15 of that same year.
  3. During the first year of the Market Development Period Non-aggregated residential customers and small commercial customers will be permitted to return to standard offer service without being subject to a minimum stay of receiving Full Service from the Company. (A Full Service customer is one that receives all retail electric services from the Company.)
  4. Residential and Small Commercial customers can elect to take service on the Generation Rate Adjustment Rider without application of the minimum stay requirement This Rider, not yet in effect, will be filed in accordance with Commission Rules prior to March 15, 2001.
  5. By March 15, 2002, and again by April 15, 2002, and thereafter before each March 15 and April 15 during the Market Development Period, the Company will provide notice to Residential customers informing them of their rights to choose another supplier by May 15 and the consequences of not choosing another supplier and staying on their standard service offer.
- C.** After the Market Development Period, Large Commercial and Industrial customers seeking to return to Company generation service must by written contract agree to remain a Full Service customer of the Company for such service for a period of not less than 12 consecutive months, unless the rate schedule under which that customer will be served requires a longer service period, which longer service period would then apply. A Full Service customer is one that receives all retail electric Services from the Company.
- D.** For all customers, return to Company generation service may only occur on regularly scheduled meter reading dates, unless otherwise agreed by the Company. In the event of default of a Certified Supplier, this provision shall not apply.
- E.** The notice period for return to Company generation service at standard offer rates is dependent upon size of the customer's load, as follows:
1. For residential customers served individually, and not through aggregators, municipal aggregators, power marketers or power brokers, there shall be no notice requirement for return to Company service.
  2. For customers not qualifying under subsection 1., that have either (i) billing demands totaling not more than 1,000 kW in the any of the twelve billing months prior to notice, or (ii) monthly kilowatt-hour consumption of no more than 250,000 kilowatt-hours in any of the twelve billing months prior to notice, if the customer seeks to return to Company generation service the customer or the customer's aggregator, municipal aggregator, power marketer or power broker must provide at least one month's advance written notice to the Company of the customer's intent to return. Such notice shall constitute the customer's agreement to remain a Full Service customer as specified in Section XIV. B. above.

### **ELECTRIC SERVICE REGULATIONS**

3. For those customers not qualifying under subsection 1. or 2., that have either (i) billing demands totaling not more than 10,000 kW in any of the twelve billing months prior to notice, or (ii) monthly kilowatt-hour consumption of no more than 2,500,000 kilowatt-hours in any of the twelve billing months prior to notice, the customer shall provide at least three months advance written notification of the customer's intent to return. Such notice shall constitute the customer's agreement to remain a Full Service customer as specified in Section XIV. B. above.
4. For those customers not qualifying under subsections 1., 2. or 3., the notice period shall be six months. Such notice shall constitute the customer's agreement to remain a Full Service customer as specified in Section XIV. B. above.
5. A customer may not return to Company interruptible generation service without agreement of the Company.

Such notice period shall begin on a customer's next scheduled meter reading date following the delivery to the Company of such notice. If such notice has not been timely provided the standard offer shall require that the Company shall provide such generation service at the higher of (i) applicable rate schedule rates or (ii) hourly spot market prices.

- F.** Customers returning to Company generation service as a result of either Certified Supplier Non-Compliance or default on the part of the customer's Certified Supplier are not subject to the notice provisions of Subsection D. of this Section XIV. Such customers are eligible for standard offer service after reasonable notice of the Certified Supplier's Non-Compliance or default per Revised Code Section 4928.14(C) or 4928.35(D). The Certified Supplier shall be liable to pay the Company any positive difference between the hourly spot market price for electricity and the Generation component of the Company's rates applicable to usage by such customers for a period beginning with the date of such Non-Compliance or default and with a duration equal to the applicable notice periods identified in sections E.2., E.3., and E.4. The Company may draw on the Certified Supplier's available financial instruments to fulfill such obligation. Any generation service rendered to such customers prior to a Commission determination of a Certified Supplier's failure to provide service under Revised Code Section 4928.14(C) shall be provided at hourly spot market prices as specified by the Company. Customers returning to Company generation service under this section will have thirty (30) calendar days to select another Certified Supplier. If a new Certified Supplier is not chosen within thirty (30) calendar days, , Section XIV Return to Standard Offer Supply, Paragraph B and C will apply to such customers.
- G.** Customers returning to Company generation service as a result of actions of a Certified Supplier, other than Certified Supplier Non-Compliance or the default of the Certified Supplier, shall return under the provisions of Subsection E of this Section XIV. In that event, the Certified Supplier shall be obligated to pay the Company any positive difference between the hourly spot market price for electricity and the Generation component of the Company's rates applicable to usage by such customers for a period beginning with such return and with a duration equal to the applicable notice periods identified in sections E.2., E.3. and E.4. Customers returning to company generation service under this section must remain a customer of Company generation service for twelve months, unless the rate schedule under which that customer is furnished service requires a longer service period, which longer service period would then apply
- H.** The Company may, at its sole discretion, waive any part of the notice period provided for return to Company generation service. Such waiver would be based upon the Company's expectation of the adequacy of the Company's generation reserve, the availability of supply from other resources, and the cost to supply such customers from either its resources or purchased resources.

## **ELECTRIC SERVICE REGULATIONS**

### **XIV. CERTIFIED SUPPLIERS - BILLING AND PAYMENT**

- A. Billing:** The Company will bill the customer directly for services provided by a Certified Supplier unless the Company receives electronic notice from such supplier that it will bill the customer directly for services provided by the Certified Supplier. If the Company bills the customer for the services provided by a Certified Supplier, the Company will collect the funds from the customer and remit the same to the Certified Supplier.

The Company shall not be liable for the Certified Supplier's default or failure to provide service to a customer, nor shall it be responsible for a customer's failure to pay for its services received from a Certified Supplier as a consequence of the Company performing this role.

- B. Payments To The Company:** Payments to the Company will be applied to the customer's account in accordance with the Ohio Administrative Code, except as permitted by the Order in Case No. 02-1944-EL-CSS.
- C. Disputes:** If the Company bills for services provided by the Certified Supplier, such bills will be based on the rates supplied to the Company by the Certified Supplier. The Company will have no responsibility to verify the appropriateness of such amounts, or to resolve any disputes or disagreements over the amount, timing or any other aspect of the billing or payment of charges, other than to confirm amounts billed to the customer, amounts received from the customer and amounts remitted to the Certified Supplier.
- D. Non-Payment Or Partial Payment:** Regardless of whether the Company bills customers for the services provided by the Certified Supplier, any failure by the customer to pay any and all charges due the Company in a timely manner shall be subject to any and all applicable provisions of these Electric Service Regulations, including, without limitation, collection, late fees, and termination of service.
- E. Late Payment Fees:** The Company may impose late payment fees on that portion of a customer's bill that pertains to services provided by the Company. Pursuant to the Order in Case No. 02-1944-EL-CSS, the Company may also charge late fees on past due amounts due and owing the Certified Supplier.
- F. Collection Activity:** Except as set forth in the Order in Case No. 02-1944-EL-CSS, the Company shall not be responsible for collection of amounts due from a customer to a Certified Supplier.

### **XV. CERTIFIED SUPPLIERS - CUSTOMER AGGREGATION**

Customers may be aggregated for purposes of purchasing services from a Certified Supplier. Aggregation of customers is not restricted by the number or class of customers within an aggregated group. Accordingly, any customer may be represented by an aggregator. However, an aggregator is not a customer of the Company by virtue of its position as an aggregator. Each customer that is a member of an aggregated group shall remain an individual customer of the Company for purposes of billing under each customer's applicable rate schedule. The consumption of individual members of an aggregated group shall not be combined for billing purposes. No charge of a tariffed service will be affected by a customer's aggregation status, and aggregation of load cannot be used for qualification under a tariff.

## **ELECTRIC SERVICE REGULATIONS**

### **XVI. EMERGENCY ELECTRICAL PROCEDURES**

#### **A. General**

Emergency electrical procedures are deemed necessary if there is a shortage in the electrical energy supply to meet the demands of the Company's customers. It is recognized that such deficiencies can be short term (up to a few days) or long term (a few days or more) in duration; and in view of the difference in nature between short and long term deficiencies, different and appropriate procedures should be adopted for each.

The systems of the Company and its electric utility affiliates are fully integrated and operated as a single electric system to the mutual advantage of the companies and their customers. Each company endeavors to operate and maintain its electric facilities in accordance with accepted utility practices and to maintain sufficient supplies of fuel for the normal operation of its generating facilities. Because of the method of operating the companies' systems, an emergency arising on the system of one of those companies may affect the system of the others. Should this occur, a company may from time to time be providing assistance to one or more of the others in order to continue to operate most effectively as a single electric system. It is recognized, however, that any action taken by the Company's Pennsylvania Power Company affiliate in case of emergency is subject solely to the jurisdiction of the Pennsylvania Public Utility Commission.

1. Procedures related to short-term capacity shortages shall, insofar as the situation permits, give special consideration to the following types of customers and such other customers or types of customers which the Commission may subsequently identify for the protection of the public's health and safety:
  - a. "Hospitals" and other institutions which provide medical care to patients and where surgical procedures are performed.
  - b. "Governmental detention institutions" which shall be limited to those facilities used for detention of persons.
  - c. "Police and fire stations" which shall be limited to publicly owned, attended facilities.
  - d. "Federal facilities" essential to national defense.
  - e. "Water pumping facilities" essential to the supply of potable water to a community.
  - f. "Radio, television and newspaper facilities" utilized for transmittal of emergency messages and public information relating to these procedures.
  - g. "Sewage treatment facilities" essential to the collection, treatment or disposal of a community's sewage.
  - h. "Life support equipment," such as a kidney machine or respirator, used to sustain the life of a person.
  - i. "Air terminal facilities" essential to the control of aircraft in flight.

Although these types of customers will be given special consideration in the application of the manual load shedding provisions of this procedure, the Company cannot assure that service to such customers will not be interrupted, and accordingly they should install emergency generation equipment if continuity of service is essential. In case of customers supplied from two Company sources, only one source will be given special consideration. Other customers who, in their opinion, have critical equipment should install emergency battery or auxiliary generating equipment.

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2. Procedures related to long-term capacity or fuel shortages shall, insofar as the situation permits, give special consideration to "priority uses of electricity", which shall mean the amount of electrical energy necessary for protection of the public's health and safety and to prevent unnecessary or avoidable damage to buildings and facilities, for the customers identified in Section (A)(1) and at:
  - a. Residences (homes, apartments, nursing homes, institutions and facilities for permanent residents or transients);
  - b. Electric power generating facilities, telephone central office and central heating plants serving the public;
  - c. Local, intrastate and interstate transportation facilities;
  - d. Production and refining or processing facilities for fuels;
  - e. Pipeline transmission and distribution facilities for fuels;
  - f. Production, processing, distribution and storage facilities for dairy products, meat, fish, poultry, eggs, produce, bread, livestock and poultry feed;
  - g. Buildings and facilities limited to uses protecting the physical plant and structure, appurtenances, product inventories, raw materials, livestock, and other personal or real property; and
  - h. Other similar uses as may be determined by the Commission.

The Company shall promptly advise the Commission of the nature, time and probable duration of all implemented emergency conditions and procedures which affect normal service to customers. The Commission may order the implementation of additional procedures or the termination of the procedures previously employed when circumstances so require.

In addition, each year before March 1, the Company will apprise the Commission of the state of electric supply in its service area.

As may be appropriate in accordance with the nature of the occurring anticipated emergency and of the Company's load and generating, transmission and distribution facilities, the Company shall initiate the following procedures:

#### **B. Short-Term Capacity Shortages:**

As may be appropriate in accordance with the nature of the occurring emergency, the Company shall initiate the following procedures:

1. Sudden or Unanticipated Short-Term Capacity Shortages.

In the event of a sudden decline of frequency on all or a portion of the Company's system caused by a significant imbalance of load and generation, whether such imbalance occurs in the Company's system or on another system:

- a. Automatic load shedding will take place if the decline in frequency is of the magnitude such as to jeopardize the entire affected area. Ten percent of the load in the affected area will be shed automatically at a frequency of 58.9 hertz. In the event such action does not restore the frequency to a proper level, manual load shedding will be employed. Service so interrupted shall be of selected distribution circuits and lines serving customers throughout the affected area. Such interruptions shall be, where practical, for short periods of time. When the frequency in the affected area recovers to 59.0 hertz or above any action necessary will be taken in the affected area to permit resynchronization to the main network. Such action may include additional manual load shedding.

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- b. Such automatic and manual load shedding and restoration will be as set forth in ECAR Document No. 3, dated October 31, 1968 as amended.

#### **2. Anticipated or predictable Short Term Capacity Shortages.**

As soon as it is determined that a critical situation exists on the Company's system which may require implementation of any of the emergency procedures listed below, the Company shall confer by telephone with the Commission Staff. Also, the Commission Staff shall be kept informed when any such emergency procedures are implemented.

In the event an emergency condition of short term duration is anticipated or predicted which cannot be relieved by sources of generation available to the Company within the interconnected area, the following steps will be taken at the appropriate time and in the order appropriate to the situation.

- a. The internal demand of generating plants and other premises owned by the Company will be reduced to the largest extent consistent with the continuity of service.
- b. Voluntary load reductions will be requested of major commercial and industrial customers by procedures established in their respective load reduction plans;
- c. Voluntary load reductions will be requested of all other customers through appropriate media appeals.
- d. Manual load shedding of customer loads will be initiated. Service so interrupted shall, be to customers supplied from (1) selected distribution circuits throughout the area affected by the emergency, and (2) transmission and subtransmission circuits that can be directly controlled from the Company's dispatching offices. Such interruptions shall be consistent with the criteria established in section (A)(1) to protect the public health and safety and shall, insofar as practicable, be alternated among circuits. The length of an interruption of any selected distribution circuit should not exceed two hours and the total interruption should not exceed four hours in any 24 hour period without prior notification to the Commission. Records will be maintained to ensure that, during subsequent capacity shortages, service interruptions may be rotated throughout the area in an equitable manner.

#### **C. Long Term Capacity or Fuel Shortages:**

The following actions shall be implemented until it is determined by the Company that any or all actions may be terminated. The public shall be immediately advised through appropriate media sources of the implementation of these procedures.

##### **1. Long Term Capacity Shortages.**

If an emergency situation of long term duration arises out of a long term capacity shortage on the Company's system, the following actions shall be taken, as required:

- a. Curtail, during hours of maximum system demand, non-priority electric use on premises controlled by the Company including parking, large area and interior lighting, except lighting required for security and safety.
- b. Initiate voluntary load reduction by all customers during the hours of maximum system demand as specified by the Company by:
  - i. Direct contact of customers with an electric demand of 500 kW or higher requesting them to implement their voluntary electric load reduction plans.

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- ii. Requesting, through mass communication media, voluntary curtailment of electric use by all other customers by suggesting actions to be taken such as: lowering thermostat settings for electric heating in the winter; discontinuing the use of air conditioning in the summer; shutting off electric water heaters; discontinuing use of dishwashers, outside lights, electric clothes dryers and entertainment appliances; reducing the use of interior lighting; reducing the use of refrigeration; discontinuing sign lighting and decorative lighting; reducing the use of elevators and poker ventilation equipment; and rescheduling hours of operation for stores and factories.
- c. Implement procedures for interruption of selected distribution circuits during the period of maximum system demand on a rotational basis minimizing interruption to facilities which are essential to the public health and safety. The length of an interruption of any selected circuit should not exceed two hours, and the total interruption should not exceed four hours in any 24 hour period without prior notification to the Commission.
- d. Notify customers with an electric demand of 500 kW or higher to curtail non-priority use of electricity during hours of maximum system demand as specified by the Company to levels not less than 70 percent of the customer's "monthly base period demand." The Company will establish an adjusted curtailment level when the customer can document that their priority use of electricity exceeds the curtailment level as specified. The Company will notify the Commission prior to such notification of customers.

"Monthly base period demand" is the customers billing demand established during the same month of the preceding year provided, however, that if:

- i. The "monthly base period demand" of a customer was abnormal due to such things as strikes or breakdown of major equipment, upon application by the customer and agreement by the Company, "monthly base period demand" for such customer shall be adjusted to reflect the abnormality.
- ii. A customer has experienced a major change in load or in load use pattern between the same month of the preceding year and the month of notification of curtailment, the "monthly base period demand" shall be multiplied by an adjustment factor equal to the sum of the billing demands of the three consecutive months prior to the month of notification of curtailment divided by the sum of the billing demands of the corresponding months in the prior 12 month period. If the load change occurred within the three monthly billing periods prior to the notification, only the months which include the changed load condition and the corresponding months of the previous year shall be used to calculate the adjustment factor.
- iii. A customer has recently been connected or has received a commitment from the Company to supply a new load or a major load addition expected to be connected subsequent to the initiation of the curtailment, the "monthly base period demand" will be negotiated between the customer and the Company.

Upon prior arrangement and mutual agreement with the Company, customers may effect their electric demand reduction on a corporate basis.

- e. Upon notification to the Commission, increase the total hours of interruption of selected distribution circuits during the hours of maximum system demand from four hours to a maximum of eight hours.

### **ELECTRIC SERVICE REGULATIONS**

#### **2. Long Term Fuel Shortages.**

In the event of any anticipated long term fuel shortage on the Company's system, the following program shall be implemented:

- a. If fuel supplies are decreasing and the remaining fuel supplies at any plant or portion thereof, if separate stockpiles are required, are sufficient in the Company's opinion for 50 "normal burn days" (number of days of coal supply available to serve the portion of the sum of the estimated normal load plus firm sales which will not be provided by firm purchases or by its non-coal generating sources) calculated on a plant by plant basis, the following action shall be taken:
  - i. The Company shall notify the Commission of the fuel supply situation.
  - ii. Following written notification to the Commission, the Company will vary from economic dispatch the plants or portions thereof affected in order to utilize generation from plants having a more adequate fuel supply.
- b. If fuel supplies are decreasing and the remaining system fuel supplies are sufficient in the Company's opinion for 50 "normal burn days", the following action shall be taken:
  - i. The Company shall notify the Commission of the fuel supply situation.
  - ii. Company use of electric energy will be reduced in any way that will not jeopardize essential operations.
  - iii. Following written notification to the Commission, the Company will vary from economic dispatch in order to utilize generation from plants having a more adequate fuel supply.
  - iv. Consideration will be given to discontinuing emergency sales to other utilities, except in those situations where the dropping of regular customers or where serious overloads on equipment will result.
- c. If fuel supplies continue to decrease and the remaining system fuel supplies are sufficient in the Company's opinion for not more than 40 "normal burn days," appeals will be made to all customers for voluntary conservation to effect a reduction of at least 25 percent of all non-priority use of electricity.
  - i. Public appeals will be made by the Company through appropriate news media requesting customers to curtail their use of electric energy by suggesting actions to be taken such as: reduce outdoor lighting; reduce general interior lighting to minimum levels to the extent this contributes to decreased electricity usage; reduce show window and display lighting to minimum levels to protect property; reduce the number of elevators operating in office buildings during non-peak hours; reduce electric water heating temperature to minimum level; minimize work schedules for building cleaning and maintenance, restocking, etc., so as to eliminate necessity for office or commercial and industrial facilities to be open beyond normal working hours; maintain building temperature of no less than 78°F by operation of cooling equipment and no more than 68°F by operation of heating equipment, and encourage, to the extent possible, daytime scheduling of entertainment and recreation facilities.
  - ii. Direct appeals will be made by the Company to industrial and commercial customers with an electric demand of 500 kW or higher to reduce non-priority use of electricity by at least 25 percent.

### **ELECTRIC SERVICE REGULATIONS**

- d. If fuel supplies continue to decrease and the remaining system fuel supplies are sufficient in the Company's opinion for not more than 30 "normal burn days," the Company shall implement mandatory curtailment procedures for all customer as follows:
- i. All previous measures to reduce electric usage, and
  - ii. All non-priority lighting shall be discontinued, all public, commercial and industrial buildings shall maintain a building temperature of no less than 80°F by cooling equipment and no more than 60°F by the operation of heating equipment, except where health-measures or equipment protection deem such measures to be inappropriate and all public, commercial and industrial buildings shall reduce interior lighting to the minimum levels essential for continued work and operations to the extent this contributes to decreased use of electric energy.

Upon prior arrangement and mutual agreement with the Company, customers may effect their electric energy usage reduction on a corporate basis.

- e. If fuel supplies continue to decrease and the remaining system fuel supplies are sufficient in the Company's opinion for not more than 25 "normal burn days," the Company shall implement additional mandatory curtailment procedures for all customers as follows:

All previous measures to reduce electric usage, and

- i. All customers shall discontinue non-priority use of electricity on two days of each week. (The Company shall inform customers of the days that non-priority uses shall be discontinued), or
  - ii. Customers may, in the alternative, elect to reduce total electric consumption by 25 percent below normal usage but must keep records sufficient to document their reduction. Upon prior arrangement and mutual agreement with the Company, customers may effect their electric energy usage reduction on a corporate basis.
- f. If fuel supplies continue to decrease and the remaining system fuel supplies are sufficient in the Company's opinion for not more than 20 "normal burn days," the Company shall implement further mandatory curtailment of electric usage as follows:
- All previous measures to reduce electric usage, and
- i. All customers shall discontinue non-priority use of electricity on three days of each week (the Company shall inform customers of the days that non-priority uses shall be discontinued), or
  - ii. Customers may, in the alternative, elect to reduce total electric consumption by 50 percent below normal usage, but must keep records sufficient to document their reduction. Upon prior arrangement and mutual agreement with the Company, customers may effect their electric energy usage reduction on a corporate basis.
- g. If fuel supplies continue to decrease and the remaining system fuel supplies are sufficient in the Company's opinion for not more than 15 "normal burn days," the Company shall notify all customers to discontinue all non-priority use of electricity on all days of each week.

### **ELECTRIC SERVICE REGULATIONS**

3. Customers who do not curtail service during long term capacity shortages within 30 days after notification by the Company pursuant to (C)(1)(d), or do not promptly curtail service during long-term fuel shortages when notified by the Company pursuant to (C)(2)(d, e, f, and g), may, following notification to the Commission, be wholly disconnected from service until the emergency is past.

#### **D. Short Term Capacity Shortages in Neighboring Control Areas:**

Firm service to the Company's customers shall not be interrupted in order to provide emergency service to suppliers of electric energy in neighboring interconnected control areas. Emergency assistance to such suppliers will not be given unless agreed to be provided on a reciprocal basis by such supplier to the Company, and shall be limited to providing emergency assistance from idle or spinning reserve generating capacity on the Company's system provided that the neighboring control area has, as nearly as practicable, utilized its own idle or spinning reserve capacity.

The neighboring control area seeking assistance shall be requested to reduce its takings of electric energy if such takings endanger the reliability of bulk power supply in the Company area. If such neighboring control area fails to reduce its takings and the reliability of bulk power supply in the Company's area is endangered, steps shall be taken to relieve the burden on the Company area including, as a last resort, opening of appropriate interconnections.

#### **E. Emergency Procedures for Municipal Wholesale Customers:**

The Company also provides electric service to certain municipal Wholesale customers. In order to distribute fairly the burden of an electrical emergency between the Company's retail customers and the retail consumers served by its municipal wholesale customers, each such municipal wholesale customer shall adopt emergency electric procedures designed to curtail service to its consumers to the same extent as service to the Company's consumers would be curtailed under the Emergency Electrical Procedures contained herein. Such procedures shall be implemented by each wholesale customer when notified to do so by the Company.

**RESIDENTIAL SERVICE - (RATE "RS")**

**AVAILABILITY:**

Available for residential service to installations served through one meter for each family unit in a residence or apartment.

When service is used through the same meter for both residential and commercial purposes the applicable general service rate schedule shall apply.

This rate schedule is not available for service to a commercial, institutional or industrial establishment. The hallways and other common facilities of an apartment building or apartment complex are to be billed on the appropriate general service rate.

**SERVICE:**

Service is provided per the Electric Service Regulations at a secondary voltage.

**RATE:**

All charges under this rate schedule shall be calculated as described below and charged on a monthly basis.

**Distribution Charges:**

Service Charge:	\$4.00
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Energy Charge:	
All kWh, per kWh	3.5595¢

**SPECIAL METERS:**

Time-Of-Day Metering is available from the Company. Charges for such service are specified in the Miscellaneous Charges, Tariff Sheet 75.

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**ELECTRIC SERVICE REGULATIONS:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

**GENERAL SERVICE - SECONDARY (RATE "GS")**

**AVAILABILITY:**

Available to general service installations requiring Secondary Service. Secondary Service is defined in the Company's Electric Service Regulations. Choice of voltage shall be at the option of the Company.

**SERVICE:**

All service under this rate schedule will be served through one meter for each installation.

**RATE:**

All charges under this rate schedule shall be calculated as described below and charged on a monthly basis.

**Distribution Charges:**

Service Charge:	\$7.00
Capacity Charge:	
Up to 5 kW of billing demand	\$10.9800
For each kW over 5 kW of billing demand	\$8.0390
Reactive Demand Charge applicable to three phase customers only	
For each rkVA of reactive billing demand	\$0.360

**BILLING DEMAND:**

The billing demand for the month shall be the greatest of:

1. Measured Demand, being the highest fifteen (15) minute integrated kW
2. 5.0 kW
3. The Contract Demand

Measured Demand shall be estimated for all customers not having a demand meter and using over 1,000 kWh per month by applying a factor of 200 by the following formula: Measured Demand = kWh / 200.

**REACTIVE BILLING DEMAND:**

For installations metered with reactive energy metering, the reactive billing demand in rkVA for the month shall be determined by multiplying the Measured Demand by the ratio of the measured lagging reactive kilovoltampere hours to the measured kilowatthours by the following formula: rkVA = Measured Demand X (measured lagging reactive kilovoltampere hours ÷ measured kilowatthours). For all other installations, the reactive billing demand shall be the integrated reactive demand occurring coincident with the Measured Demand.

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

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**GENERAL SERVICE - SECONDARY (RATE "GS")**

**ADJUSTMENT FOR PRIMARY METERING:**

Where a transformer installation (regardless of ownership) is utilized solely to furnish service to a single customer, the Company may meter the service on the primary side of the transformers, and in such case all the demand and energy registrations shall each be reduced 2%.

**SPECIAL METERS:**

Time-Of-Day and Interval Metering is available from the Company. Charges for such service are specified in the Miscellaneous Charges, Tariff Sheet 75.

**UNMETERED SERVICE:**

Unmetered service is available to customers with loads of constant wattage such that the monthly use may be calculated accurately and where the Company and the customer agree to unmetered service. The Billing Load shall be the connected load in kilowatts. The monthly billing kilowatt-hours shall be the product of Hours of Use times connected load. Hours of Use shall be 730 hours for continuous operation mode and 350 hours for all other operation modes.

The customer shall notify the Company of the initial connected load and operation mode and shall provide advance notice of each subsequent change in such load or operation mode. The Company may make an inspection of the customer's equipment at any time to verify connected loads and operation mode. In the event of the customer's failure to notify the Company of an increase in load, the Company reserves the right to refuse to provide unmetered service at the delivery point thereafter and adjust prior billing amounts accordingly to reflect the increases in load.

**DUPLICATE CIRCUIT SERVICE:**

When service is furnished to provide redundancy to the Company's main service as requested by the customer, a contract demand shall be established by mutual agreement and shall be specified in the service contract. Such installations shall be considered a Premium Installation and shall be a separate account from the customer's main service.

**ELECTRIC SERVICE REGULATIONS:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

**CONTRACT:**

Electric service hereunder shall be furnished in accordance with a written contract, at the Company's discretion, which by its term shall be in full force and effect for a minimum period of one year and shall continue in force thereafter from year to year unless either party shall give to the other not less than 60 days notice in writing prior to the expiration date of any said yearly periods that the contract shall be terminated at the expiration date of said yearly period. When a contract is terminated in the manner provided herein, the service will be discontinued.

**GENERAL SERVICE - SECONDARY (RATE "GS")**

The Contract Demand shall be specified in the contract for electric service of customers establishing service after January 22, 2009 and of customers requiring or requesting a significant change in service. The Contract Demand shall be 60% of the customer's expected, typical monthly peak load. Customers with a Contract Demand on January 22, 2009 will remain at that existing Contract Demand level, until such time as they reestablish service or request or require a significant change in service. The Contract Demand shall be reevaluated based on actual usage upon customer request, no more than once per 12 month period.

If the Customer's capacity or service requirements increase, the Company, at its sole and exclusive judgement, may at any time require the Customer to enter into a new contract for electric service.

**GENERAL SERVICE - PRIMARY (RATE "GP")**

**AVAILABILITY:**

Available to general service installations requiring Primary Service. Primary Service is defined in the Company's Electric Service Regulations. Choice of voltage shall be at the option of the Company.

**SERVICE:**

All service under this rate schedule will be served through one meter for each installation.

The customer will be responsible for all transforming, controlling, regulating and protective equipment and its operation and maintenance.

**RATE:**

All charges under this rate schedule shall be applied as described below and charged on a monthly basis.

**Distribution Charges:**

Service Charge:	\$150.00
Capacity Charge:	
For each kW of billing demand	\$1.7328
Reactive Demand Charge applicable to three phase customers only	
For each rkVA of reactive billing demand	\$0.360

**BILLING DEMAND:**

The billing demand for the month shall be the greatest of:

1. Measured Demand, being the highest fifteen (15) minute integrated kW
2. 30.0 kW
3. The Contract Demand

**REACTIVE BILLING DEMAND:**

For installations metered with reactive energy metering, the reactive billing demand in rkVA for the month shall be determined by multiplying the Measured Demand by the ratio of the measured lagging reactive kilovoltampere hours to the measured kilowatthours by the following formula:  $\text{rkVA} = \text{Measured Demand} \times (\text{measured lagging reactive kilovoltampere hours} \div \text{measured kilowatthours})$ . For all other installations, the reactive billing demand shall be the integrated reactive demand occurring coincident with the Measured Demand.

**GENERAL SERVICE - PRIMARY (RATE "GP")**

**CUSTOMER TARIFF OPTION:**

A customer qualifying for service under Rate GP may take distribution service under the terms and conditions of Rate GT (including the Transformer Charge) if the transformer that directly serves such customer is: 1) located in the immediate vicinity; 2) is owned by the Company; and 3) has been directly fed by a Transmission voltage line since May 8, 2007.

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**ADJUSTMENT FOR SECONDARY METERING:**

The Company reserves the right to install the metering equipment on either the primary or secondary side of the transformers serving the customer, and when installed on the secondary side, at the Company's option, the Company shall correct for transformer losses by one of the two following methods: 1.) by using compensating-metering equipment or 2.) by increasing all demand and energy registrations by 2% each.

**SPECIAL METERS:**

Time-Of-Day and Interval Metering is available from the Company. Charges for such service are specified in the Miscellaneous Charges, Tariff Sheet 75.

**DUPLICATE CIRCUIT SERVICE:**

When service is furnished to provide redundancy to the Company's main service as requested by the customer, a contract demand shall be established by mutual agreement and shall be specified in the service contract. Such installations shall be considered a Premium Installation and shall be a separate account from the customer's main service.

**ELECTRIC SERVICE REGULATIONS:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

**GENERAL SERVICE - PRIMARY (RATE "GP")**

**CONTRACT:**

Electric service hereunder shall be furnished in accordance with a written contract, which by its term shall be in full force and effect for a minimum period of two years and shall continue in force thereafter from year to year unless either party shall give to the other not less than 60 days notice in writing prior to the expiration date of any said yearly periods that the contract shall be terminated at the expiration date of said yearly period. When a contract is terminated in the manner provided herein, the service will be discontinued.

The Contract Demand shall be specified in the contract for electric service of customers establishing service after January 22, 2009 and of customers requiring or requesting a significant change in service. The Contract Demand shall be 60% of the customer's expected, typical monthly peak load. Customers with a Contract Demand on January 22, 2009 will remain at that existing Contract Demand level, until such time as they reestablish service or request or require a significant change in service. The Contract Demand shall be reevaluated based on actual usage upon customer request, no more than once per 12 month period.

If the Customer's capacity or service requirements increase, the Company, at its sole and exclusive judgement, may at any time require the Customer to enter into a new contract for electric service.

**GENERAL SERVICE - SUBTRANSMISSION (RATE "GSU")**

**AVAILABILITY:**

Available to general service installations requiring Subtransmission Service. Subtransmission Service is defined in the Company's Electric Service Regulations. Choice of voltage shall be at the option of the Company.

**SERVICE:**

All service under this rate schedule will be served through one meter for each installation.

The customer will be responsible for all transforming, controlling, regulating and protective equipment and its operation and maintenance.

**RATE:**

All charges under this rate schedule shall be calculated as described below and charged on a monthly basis.

**Distribution Charges:**

Service Charge:	\$200.00
Capacity Charge: For Each kVA of billing demand	\$0.4530

**BILLING DEMAND:**

The billing demand for the month shall be the greatest of:

1. Measured Demand, being the highest thirty (30) minute integrated kVA
2. 30.0 kVA
3. The Contract Demand

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**ADJUSTMENT FOR SECONDARY METERING:**

The Company reserves the right to install the metering equipment on either the primary or secondary side of the transformers serving the customer, and when installed on the secondary side, at the Company's option, the Company shall correct for transformer losses by one of the two following methods: 1.) by using compensating-metering equipment or 2.) by increasing all demand and energy registrations by 2% each.

**GENERAL SERVICE - SUBTRANSMISSION (RATE "GSU")**

**SPECIAL METERS:**

Time-Of-Day and Interval Metering is available from the Company. Charges for such service are specified in the Miscellaneous Charges, Tariff Sheet 75.

**DUPLICATE CIRCUIT SERVICE:**

When service is furnished to provide redundancy to the Company's main service as requested by the customer, a contract demand shall be established by mutual agreement and shall be specified in the service contract. Such installations shall be considered a Premium Installation and shall be a separate account from the customer's main service.

**ELECTRIC SERVICE REGULATIONS:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service. The Company's general policy of supplying regulated voltages does not apply to this rate schedule.

**CONTRACT:**

Electric service hereunder shall be furnished in accordance with a written contract, which by its term shall be in full force and effect for a minimum period of two years and shall continue in force thereafter from year to year unless either party shall give to the other not less than 60 days notice in writing prior to the expiration date of any said yearly periods that the contract shall be terminated at the expiration date of said yearly period. When a contract is terminated in the manner provided herein, the service will be discontinued.

The Contract Demand shall be specified in the contract for electric service of customers establishing service after January 22, 2009 and of customers requiring or requesting a significant change in service. The Contract Demand shall be 60% of the customer's expected, typical monthly peak load. Customers with a Contract Demand on January 22, 2009 will remain at that existing Contract Demand level, until such time as they reestablish service or request or require a significant change in service. The Contract Demand shall be reevaluated based on actual usage upon customer request, no more than once per 12 month period.

If the Customer's capacity or service requirements increase, the Company, at its sole and exclusive judgement, may at any time require the Customer to enter into a new contract for electric service.

**GENERAL SERVICE - TRANSMISSION (RATE "GT")**

**AVAILABILITY:**

Available to general service installations requiring Transmission Service. Transmission Service is defined in the Company's Electric Service Regulations. Choice of voltage shall be at the option of the Company.

A customer qualifying for service under Rate GP may take distribution service under the terms and conditions of Rate GT (including the Transformer Charge) if the transformer that directly serves such customer is: 1) located in the immediate vicinity; 2) is owned by the Company; and 3) has been directly fed by a Transmission voltage line since May 8, 2007.

**SERVICE:**

All service under this rate schedule will be served through one meter for each installation.

The customer will be responsible for all transforming, controlling, regulating and protective equipment and its operation and maintenance unless the Transformer Charge applies to the customer.

The Transformer Charge is applicable to a customer premise with existing transformation having been provided by the Company, including leased equipment, for the customer's exclusive use since May 8, 2007, in addition to all other applicable tariff charges.

If an increase in capacity of existing transformation owned by the Company is necessary or if the customer requires a change in service voltage on or after January 1, 2009, all necessary transforming, controlling, regulating and protective equipment shall be provided by the customer.

**RATE:**

All charges under this rate schedule shall be calculated as described below and charged on a monthly basis.

**Distribution Charges:**

Service Charge:	\$320.00
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Capacity Charge:	
For Each kVA of billing demand	\$0.1185

**BILLING DEMAND:**

The billing demand for the month shall be the greatest of:

1. Measured Demand, being the highest thirty (30) minute integrated kVA.
2. 100.0 kVA
3. The Contract Demand

**GENERAL SERVICE - TRANSMISSION (RATE "GT")**

**TRANSFORMER CHARGE:**

A monthly Transformer Charge of 13 cents per kVA of Measured Demand shall be charged for existing transformation, and the Company will continue to own, operate and maintain all such necessary transforming, controlling, regulating and protective equipment. Any equipment costs incurred by the Company necessary to maintain or update such substation facilities shall be paid in full by the customer before such equipment is installed.

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**ADJUSTMENT FOR SECONDARY METERING:**

The Company reserves the right to install the metering equipment on either the primary or secondary side of the transformers serving the customer, and when installed on the secondary side, at the Company's option, the Company shall correct for transformer losses by one of the two following methods: 1.) by using compensating-metering equipment or 2.) by increasing all demand and energy registrations by 2% each.

**SPECIAL METERS:**

Time-Of-Day and Interval Metering is available from the Company. Charges for such service are specified in the Miscellaneous Charges, Tariff Sheet 75.

**ELECTRIC SERVICE REGULATIONS:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service. The Company's general policy of supplying regulated voltages does not apply to this rate schedule.

**CONTRACT:**

Electric service hereunder shall be furnished in accordance with a written contract, which by its term shall be in full force and effect for a minimum period of two year and shall continue in force thereafter from year to year unless either party shall give to the other not less than 60 days notice in writing prior to the expiration date of any said yearly periods that the contract shall be terminated at the expiration date of said yearly period. When a contract is terminated in the manner provided herein, the service will be discontinued.

The Contract Demand shall be specified in the contract for electric service of customers establishing service after January 22, 2009 and of customers requiring or requesting a significant change in service. The Contract Demand shall be 60% of the customer's expected, typical monthly peak load. Customers with a Contract Demand on January 22, 2009 will remain at that existing Contract Demand level, until such time as they reestablish service or request or require a significant change in service. The Contract Demand shall be reevaluated based on actual usage upon customer request, no more than once per 12 month period.

**GENERAL SERVICE - TRANSMISSION (RATE "GT")**

If the customer's capacity or service requirements increase, the Company, at its sole and exclusive judgement, may at any time require the customer to enter into a new contract for electric service.

### **STREET LIGHTING PROVISIONS**

#### **AVAILABILITY:**

Available to municipalities and governmental authorities for the lighting of streets, sidewalks, parks, and other public grounds.

#### **METERING:**

Standard street lighting service shall be unmetered with monthly kilowatt hour consumption determined using rated bulb capacity and associated ballasts multiplied by average burn hours. Any street light pole with an electrical outlet shall be metered with all initial costs of metering installation borne by the customer.

#### **BURN HOURS:**

Unless otherwise noted, all lamps shall be operated by photoelectric control or by time clocks, with hours of operation from dusk to dawn, 4,200 hours per annum.

The following monthly Kilowatt-hour values shall be used for billing purposes. Any installation with dual lamps shall multiply the below values by two (2).

Bulb Type	Bulb Rating	kWh per Month
Incandescent	1,000 Lumens	24
Incandescent	2,000 Lumens	56
Incandescent	2,500 Lumens	70
Incandescent	4,000 Lumens	126
Incandescent	6,000 Lumens	157
Incandescent	10,000 Lumens	242
Incandescent	15,000 Lumens	282

Fluorescent	6,000 Lumens	45
Fluorescent	13,800 Lumens	94
Fluorescent	21,800 Lumens	135
Fluorescent	43,600 Lumens	264

Mercury Vapor	100 Watts	43
Mercury Vapor	175 Watts	69
Mercury Vapor	175 Watts*	144
Mercury Vapor	250 Watts	104
Mercury Vapor	250 Watts*	216
Mercury Vapor	400 Watts	158
Mercury Vapor	700 Watts	287
Mercury Vapor	1000 Watts	380

\*Operating in continuous burn mode

**STREET LIGHTING PROVISIONS**

Bulb Type	Bulb Rating	kWh per Month
High Pressure Sodium Vapor	70 Watts	29
High Pressure Sodium Vapor	100 Watts	42
High Pressure Sodium Vapor	100 Watts*	87
High Pressure Sodium Vapor	150 Watts	62
High Pressure Sodium Vapor	150 Watts*	129
High Pressure Sodium Vapor	200 Watts	88
High Pressure Sodium Vapor	215 Watts	89
High Pressure Sodium Vapor	250 Watts	105
High Pressure Sodium Vapor	310 Watts	128
High Pressure Sodium Vapor	400 Watts	163
High Pressure Sodium Vapor	1000 Watts	410

\*Operating in continuous burn mode

**IN-SERVICE DATES:**

All street lighting equipment which is placed in service or removed by and including the 15th day of the month shall be charged by the Company and paid for by the customer as if the equipment had been in service or removed on the 1st day of the subject month. All street lighting equipment which is placed in service or removed subsequent to the 15th of the month shall be charged by the Company and paid for by the customer as if the equipment had been placed in service or removed on the 1st day of the subsequent month.

**APPLICABLE RIDERS:**

Rates and charges specified in this schedule shall be subject to and modified in accordance with provisions of the applicable riders listed on the Summary Rider, Sheet 80, or any other applicable riders approved by the Public Utilities Commission of Ohio.

**GENERAL RULES:**

Extensions of existing distribution facilities, and/or the addition of transformers, which are required strictly for the purposes of providing street lighting service shall be paid for by the customer.

In cases of vandalism to Company owned lighting equipment, the Company, at its discretion, will repair the damaged property, the cost of which shall be borne by the customer and billed upon completion of work. A written estimate of the cost will be submitted to the customer for approval before work is performed.

In cases of vandalism to customer owned lighting equipment, the customer shall be responsible for repairing the damaged property. The Company may, upon request from the customer, repair the damaged property, the cost of which shall be borne by the customer and billed upon completion of work. A written estimate of the repair cost will be submitted to the customer for approval before work is performed.

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**STREET LIGHTING PROVISIONS**

The customer shall have the right to affix street, traffic, regional transit authority, combination, safety, and warning signs on any street lighting equipment installed under this tariff schedule as long as said sign is erected and maintained in a proper and safe manner so as not to interfere in any way with the use of street lighting equipment, appurtenances or equipment of the Company. The customer shall agree to indemnify and hold harmless the Company or its successors and assigns of and from any and all expense and damages resulting to anyone caused by the negligent installation or maintenance of said street sign. The customer shall not attach any signs, devices, posters, banners, handbills or placards of any description, other than the aforementioned traffic, safety and warning signs, to any street lighting equipment installed under this tariff schedule without the express written consent of the Company.

No reduction in billing shall be allowed for lamp outages.

The Company's obligations with respect to making extensions, furnishing service, and supplying electric energy shall at all times be subject to limitations or restrictions by virtue of regulations issued by governmental authorities.

**STREET LIGHTING SERVICE - (RATE "STL")**  
**COMPANY OWNED**

**GENERAL RULES:**

The Company will install lighting equipment on an approved existing pole or, where necessary, will furnish one pole for mounting the lighting equipment and one section of secondary wire. All additional lighting equipment, not provided for herein, installed by the Company at the request of the customer, shall be the property of the Company and be paid for by the customer.

**CHANGES IN NUMBER, SIZE, TYPE OR LOCATION:**

Activities related to the replacement, relocation, alteration, or removal of existing street lighting equipment are not included as part of normal maintenance. Such activities include, but are not limited to, the replacement of an existing fixture, removal or relocation of a lamp, luminaire, bracket, and/or pole, or installation of a luminaire shield. All such requests shall be made in writing by the customer. The Company will supply the customer with a written estimate of charges prior to the start of work.

**RESPONSIBILITIES FOR OWNERSHIP, MAINTENANCE AND REPLACEMENT:**

All lighting components including lamp, refractor, luminaire, ballast, pole, bracket, and other supporting materials shall be owned by the Company. All service and necessary maintenance will be performed only during the regular working hours of the Company.

**INSTALLATION COSTS:**

All installation costs for new street lighting investment that exceed the net book value of street lighting investment reflected in the rates below shall be billed to the customer. A written estimate of costs shall be presented to the customer for approval prior to the start of the work and paid in full upon completion.

**RATE:**

Monthly charges per customer for all customers served under this schedule shall include Distribution Charges as shown below.

**Distribution Charges:**

**INCANDESCENT STREET LIGHTING (a)**

<u>Monthly Base Rate</u>	<u>Overhead Wood Service</u>	<u>Overhead Steel Service</u>	<u>Underground Service</u>
For each Incandescent unit	\$10.96	\$11.94	\$18.14
For each Incandescent unit with dual lamps	-	-	\$32.26

(a) The Company will not install new incandescent lighting equipment but will maintain existing incandescent lighting equipment when practical.

**STREET LIGHTING SERVICE - (RATE "STL")**  
**COMPANY OWNED**

**FLUORESCENT STREET LIGHTING (b)**

<u>Monthly Base Rate</u>	<u>Overhead Wood Service</u>	<u>Overhead Steel Service</u>	<u>Underground Service</u>
For each Fluorescent unit	-	\$16.80	\$15.06
For each Fluorescent unit with dual lamps	-	-	\$20.58

(b) The Company will not install new fluorescent lighting equipment but will maintain existing fluorescent lighting equipment when practical.

**MERCURY STREET LIGHTING – Single Lamp (c)**

<u>Rating in Watts</u>	<u>Monthly Base Rate</u>	<u>Monthly Base Rates</u>		
		<u>Overhead Service</u>		<u>Underground Service</u>
		<u>Wood Pole</u>	<u>Metal Pole</u>	
175	per unit	\$5.98	\$8.26	\$11.98
250	per unit	\$6.56	\$8.68	\$12.52
400	per unit	\$8.25	\$10.95	\$14.58
700	per unit	\$13.43	\$16.34	-
1,000	per unit	\$15.87	-	-

(c) The Company will not install new mercury lighting equipment but will maintain existing mercury lighting equipment when practical.

**MERCURY STREET LIGHTING – Dual Lamps (c)**

<u>Rating in Watts</u>	<u>Monthly Base Rate</u>	<u>Monthly Base Rates</u>		
		<u>Overhead Service</u>		<u>Underground Service</u>
		<u>Wood Pole</u>	<u>Metal Pole</u>	
175	per unit	\$10.17	-	-
250	per unit	-	-	\$17.53
400	per unit	\$14.54	\$17.20	\$20.47

(c) The Company will not install new mercury lighting equipment but will maintain existing mercury lighting equipment when practical.

**STREET LIGHTING SERVICE - (RATE "STL")**  
**COMPANY OWNED**

**HIGH PRESSURE SODIUM LIGHTING – Single Lamp (d)**

Rating in Watts	Monthly Base Rate	<u>Monthly Base Rates</u>		
		<u>Overhead Service</u>		<u>Underground Service</u>
		<u>Wood Pole</u>	<u>Metal Pole</u>	
100	per unit	\$9.15	\$11.00	\$14.75
100 (Ornamental)	per unit	-	-	\$26.05
150	per unit	\$10.36	\$11.68	\$12.69
200	per unit	\$13.21	\$15.33	\$19.28
250	per unit	\$10.37	\$14.34	\$16.04
250 (Downtown)	per unit	-	-	\$31.06
400	per unit	\$13.59	\$17.02	\$17.75
400 (Downtown)	per unit	-	-	\$45.54

(d) The Company reserves the right to limit the types of posts, luminaries and lamps under this rate for new installations.

**HIGH PRESSURE SODIUM LIGHTING – Dual Lamps (d)**

Rating in Watts	Monthly Base Rate	<u>Monthly Base Rates</u>		
		<u>Overhead Service</u>		<u>Underground Service</u>
		<u>Wood Pole</u>	<u>Metal Pole</u>	
100	per unit	\$17.86	\$18.75	\$22.99
150	per unit	\$18.87	\$19.31	\$25.99
250	per unit	\$20.92	\$22.33	\$28.58
400 (Davit Pole)	per unit	-	-	\$23.08

(d) The Company reserves the right to limit the types of posts, luminaries and lamps under this rate for new installations.

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**STREET LIGHTING SERVICE - (RATE "STL")**  
**CUSTOMER OWNED, LIMITED COMPANY MAINTENANCE**

**APPLICABILITY:**

This lighting plan is not available for lighting units installed after December 31, 2008.

**GENERAL RULES:**

The customer shall inform the Company in writing of any reductions to existing unmetered load associated with a customer's street lighting account at least 30 days prior to the anticipated date of change.

**CHANGES IN NUMBER, SIZE, TYPE OR LOCATION:**

Activities related to modification of existing street lighting equipment are not included as part of normal maintenance. Such activities include, but are not limited to, the replacement or alteration of an existing fixture, removal or relocation of a lamp, luminaire, bracket, and/or pole, or installation of a luminaire shield. All such requests shall be made in writing by the customer. The Company will supply the customer with a written estimate of charges prior to the start of work.

**RESPONSIBILITIES FOR OWNERSHIP, MAINTENANCE AND REPLACEMENT:**

All lighting components shall be furnished, owned, repaired, maintained, and replaced by the customer except for bulbs, refractors, photoelectric cells, luminaires, and ballasts. The Company shall replace bulbs, refractors, luminaires, and ballasts that fail due to normal use twice in a twelve (12) month period at no additional cost when practical. Additional replacements shall be billed to the customer at actual cost.

**RATE:**

Monthly charges per customer for all customers served under this schedule shall include Distribution Charges as shown below.

**Distribution Charges:**

ALL LAMP TYPES:

	<u>Monthly Base Rate:</u>
All kWh per kWh	4.6389¢

The following charges apply in addition to the above:

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**TRAFFIC LIGHTING SCHEDULE - (RATE "TRF")**

**AVAILABILITY:**

Available to municipalities, governmental authorities and school districts for the sole purpose of providing electric service to traffic control devices and/or other devices used for traffic control or public safety.

**METERING:**

New traffic light installations shall be metered, when conditions as determined by the Company allow for such metering, at each Service Connection with the cost of meter installation borne by the customer.

Monthly kilowatt hour consumption for unmetered traffic light equipment shall be determined by the number, rated wattage capacity, and operating characteristics of the traffic lighting.

**RATE:**

Monthly charges per customer for all customers served under this schedule shall include Distribution Charges as shown below.

**Distribution Charge:**

Energy Charge:

All kWh, per kWh

2.7235¢

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**SERVICE CONNECTION:**

A Service Connection shall be defined as the point at which the device(s) of the customer connect to the facilities of the Company.

**OWNERSHIP:**

Traffic control lights, warning lights, traffic signs, and other devices served under this rate schedule shall be owned, installed and maintained by the customer, including all wiring and equipment. All service connections shall be made by the Company.

**TRAFFIC LIGHTING SCHEDULE - (RATE "TRF")**

**SERVICE TABULATION:**

The customer shall provide, upon the Company's request, a tabulation showing all traffic control lights and warning lights installed and in service. Notwithstanding the above, the customer shall inform the Company in writing of any changes to existing unmetered load associated with a customer's traffic lighting at least 30 days prior to the anticipated date of change. Changes include, but are not limited to, additional traffic control lights, traffic signs, or warning lights installed, or any change made in the wattage of any such unit. If prior notice is not properly provided to the Company, the Company may retroactively bill the customer's account: (1) for all usage from the point such load was added, and (2) up to an additional three months usage. At any point after such notice is not properly provided, the Company may also refuse to continue providing unmetered service at the delivery point. In such case, the cost of metering equipment and installation shall be fully borne by the customer while equipment shall be owned by the Company. The Company may, at any time, inspect the customer's equipment to verify or measure actual load.

**GENERAL RULES:**

Extensions of existing distribution facilities, and/or the addition of transformers, which are required strictly for the purposes of providing traffic lighting service shall be paid for by the customer.

The customer may attach police, fire and rescue signal equipment to the Company's poles. Such attachments shall be made in accordance with accepted standards for safe construction and shall not interfere in any way with the Company's use of its property or the provision of electric service. The customer shall indemnify and hold harmless the Company from and against any and all liability arising from the customer's use of the Company's facilities in this manner.

Warning sirens up to 400 watts and call box lights shall be billed as traffic control devices.

All of the Company's obligations with respect to making extensions, furnishing service and supplying electric energy shall at all times be subject to limitation or restriction by virtue of orders or regulations issued by governmental authorities other than the customer.

**ELECTRIC SERVICE REGULATIONS:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

**PRIVATE OUTDOOR LIGHTING SERVICE - (RATE "POL")**

**AVAILABILITY:**

Available to any customer receiving service at secondary voltages on the lines of the Company for all-night outdoor lighting on private property.

**METERING:**

Private Outdoor Lighting service shall be unmetered with monthly kilowatt hour consumption determined using standard bulb ratings and associated ballasts multiplied by average burn hours.

**BURN HOURS:**

All lamps shall be operated by photoelectric control or by time clocks, with hours of operation from dusk to dawn, 4,200 hours per annum.

The following monthly Kilowatt-hour values shall be used for billing purposes. Any installation with dual lamps shall multiply the below values by two (2).

<u>Bulb Type</u>	<u>Rating</u>	<u>kWh Per Month</u>
Mercury Vapor	175 Watt	69
Mercury Vapor	400 Watt	158
Mercury Vapor	1000 Watt	380
High Pressure Sodium Vapor	100 Watt	42
High Pressure Sodium Vapor	150 Watt	62
High Pressure Sodium Vapor	200 Watt	88
High Pressure Sodium Vapor	250 Watt	105
High Pressure Sodium Vapor	400 Watt	163
Metal Halide	15,000 Lumens	73
Metal Halide	23,000 Lumens	111
Metal Halide	40,000 Lumens	172

**PRIVATE OUTDOOR LIGHTING SERVICE - (RATE "POL")**

**RATE:**

Monthly charges per customer for all customers served under this schedule shall include Distribution Charges as shown below.

**Distribution Charges:**

**MERCURY LIGHTING**

<u>Watts</u>	<u>Monthly Base Rate:</u>	<u>Overhead Wood</u>	<u>All Other Installations</u>
175	per unit	\$5.71	\$12.30
400	per unit	\$16.41	-
1,000	per unit	\$21.69	-

**HIGH PRESSURE SODIUM LIGHTING**

<u>Watts</u>	<u>Monthly Base Rate:</u>	<u>Overhead Wood</u>	<u>All Other Installations</u>
200	per unit	\$8.26	-
400	per unit	\$14.49	-

Monthly charges for the following installation services shall include Distribution.

For installations requiring an additional pole and span of overhead circuit, an additional charge per pole:

Prior to January 1, 1974	\$2.45
After January 1, 1974	\$4.82

For installation on existing poles but requiring an extension of the secondary supply circuit, and additional charge per overhead span:

\$1.07

**APPLICABLE RIDERS:**

The charges included with the applicable riders as designated on the Summary Rider, Tariff Sheet 80 shall be added to the Rates and charges set forth above.

**OWNERSHIP & MAINTENANCE:**

All lighting equipment shall remain the property of the Company. All service and necessary maintenance will be performed only during the regular working hours of the Company.

**CHANGES IN NUMBER, SIZE, TYPE OR LOCATION:**

Activities related to the alteration or removal of existing private outdoor lighting equipment are not included as part of normal maintenance. Such activities include, but are not limited to, removal of a lamp, luminaire, bracket, and/or pole, or installation of a luminaire shield. All such requests shall be made in writing by the customer. The Company will supply the customer with a written estimate of charges prior to the start of work.

**PRIVATE OUTDOOR LIGHTING SERVICE - (RATE "POL")**

**GENERAL RULES:**

The customer shall assume risk of loss or damage to equipment and property installed in connection with the lighting system. The Company may correct hazardous conditions affecting the safety of the public and the customer shall pay expenses incurred by the Company for repairs to equipment owned by the customer.

The customer shall inform the Company in writing of any reductions to existing unmetered load associated with a customer's street lighting account at least 30 days prior to the anticipated date of change

No reduction in billing shall be allowed for lamp outages.

The rates contained herein are for continuous use of the facilities and are not applicable to seasonal usage.

**ELECTRIC SERVICE REGULATIONS:**

The Company's Electric Service Regulations shall apply to the installation and use of electric service.

**PARTIAL SERVICE RATE "GS-15"**

**APPLICABILITY:**

Applicable to any Customer with non-synchronous or synchronous, which does not qualify for the Net Metering Rider, electric generation equipment having been established as a Qualifying Facility, or who requires partial service from the Company as back-up, or as a partial electric requirement to another electric source.

**RATE:**

**Capacity Reservation Charge:**

Per kVA of Capacity Reservation  
Per billing Period  
Per Voltage Classification

	<u>Transmission</u>	<u>Subtransmission</u>	<u>Distribution</u>
	138 kV and Above	23 - 34.5 - 69KV	4.16 - 12.47 kV
<u>Transmission &amp;</u>			
<u>Distribution Charge:</u> All kW, per kW	All kW, per kW	All kW, per kW	All kW, per kW
	\$1.46	\$2.18	\$2.96
<u>Generation Charge:</u> All kW, per kW	All kW, per kW	All kW, per kW	All kW, per kW
	\$1.56	\$1.71	\$1.76

**Demand Charge:**

Whenever the Customer utilizes Supplemental, Back-up or Maintenance power, the demand will be charged as indicated below:

a. Supplemental Demand

The Demand Charge found in the applicable Standard Tariff shall be used to calculate the monthly billing charge for Supplemental power.

b. Back-Up Demand

The Customer shall have the option of either Method A or Method B, below, as the method under which Back-Up Demand shall be calculated. Sixty days prior to the initial one-year contract period, and at least 60 days prior to each succeeding annual period, the Customer shall specify the method chosen. That method shall apply for the full contract period.

**PARTIAL SERVICE RATE "GS-15"**

Method A:

The Demand Charge found in the appropriate, applicable Standard Tariff shall be used to calculate the billing period charge for Back-up Demand.

The Capacity Reservation charge for the billing period shall be reduced to the extent that Back-Up Demand, under Method A, is used during the billing period.

Method B:

The billing period Demand Charge for Back-Up Power shall be determined by use of daily demand, and will use the appropriate following rate based on service voltage level classification:

<b><u>Transmission</u></b>	<b><u>Subtransmission</u></b>	<b><u>Distribution</u></b>
(138 kV and Above)	(23 - 34.5 - 69 kV)	(4.16 - 12.47 kV)
<b><u>\$ 0.73</u></b>	<b><u>\$ 0.78</u></b>	<b><u>\$ 0.83</u></b>
per kVA per day	per kVA per day	per kVA per day

The above charges consist of ancillary service charges from the applicable Rate Schedule and generation.

Method B is applicable no more than fifteen days a year. If in any billing period the use of Backup Power exceeds fifteen days, the Customer will be billed under Method A for the billing period. The fifteen days in that billing period would not count toward the annual limitation.

Determination of the daily Demand Charge shall be the maximum daily Back-Up Demand times the appropriate above rate. The billing period charge for Back-Up Demand shall be the sum of the billing period's daily Demand Charges.

Off-Peak Provision for Method B

If the customer's daily peak demand occurs during off-peak hours, the Billing Demand will be the highest off-peak demand less three-fourths (3/4) of the difference between the highest off-peak demand and the highest onpeak demand for that day.

For purposes of this calculation, off-peak hours are all hours in each day, except the hours between 0800 hours (8:00 a.m.) and 2000 hours (8:00 p.m.), Monday thru Friday, excluding legal holidays specified as exempt by the Company. These holidays are New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day, and Mondays which are legally designated as a day of observance in lieu of the above holidays when they occur on weekend days. For limited periods, additional days and hours may be considered off-peak at the option of the Company.

c. Maintenance Demand

Fifty percent of the demand charge found in the appropriate, applicable Standard Tariff shall be used and prorated based on the number of days that Maintenance Power was used during the billing period.

**PARTIAL SERVICE RATE "GS-15"**

**Energy Charge:**

The charge for energy provided by the Company for Supplemental, Back-Up (Method A), and Maintenance Power shall be that found in the appropriate, applicable Standard Tariff.

The energy charge for Back-Up Power (Method B) shall be 0.49¢ per kWh. This cost recovery will be split between RTC and RSC in proportion to RTC and RSC charges in the applicable Rate Schedule.

**Emergency Power:**

Emergency Power Service can only be obtained from the Company. The following charges apply under this schedule:

Demand Charge per kVA per billing period	\$ 26.60
Energy Charge per kWh per billing period	\$0.146

The Demand Charge will consist of transmission, distribution and generation charges in the same proportion as the Capacity Reservation Charge. The Energy Charge will consist of the RTC and RSC from the appropriate applicable Standard Tariff and generation charges.

**Customer Charge:**

The Customer Charge shall be \$95.50 per month.

**BACK-UP POWER MAXIMUM CHARGE:**

The maximum billing period charge for Back-Up Power shall be those charges for service which would be billed under the appropriate applicable Standard Tariff.

If Back-Up Power is used during the billing period, the billing period charge for Capacity Reservation shall be reduced, to the extent that Back-Up Demand is used.

**MINIMUM CHARGE:**

The monthly minimum charge shall be the sum of the Capacity Reservation charge multiplied by the Capacity Reservation, plus the Customer Charge, plus the minimum charges of any applicable Standard Tariffs.

**RIDERS:**

Except as otherwise noted, the Rates and charges specified above shall be modified in accordance with the applicable Standard Tariff Riders, except for the Net Energy Metering Rider, in effect plus a fuel charge of 1.3371¢ per kWh. The fuel charge is cost recovery and will be split between RTC and RSC in proportion to RTC and RSC charges in the applicable Rate Schedule.

**APPLICABLE RIDERS:**

Rates and charges specified above shall be modified in accordance with provisions of the following applicable Riders in the order shown.

Universal Service Rider	Rider No. 11
Temporary Rider for EEF	Rider No. 12
State and Local Tax Rider	Rider No. 13
Fuel Rider	Rider No. 25
Fuel Cost Recovery Rider	Rider No. 27

## **PARTIAL SERVICE RATE "GS-15"**

### **DETERMINATION OF PARTIAL SERVICE:**

Partial Service Capacity shall be established by the Customer and the Company prior to receiving service under this schedule.

The Customer may request a time dependent Partial Service Capacity level, subject to Company acceptance. The Customer must submit a supply profile for each capacity source sixty (60) days prior to the contract period. The Company has thirty days within which to make any reasonable modifications.

In the event the Customer's alternate supply exceeds the presubmitted supply profile, the Partial Service Capacity will be reestablished at the new supply level for that and comparable time periods, and shall be in effect for the remainder of the contract period, unless otherwise altered hereunder.

In the event the Customer installs additional generating equipment, or the metered Back-Up, Maintenance or Emergency demand in any billing period exceeds the Partial Service Capacity, the Partial Service Capacity shall be reestablished at the new level and remain in force for the remainder of the contract period, unless otherwise altered hereunder.

### **DETERMINATION OF CAPACITY RESERVATION:**

The Capacity Reservation demand shall be specified sixty (60) days in advance of the initial contract period by the Customer and shall be equal to the amount of Customer owned generation or capacity from another electric source for which the Customer desires Back-Up capacity.

In the event the customer requires Emergency power to be supplied by the Company, the Capacity Reservation deemed contracted for thereafter shall be increased by an amount equal to the net demonstrated usage determined by the amount of Emergency power supplied.

The Capacity Reservation shall be in force for the remainder of the contract period, unless otherwise altered hereunder.

### **CONTRACT PROVISIONS:**

The contract period is defined as a one year period and service under this schedule shall be a one-year term and self-renewing for annual periods thereafter. Unless otherwise authorized by the Company, the Customer may cancel service being provided hereunder upon written notice to the Company, received at least sixty (60) days prior to the end of any contract period.

The Capacity Reservation or Partial Service Capacity may be adjusted during any annual term, upon written request by the Customer, subject to the approval of the Company.

## **PARTIAL SERVICE RATE "GS-15"**

### **MAINTENANCE POWER SCHEDULE:**

Maintenance Power shall be supplied under the applicable Standard Tariff, as determined by the Company using the requested level of maintenance demand, and such power shall be provided only on a prescheduled basis. At no time shall the requested Maintenance demand be more than the Partial Service Capacity.

Maintenance Power will be available for up to four weeks per calendar year per generating unit. Of these twenty-eight days, the Customer will be permitted up to two consecutive days of Maintenance power, only during off-peak periods, during each of the summer billing periods. A maintenance day shall constitute any 24 consecutive hour period in which Maintenance power is scheduled. Sixty days (60) prior to the initial one-year contract period, and at least sixty (60) days prior to each succeeding annual period, a maintenance schedule shall be presented to the Company by the Customer. Customers with multiple generating units shall present a maintenance schedule for each unit, and shall specify the level of maintenance demand for each unit. The Company reserves the right to modify the maintenance schedule. Any modifications by the Company must be made with reason within 30 days after the annual maintenance schedule is presented by the Customer.

The Customer may request an adjustment in a scheduled maintenance outage up to three weeks prior to previously scheduled dates. Adjusted dates must be within one week of the previously scheduled dates and shall result in a scheduled outage of the same seasonal and daily characteristics, time and duration as the previously scheduled maintenance outage. Company approval, or disapproval with reason, for such adjustment shall be given within one week of such request.

The Company may cancel a scheduled maintenance outage with reason at any time with seven (7) days notice prior to the beginning of a scheduled maintenance outage if conditions on the Company's system warrant such a cancellation. Such notification of cancellation shall state the reasons for such cancellation. Summer Maintenance power can be canceled by the Company within two days of such dates with reason. Scheduled maintenance outage(s) canceled by the Company shall be rescheduled subject to the mutual agreement of the Customer and the Company.

### **TERMS AND CONDITIONS:**

- (1) All terms and conditions, and any other provision not specifically mentioned in this tariff, shall conform to those of the applicable Standard Tariff.
- (2) A Time-of-Day demand meter and a watt-hour meter, equipped with a detent to prevent reverse rotation, shall be used to measure the energy being supplied by the Company to the Customer. A Time-of-Day demand meter and a watt-hour meter, equipped with a detent to prevent reverse rotation, shall be installed to measure the energy provided to the Customer from sources other than the Company. The Customer's monthly electric bill shall be calculated by using measurements obtained from these meters.
- (3) Supplemental power will be calculated by measuring the total capacity and energy that is provided to the Customer by the Company less any Back-up, Emergency or Maintenance power provided to the Customer by the Company. Supplemental power shall be supplied to any Customer under the Company's appropriate, applicable Standard Tariff in effect at the time of service.

The level of firm power requested by the Customer shall determine the appropriate, applicable Standard Tariff.

**PARTIAL SERVICE RATE "GS-15"**

**TERMS AND CONDITIONS (continued):**

- (4) The Customer shall be provided Back-up power during periods of unscheduled outages, but such power shall not exceed the level of the Customer's Partial Service Capacity. Should recorded demand exceed the level of the Capacity Reservation, the additional demand shall be charged at the Emergency Services Demand and Energy Charge. Back-up Power shall be supplied under the Company's appropriate, applicable Standard Tariff in effect at the time of providing service. The level of Capacity Reservation Power requested by the Customer shall determine the appropriate, applicable Standard Tariff. At no time shall the level of Back-up power be used to establish demand levels for Supplemental power.
- (5) Maintenance power shall be supplied to a Partial Service Customer under the appropriate, applicable Standard Tariff in effect at the time of providing service, as determined by the Customer's requested level of Maintenance Demand, and shall be provided on a scheduled basis. At no time will the level of Maintenance Power be used to establish demand levels for Supplemental Power.
- (6) Emergency Power shall be supplied, subject to availability and when there will be no detriment to system service reliability, to a Customer who does not contract with the Company for Capacity Reservation, or for any level of demand that exceeds such Capacity Reservation. At no time will the level of Emergency Power be used to establish levels for Supplemental Power.

**GENERAL RULES:**

- (1) All Customers shall comply with applicable national, state and local codes, standards and regulations.
- (2) All Customers shall comply with the provisions of this schedule, as well as the Company's General Rules and Regulations. The Company reserves the right to refuse or to terminate service under this schedule upon finding that the alternative energy supply will not be installed or is not operating in compliance with this schedule.
- (3) The Customer agrees to be legally responsible for any damage to the Company's facilities resulting from the alternate electrical source or operation of the Customer's generating equipment. The Customer also agrees to indemnify the Company and save it harmless from all damages, costs, claims and expenses to the Company, its employees, successors and assigns, or to any third party arising out of, or related to, the operation of the Customer's generator and equipment associated with the connection of the said equipment to the Company's system, except where such damages, costs, claims and expenses have been occasioned by the sole negligence of the Company, its agents or employees. The Company shall require proof of adequate insurance or bond.

**PARTIAL SERVICE RATE "GS-15"**

**SPECIAL RULES:**

- (1) The Customer's generating equipment must produce a 60 hertz sine wave output, with distortion at a level which is within applicable industry standards, at a voltage compatible with the Company's service voltage at the customer's service location.
- (2) The Customer shall provide the proper electrical devices to disconnect, without intentional time delay, its generating equipment from the Company's system in the event of a supply outage or a supply circuit failure. A manual disconnection device, capable of being padlocked by the Company, must be provided. The Company shall have access to such equipment at all times and be the sole judge of whether any safety or operating hazards exist.
- (3) The Customer will provide the Company with manufacturer's literature describing the electrical characteristics and operation of the proposed generator and associated equipment. The Company shall have the right to refuse connection of any device which it finds incompatible with its electric system.
- (4) The Customer shall pay all Interconnection costs.
- (5) The Customer shall perform and bear all costs associated with maintenance work required for interconnection equipment.
- (6) Sixty (60) days prior to making any changes or modifications to its equipment which materially impacts operation, the Customer shall notify the Company in writing.
- (7) At the time that a Customer permanently ceases operation, all equipment which was necessary to permit interconnected operations, shall be promptly removed. All costs incurred with the removal shall be borne by the Customer.
- (8) Recording meters as specified by the Company shall be installed on the Customer's generating unit(s) at the Customer's expense. All metering equipment shall remain the property of the Company.
- (9) The Company may enter into Individualized agreements with Customers which may deviate from this schedule. Such agreements shall address those significant characteristics of service and cost which would influence a need for an individualized agreement such as, but not limited to the following:
  - a. The ability of the partial service customer to accept interruptible service under back-up conditions;
  - b. Whether the arrangement allows for long term utility planning of least cost capacity availability;
  - c. Whether there is sufficient local facility capacity to serve the load;
  - d. Whether there is sufficient substation capacity to serve the load;
  - e. Whether there is sufficient transmission and generating capacity to serve the load.
- (10) The Company will allow up to a four (4) hour grace period for the Customer to bring its alternative supply back on line in the event of a Company-caused outage of the alternative supply. Upon written notice and proof within ten (10) days by the Customer that a Company service interruption caused such outage, the Company will supply partial service to the Customer through the Supplemental service provisions. This service will continue until restoration of the alternative supply is established but not for longer than four hours after reestablishment of Company service.

**PARTIAL SERVICE RATE "GS-15"**

**DEFINITIONS:**

"Qualifying Facility" means a co-generation facility or a small power production facility which is a Qualifying Facility under Subpart 5 of FERC 18 CFR Part 292.

"Sale" means the sale of electric energy or capacity or both by the Company to a Customer under the Partial Service Tariff.

"Interconnection costs" means the reasonable costs incurred by the Company directly related to the installation and maintenance of the physical facilities necessary to permit interconnected operations with a Customer under the Partial Service Tariff to the extent such costs are in excess of the corresponding costs which the Company would have incurred if it had not engaged in interconnection operations, but instead generated an equivalent amount of electric energy itself or purchased an equivalent amount of electric energy or capacity from other sources. Interconnection costs include, but are not limited to, the cost of connection, switching, metering, transmission, distribution, safety provisions and administrative costs. Interconnection costs do not include any costs included in the calculation of avoided costs.

"Supplemental power" means electric energy or capacity or both supplied by the Company regularly used by a Partial Service Customer, in addition to that which the Customer acquires from alternate sources or generates itself.

"Back-up power" means electric energy or capacity supplied by the Company, to replace energy ordinarily obtained by the Customer from other sources or produced by the Customer's generating facility, during an unscheduled outage.

"Maintenance power" means electric energy or capacity supplied by the Company during scheduled outages of the Customer's generating equipment or alternate electric supply.

"Emergency power" means Company supplied electric energy or capacity to a Customer served under the Partial Service Tariff who does not purchase Capacity Reservation Power in an amount sufficient to meet its needs during the period of an unscheduled outage.

"Excitation power" means Company supplied electric energy or capacity required by the Customer served under the Partial Service Tariff to energize generation equipment, transformers and other Customer equipment.

"Capacity Reservation" means the level of demand the Customer contracts for on a monthly basis from the Company and shall be that amount up to or equal to the amount of Customer-owned generation or capacity from another electric source.

"Partial Service Capacity" means that capacity expected to be achieved by the alternate source of electrical supply as determined by, but not limited to, such indicators as nameplate rating of equipment, alternate power supply agreements, transformer or line limitations, or net demonstrated capability.

"Billing Period" or "billing period" means the monthly period over which the Company normally applies its rates and tariffs.

"Full Service Tariff" means the firm power rate tariffs contained in the Company's Schedule of Rates, Rules and Regulations for Electric Service, P.U.C.O. No. 8.

**COGENERATION AND SMALL  
POWER PRODUCER RATE CO-1**

**APPLICABILITY:**

Available to any qualifying facility (QF) on the lines of Toledo Edison Company (The Company) with a design capacity of 100 kW or less for the sale of electricity to the Company at a single interconnection point. A QF shall be defined by and meet the requirements of the Public Utility Regulatory Policies Act of 1978, Title 18 Code of Federal Regulations Section 292.

**RATE:**

**(a) Energy**

- (1) Kilowatt-Hour Meter. When a kilowatt-hour meter is used, the energy supplied by the QF shall be purchased by the Company at the avoided energy cost calculated by the Company for the appropriate off-peak period.
- (2) Time of Day Meter. When time of day metering is used, energy supplied by a QF shall be purchased by the Company at the avoided energy cost for the time period in which the energy was supplied.
- (3) Rates. The rates for avoided energy based on on-peak delivery time shall be 1.60¢/KWH in the Summer and 1.70¢/KWH in the Winter. That based on off-peak delivery time shall be 1.20¢/KWH in the Summer and 1.40¢/KWH in the Winter. On-peak hours are 8 a.m. to 8 p.m., weekdays. Off-peak hours are 8 p.m. to 8 a.m. weekdays plus all hours on weekend days and holidays. Summer includes June, July, August and September. Winter includes January through May and October through December.

**(b) Reactive Power**

The Company may, at its option, test or meter the reactive power used or produced by the QF. The maximum RKVA used shall be billed to the customer at \$.48 per RKVA per month.

**(c) Customer Charge**

- (1) Kilowatt-Hour Meter. When a kilowatt-hour meter is used, the monthly customer charge shall be \$5.90.
- (2) Time of Day Meter. When a time of day meter is used, the monthly customer charge shall be \$40.80.

**INTERCONNECTION CHARGE:**

The QF shall pay the costs of connection, switching, metering, transmission, distribution, safety provisions and administrative costs incurred by the electric utility directly related to the installation and maintenance of the physical facilities necessary to permit interconnected operations with qualifying facility, to the extent such costs are in excess of the corresponding costs which the electric utility would have incurred if it had not engaged in interconnected operations. Costs for the transmission of energy for the qualifying facility shall be in accordance with the Company's FERC Open Access Transmission Tariff.

A QF, at its option, may reimburse the Company for interconnection costs over a period not to exceed thirty-six months including interest computed at 1.5% monthly on the unpaid balance.

**COGENERATION AND SMALL  
POWER PRODUCER RATE CO-1**

**ANCILLARY SERVICES:**

Supplementary power, back-up power, interruptible power and maintenance power shall be supplied to a QF under the Company's standard rate schedules now on file with the Public Utilities Commission of Ohio, unless the use of these schedules impairs the electric utility's ability to render adequate service or places an undue burden on the electric utility.

**DEFINITIONS:**

(a) **Time Periods**

- (1) On-Peak Periods. The on-peak periods shall be the hours from 8:00 a.m. to 8:00 p.m. on weekdays, except holidays.
- (2) Off-Peak Periods. The off-peak periods shall be the hours from 8:00 p.m. to 8:00 a.m. on weekdays, plus all hours on weekends and holidays.
- (3) Time periods will be determined by clock time (standard or daylight) in effect in the Eastern Time Zone.
- (4) Holidays. Holidays are New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, and Mondays which are legally designated as a day of observance in lieu of the above holidays when they occur on weekend days.

(b) **Avoided Energy Costs**

Avoided energy costs means the incremental cost to the Company of generating electric energy or purchasing electric energy from another source that was avoided due to the purchase from qualifying facilities. Incremental cost includes fuel, fuel and ash handling and incremental maintenance costs.

(c) **Ancillary Services**

- (1) "Supplementary Power" means electric energy or capacity supplied by an electric utility, regularly used by a qualifying facility in addition to that which the facility generates itself.
- (2) "Back-up Power" means electric energy or capacity supplied by an electric utility to replace energy ordinarily generated by a facility's own generation equipment during an unscheduled outage of the facility.
- (3) "Interruptible Power" means electric energy or capacity supplied by an electric utility subject to interruption by the electric utility under specified conditions.
- (4) "Maintenance Power" means electric energy or capacity supplied by an electric utility during scheduled outages of the qualifying facility.

**TERMS AND CONDITIONS:**

All QFs shall comply with applicable, national, state and local electric codes. All QFs shall comply with Company rules and regulations listed in this tariff as well as the Standard Rules and Regulations on file with the Public Utilities Commission of Ohio.

**COGENERATION AND SMALL  
POWER PRODUCER RATE CO-1**

At the delivery point, a disconnect switch shall be installed by the customer and operated by the Company to permit isolation of the QF from the Company's system during periods of abnormal operation. All protective equipment is installed, owned and maintained by the customer. Although design of the QF and its protective devices is not the responsibility of the Company, the Company reserves the right to inspect the facilities and their operation. If, in the judgment of the Company, the QF does not conform to rules and regulations, does not provide adequate safety to Company personnel, interferes with the supply of electric service to others, or produces undesirable harmonics or wave distortions, the Company reserves the right to refuse or terminate parallel operation of the QF with the Company's system until such condition is corrected. Parallel operation must cease immediately and automatically during system outages and other emergency conditions specified by the Company.

The Company's consent for the QF to operate in parallel with the Company's system is on the condition that the QF protects its facilities and the Company's system from damage and upon the further condition that the Company shall not be liable to the QF for any loss, cost, damage or expense which the QF may suffer by reason of damage to or destruction of any property, including the loss of use thereof arising out of, or in any manner connected with such parallel operation, unless such loss, cost, damage or expense is caused by the sole negligence of the Company, its agents, or employees. The QF will defend, indemnify and hold the Company harmless from any and all claims or actions by third parties, including attorney's fees, resulting from the operation of a QF.

The PUCO approval of the above tariff language in respect to the limitation of liability arising from the Company's negligence does not constitute a determination that such limitation language should be upheld in a court of law. Approval of the Commission merely recognizes that since it is a court's responsibility to adjudicate negligence and consequent damage claims, it should be also the court's responsibility to determine the validity of the exculpatory clause.

**TERM OF CONTRACT:**

The term of the contract shall be one year from the date of application and thereafter until terminated by ten days written notice from the customer to the Company. Any interconnection costs owed to the Company will become payable in full at the time of termination.

**MISCELLANEOUS CHARGES**

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### **MISCELLANEOUS CHARGES**

#### **1. SAME DAY CONNECTION CHARGE**

If the customer requests service for the same day on which the request has been made and the service is presently not connected, the Company will charge the customer a fee of \$35.00. (Electric Service Regulations, Sheet 4, Section II, Paragraph E).

#### **2. FIELD COLLECTION CHARGE**

When a customer has a delinquent bill, the Company may make a field collection visit to attempt to collect the delinquent amount. A Field Collection charge of \$12.00 shall be applicable once per billing cycle for all collection visits made during a billing cycle by the Company to the customer's premises. (Electric Service Regulations, Sheet 4, Section XI, Paragraph B).

#### **3. RECONNECTION CHARGE**

When service has been disconnected for failure to comply with the terms and conditions of the Rate Schedules or Electric Service Regulations of the Company or has been disconnected at the customer's request, (other than for seasonal or temporary discontinuance of service), the following charges for reconnection of service shall apply after payment has been made and the Company was contacted:

Before 12:30 pm;	
Same day reconnection.	\$35.00
After 12:30 pm;	
Next day reconnection.	\$35.00
Same day reconnection.	\$60.00

When service has been disconnected at the customer's request because of seasonal occupancy of the premises or for a temporary discontinuance of service where the same customer has moved in and out of the same premise within a 12 month period without another party signing for service during that 12 month period, the Company will charge the customer a reconnection fee of \$15.00. (Electric Service Regulations, Sheet 4, Section II, Paragraph F).

#### **4. RETURNED PAYMENT CHARGE**

The Company shall charge the customer \$15.00 for processing payments that result from dishonored payment transactions. (Electric Service Regulations, Sheet 4, Section VI, Paragraph H).

### **MISCELLANEOUS CHARGES**

#### **5. UNAUTHORIZED USE INVESTIGATION CHARGE**

In the event the customer or consumer commits or is the beneficiary of any fraudulent practice in obtaining electric service from the Company, or falsifies any service application, the Company will assess the customer a minimum fee of \$125.00 for the Company's investigation of the unauthorized use of service. The charge will also be assessed where any connection or device is found on the service entrance equipment or premises of the customer or consumer which prevents the meter from accurately registering total consumption used or to be used, or where the service entrance equipment or other property used to supply electric service has been altered to avoid accurate metering or has been damaged.

The Company will also assess the customer an estimated or actual bill representing the electric service fraudulently or falsely obtained and the actual costs to repair or replace any damaged or missing service entrance equipment or other property used to supply electric service.

#### **6. METER TEST CHARGE**

The Company will test a meter at the request of the customer. The first test within a 36 month period shall be at no charge to the customer. The Company shall charge \$55.00 for any subsequent tests performed at the customer's request, however, no payment will be required of the customer if the meter is found to be registering incorrectly in accordance with the tolerances specified in Chapter 4901:1-10 of the Ohio Administrative Code. (Electric Service Regulations, Sheet 4, Section IX, Paragraph C).

#### **7. DISCONNECTION/RECONNECTION FOR CUSTOMER WORK CHARGE**

When a customer requests the Company to disconnect and/or reconnect there will be a charge to the customer for the Company's actual cost to perform the disconnect/reconnect. This charge will not apply to residential accounts unless such work, at the request of the customer, requires work to be performed by the Company outside normal working hours.

#### **8. TEMPORARY SERVICE DROP CONNECTION CHARGE**

When requested by a customer, the Company will provide a Temporary Service Drop Connection for a charge to the customer of \$200. A Temporary Service Drop Connection shall mean the installation of single-phase service up to 200 amps from existing secondary conductors. (Electric Service Regulations, Sheet 4, Section VII, Paragraph A.4).

**MISCELLANEOUS CHARGES**

**9. METER SERVICE CHARGES**

Charges specified in this provision apply to customers that request the Company to install metering and to provide certain meter related services, both of which are necessary to bill the customer's account, and that otherwise are not provided by the Company. These charges are in addition to any charges included in the applicable rate schedule and must be paid by the customer prior to the Company installing the requested metering. The customer is responsible for providing communication links to the interval meter per the Company's specifications. If such a communication link is not installed by the first regularly scheduled interval meter read date, the Company may install a communication link and charge the customer on a monthly basis in accordance with charges specified in this provision.

Replace Meter with Interval Meter and Modem	\$550.00
Replace Meter with Time-of-Day Meter	\$105.00

Company installed communication link charge is \$50.00 per month.

If the Company is required to visit the meter site due to the inability to gain access to the meter location or the necessary communication link has not been installed, or the communication link is not working properly, or the Company elects to make a site visit to read the meter, a charge shall be applicable per site visit of \$50.00.

## **Interconnection Tariff**

### **Applicability**

This tariff applies to those situations where an Interconnection Service Customer seeks to physically connect such customer's electric generation facility to, and may operate it in parallel with, the Company's Distribution system, if said customer qualifies for either the Simplified, Expedited or Standard Interconnection Procedure as defined in the Ohio Administrative Code.

### **Purpose**

The purpose of this tariff is to implement Ohio Revised Code Section 4928.11, which calls for uniform interconnection standards that are not unduly burdensome or expensive and also ensure safety and reliability, to the extent governing authority is not preempted by Federal law. This Tariff states the terms and conditions that govern the Interconnection and Parallel Operation of an Interconnection Service Customer's facility with the Company's Distribution System.

Technical Requirements for Interconnection and Parallel Operation of facilities owned or operated by an Interconnection Service Customer.

Technical Requirements consist of the following: Part A contains the standardized Technical Requirements common to all Ohio Electric Distribution Utilities. Part A shall be amended as necessary to conform to adopted IEEE Standards. Part B contains the Screening Process applicable to all Interconnection Service Customer facilities. The Company shall provide upon request specific Technical Requirements necessary to fill in any gaps in Part A or for facilities that do not conform with the Part A Technical Requirements.

The Company shall maintain a copy of the Technical Requirements for Interconnection at its place of business such that the Technical Requirements are readily available to the public. The Company shall provide the Commission Staff with a copy of the Technical Requirements. Standards adopted by IEEE shall supersede the applicable provisions of the Company's Technical Requirements effective as of the date on which IEEE adopts such standards. However, any Interconnection made or initiated prior to the adoption of any national standard promulgated by IEEE shall be grandfathered. Regarding any IEEE minimum standard, or any guideline that the IEEE may promulgate, the Company may amend the Technical Requirements to the minimum extent required to address unique local conditions, and shall provide such amendments to the Staff and make such amendments available to the Interconnection Service Customers. All Technical Requirements for Interconnection, including superseding standards adopted by IEEE, are incorporated herein by reference.

### **Application Processing Fees**

Applications qualifying for Level 1, Level 1.1, or Level 1.2 simplified review procedure pursuant to 4901:1-22-06 of the Ohio Administrative Code shall be charged a fee based on the sum of all actual costs of the Company per one-tenth of an hour of time spent on the simplified review.

Applications qualifying for Level 2 expedited review process pursuant to 4901:1-22-07 of the Ohio Administrative Code shall be charged in accordance with subsections (a), (b) and (c) inclusive, that immediately follows:

- (a) An application fee of fifty dollars, plus one dollar per kilowatt of the applicants' system nameplate capacity rating.
- (b) The cost of engineering work done as part of any impact or facilities study, equal to the sum of all actual costs incurred by the Company.
- (c) The actual cost to the Company for any minor modification of the Company's system that would otherwise not be done but for the applicant's interconnection request.

Applications qualifying for Level 3 standard review procedure pursuant to 4901:1-22-08 of the Ohio Administrative Code shall be charged in accordance with subsections (a), (b) and (c) inclusive, that immediately follows:

- (a) An application fee of one hundred dollars, plus two dollars per kilowatt of the applicants' system nameplate capacity rating.
- (b) The cost of engineering work done as part of any feasibility, system impact or facilities study, equal to the sum of all actual costs incurred by the Company.
- (c) The actual cost to the Company of any modifications of the Company's system that would otherwise not be done but for the applicant's interconnection request.

### **Construction or System Upgrades**

If the Interconnection requires construction or an upgrade of the Company's system which, save for the generation facility would not be required, the Company will assess the Interconnection Service Customer the actual cost including applicable taxes of such construction or upgrade. Payment terms for such construction or upgrade will be agreed to and specified in the construction contract. The Company and the Interconnection Service Customer may negotiate for alternatives in order to reduce any costs or taxes applicable thereto.

### **Other Terms and Conditions**

The customer and the Company shall be subject to the interconnection-related rules set forth in Sections 4901:1-22-01 et seq. of the Ohio Administrative Code, as amended from time to time. Said rules are incorporated herein by reference. In the event that there is any conflict between the terms and conditions set forth in this Tariff and those set forth in said rules, the latter shall control.

### SUMMARY RIDER

Rates and charges included in the rate schedules listed in the following matrix shall be modified consistent with the terms and conditions of the indicated Riders:

		Rate Schedule							
<i>Rider - (Sheet)</i>		RS	GS	GP	GSU	GT	STL	TRF	POL
	Residential Distribution Credit - (81)	●							
	School Distribution Credit - (85)		●	●	●				
	Business Distribution Credit - (86)		●	●		●			
	Economic Development 4 - (87)		●	●	●	●			
	Economic Development 4a - (88)		●	●	●	●			
<b>P</b>	Universal Service - (90)	●	●	●	●	●	●	●	●
<b>P</b>	Energy Efficiency - (91)	●	●	●	●	●		●	
	State kWh Tax - (92)	●	●	●	●	●	●	●	●
	Net Energy Metering - (93)	●	●	●	●	●			
<b>T</b>	Demand Side Management - (97)	●	●	●	●	●	●	●	●
	Green Resource - (104)	●	●	●	●	●	●	●	●
<b>A</b>	Advanced Metering Infrastructure / Modern Grid - (106)	●	●	●	●	●	●	●	●

● - Rider is applicable or available to the Rate Schedules indicated

A - Rider is updated/reconciled annually  
Q - Rider is updated/reconciled quarterly

T - Rider is updated/reconciled twice per year  
P - Rider is updated/reconciled periodically

**RIDER RDC**  
**Residential Distribution Credit**

**APPLICABILITY:**

Applicable to any customer taking service under Rate Schedule RS who on January 22, 2009 took service from the Company under one of the following rate schedules and has not had a change of service address subsequent to January 22, 2009 and continues to comply with the requirements of the previously applicable rate schedule set forth below:

Residential Rate "R-02" (Add-On Heat Pump)	Original Sheet No. 11
Residential Rate "R-06" (Space Heating and Water Heating)	Original Sheet No. 13
Residential Rate "R-06a" (Space Heating and Water Heating)	Original Sheet No. 14
Residential Rate "R-04" (Water Heating)	Original Sheet No. 15
Residential Rate "R-04a" (Water Heating)	Original Sheet No. 16
Residential Rate "R-07" (Space Heating)	Original Sheet No. 17
Residential Rate "R-07a" (Space Heating)	Original Sheet No. 18
Residential Rate "R-09" (Apartment Rate)	Original Sheet No. 19
Residential Rate "R-09a" (Apartment Rate)	Original Sheet No. 20

**RATE:**

A customer's distribution charges as set forth in Rate Schedule RS shall be reduced by 1.76¢ per kWh for all kWh in excess of 500 which are consumed by the customer during winter billing periods, as defined in the Electric Service Regulations, Tariff Sheet 4, Section VI.I.1., Seasonal Price Changes.

**RIDER 4a**  
**Economic Development Rider**

This rate sheet is in the process of elimination and is withdrawn except for customers that have approved applications and are receiving service at their premises under this Rider as of January 22, 2009

**APPLICABILITY:**

This Rider is applicable to customers served under the GS, GP, GSU, and GT tariffs.

This Rider is available on an optional basis to Economic Development Customers that meet the Minimum Investment Unit.

This Rider is not available to any prospective or existing commercial customer whose primary customers or competition are or will be existing customers of the Company.

An Economic Development Customer (the "Customer") is a prospective or an existing electric customer of the Toledo Edison Company ("Toledo Edison" or the "Company") where incentives are needed to attract the Customer to the service area or encourage its growth, modernization, or business retention, where the potential economic benefit to the community of employment and capital investment is evidenced by financial incentives through direct loans, financial grants, formalized training programs, tax incentives, bonds or financing under guarantees provided by appropriate governmental and/or economic development agencies such as the Ohio Department of Development, the Toledo-Lucas County Port Authority, certified Community Improvement Corporations or other similar municipal, county or multi-county organizations.

A Minimum Investment Unit is the addition of new employees and/or a minimum Capital Investment in accordance with the following schedule:

<u>Rate</u>	<u>New Employees</u>	<u>Capital Investment</u>	
		<u>Total Dollars</u>	<u>Single Production Piece</u>
GS	5	\$125,000	\$75,000
GP	10	\$250,000	\$125,000
GSU and GT	20	\$500,000	N/A

New Employees means permanent and full-time employees that exceed Base Employees. Base Employees means the average number of permanent and full-time employees of the Customer for the three month period immediately prior to the Application Date for the Rider.

Capital Investment means an investment in production equipment including electrical equipment, buildings, etc., necessary for increases in productivity, efficiency and quality. A Capital Investment may be made either in several items as just described or in a single piece of production equipment provided the conditions of the schedule are met. Consumable items such as furniture, uniforms or vehicles, and maintenance items will not qualify as Capital Investments. Purchase orders or invoices must be dated no earlier than three months prior to the Application Date. The application will not be approved until presentation of proper purchase orders, invoices and/or employment information to the Company.

**RIDER 4a**  
**Economic Development Rider**

**RATES AND INCENTIVES:**

1. The Customer will receive electric service on the appropriate retail service rate.
2. For new customers locating in the Toledo Edison territory, or existing customers that expand operations, a reduction will be made in the incremental Non-fuel Charges as follows:

<u>Months</u>	<u>Percent Reduction</u>
1-12	35%
13-24	30%
25-36	25%
37-48	20%
49-60	15%

Non-fuel Charges means the total monthly electric charges as computed on the appropriate rate but excluding Transformer and Substation Charges, if applicable, the Electric Fuel Component and all other applicable riders.

3. For an expanding existing customer that can economically, as verified by the Company, transfer a significant portion of its electric load outside of the Toledo Edison service territory, a reduction will be made in the incremental Non-fuel Charges that are in excess of Non-fuel Charges attributed to Base Usage pursuant to Item 2 of the Rates and Incentives Section of the Rider.

Base Usage for an expanding existing customer means the average demand and kilowatthour consumption for the twelve month period immediately preceding the Application Date of the Rider. Base Usage for a customer that can economically, as verified by the Company, transfer a significant portion of its electrical load outside of the Toledo Edison service territory means the average demand and kilowatthour consumption that would remain in the Company's service territory after the planned transfer.

4. An Energy Intensive Customer may be eligible to receive a higher percentage reduction. An Energy Intensive Customer means a customer that can provide evidence that the cost of electric power is at least 20% of the customer's operating cost, whereupon the percentage reduction referenced in (2) or (3) above will remain at 35%. The determination that a Customer is Energy Intensive will be based on the cost of electric power vs. the customer's operating cost for the first twelve months under this Rider.
5. For customers, that are served at primary voltage or above, whose energy requirements necessitate upgrading the Company owned equipment at a substation, the Company will assist the customer in defraying the Company owned substation equipment costs of the upgrade. The Company will contribute up to one-half of the first year's increase in incremental non-fuel charges less any incentive amounts not to exceed one-quarter of a million dollars.

**RIDER 4a**  
**Economic Development Rider**

**APPLICATION DATE, EFFECTIVE DATE, TERMINATION:**

The Application Date means the date on which the Customer applied for the Rider. The Effective Date means the date on which the application is approved by Toledo Edison. The Effective Date may be deferred up to one year after application by the Customer at the Customer's request.

The Company shall have the option to require evidence from the Customer that the Minimum Investment Unit is being maintained by the Customer. If in the judgment of the Company, the Customer has failed to maintain the Minimum Investment Unit, the Rider shall no longer be available to that Customer during the remaining term of the Rider. Otherwise, the Rider will terminate 60 months after the Effective Date of the Rider.

**MINIMUM MONTHLY BILLING DEMANDS:**

The Minimum Monthly Billing Demand shall be 100 kW.

Terms and Conditions:

1. All terms and conditions of the applicable retail service rates shall apply except those specifically modified under this Rider.
2. The Company reserves the right to normalize the Base Employees or the Base Usage if in the judgment of the Company either represents an atypical or seasonal level.
3. In the event that the Customer's usage falls below the base usage or the Customer transfers a significant portion of its electric load to a non Toledo Edison energy source during the term of the Rider, which will be construed as a breach of, and has the effect of canceling the Rider, the Company shall bill the Customer for the amount of the incentive already received under the Rider. The Customer shall pay such bill within thirty (30) days after the date of the receipt of the bill by the Customer, and if the bill remains unpaid, interest at the rate of 1.5% per month shall be charged and paid.

**RIDER SDC**  
**School Distribution Credit Rider**

**APPLICABILITY:**

Applicable to public school district buildings served under the Company's Energy for Education II program on December 31, 2008, and that are not taking service under the Company's Business Distribution Credit Rider (BDC), or under a contract pursuant to 4905.31, Revised Code or 4905.34, Revised Code.

Customer buildings qualifying for service under this rider may opt-out upon written request in order to take service under the Company's Rider BDC. Such customer buildings opting out may not return to service under this rider for a period of one year. Should Rider BDC be terminated or withdrawn, such customer buildings may return to service under this rider as soon as practical anytime subsequent to such termination upon written request of the customer and so long as this rider remains in effect.

**RATE:**

The sum of all distribution related charges specified in Company's General Service - Secondary ("Rate GS"), General Service Primary ("GP"), or General Service - Subtransmission ("GSU") rates including all applicable riders, shall be reduced by 8.693 percent.

**RIDER BDC**  
**Business Distribution Credit**

**APPLICABILITY:**

Applicable to any customer taking service under Rate Schedules GS, GP or GT who on January 22, 2009 took service from the Company under one of the following rate schedules and has not had a change of service address or a change to qualifying conditions subsequent to January 22, 2009. Qualifying conditions are those in effect in the below rate schedules as they existed on December 31, 2008 and continues to comply with the requirements of the previously applicable rate schedule set forth below:

General Service Electric Space Conditioning Rate "GS-1"  
Optional Electric Process Heating and  
Electric Boiler Load Management "GS-3"

Original Sheet No. 47

Original Sheet No. 48

**RATE:**

A customer's distribution charges as set forth in Rate Schedule GS shall be reduced by 1.50¢ per kWh for all kWhs consumed by the customer during winter billing periods, as defined in the Electric Service Regulations, Tariff Sheet 4, Section VI.I.1., Seasonal Price Changes.

A customer's distribution charges as set forth in Rate Schedules GP and GT shall be reduced by 0.50¢ per kWh for all kWhs consumed by the customer during winter billing periods, as defined in the Electric Service Regulations, Tariff Sheet 4, Section VI.I.1., Seasonal Price Changes.

**RIDER 4a**  
**Economic Development Rider**

This rate sheet is in the process of elimination and is withdrawn except for customers that have approved applications and are receiving service at their premises under this Rider as of January 22, 2009

**APPLICABILITY:**

This Rider is applicable to customers served under the GS, GP, GSU, and GT tariffs.

This Rider is available on an optional basis to Economic Development Customers that meet the Minimum Investment Unit.

This Rider is not available to any prospective or existing commercial customer whose primary customers or competition are or will be existing customers of the Company.

An Economic Development Customer (the "Customer") is a prospective or an existing electric customer of the Toledo Edison Company ("Toledo Edison" or the "Company") where incentives are needed to attract the Customer to the service area or encourage its growth, modernization, or business retention, where the potential economic benefit to the community of employment and capital investment is evidenced by financial incentives through direct loans, financial grants, formalized training programs, tax incentives, bonds or financing under guarantees provided by appropriate governmental and/or economic development agencies such as the Ohio Department of Development, the Toledo-Lucas County Port Authority, certified Community Improvement Corporations or other similar municipal, county or multi-county organizations.

A Minimum Investment Unit is the addition of new employees and/or a minimum Capital Investment in accordance with the following schedule:

<u>Rate</u>	<u>New Employees</u>	<u>Capital Investment</u>	
		<u>Total Dollars</u>	<u>Single Production Piece</u>
GS	5	\$125,000	\$75,000
GP	10	\$250,000	\$125,000
GSU and GT	20	\$500,000	N/A

New Employees means permanent and full-time employees that exceed Base Employees. Base Employees means the average number of permanent and full-time employees of the Customer for the three month period immediately prior to the Application Date for the Rider.

Capital Investment means an investment in production equipment including electrical equipment, buildings, etc., necessary for increases in productivity, efficiency and quality. A Capital Investment may be made either in several items as just described or in a single piece of production equipment provided the conditions of the schedule are met. Consumable items such as furniture, uniforms or vehicles, and maintenance items will not qualify as Capital Investments. Purchase orders or invoices must be dated no earlier than three months prior to the Application Date. The application will not be approved until presentation of proper purchase orders, invoices and/or employment information to the Company.

**RIDER 4a**  
**Economic Development Rider**

**RATES AND INCENTIVES:**

1. The Customer will receive electric service on the appropriate retail service rate.
2. For new customers locating in the Toledo Edison territory, or existing customers that expand operations, a reduction will be made in the incremental Non-fuel Charges as follows:

<u>Months</u>	<u>Percent Reduction</u>
1-12	35%
13-24	30%
25-36	25%
37-48	20%
49-60	15%

Non-fuel Charges means the total monthly electric charges as computed on the appropriate rate but excluding Transformer and Substation Charges, if applicable, the Electric Fuel Component and all other applicable riders.

3. For an expanding existing customer that can economically, as verified by the Company, transfer a significant portion of its electric load outside of the Toledo Edison service territory, a reduction will be made in the incremental Non-fuel Charges that are in excess of Non-fuel Charges attributed to Base Usage pursuant to Item 2 of the Rates and Incentives Section of the Rider.

Base Usage for an expanding existing customer means the average demand and kilowatthour consumption for the twelve month period immediately preceding the Application Date of the Rider. Base Usage for a customer that can economically, as verified by the Company, transfer a significant portion of its electrical load outside of the Toledo Edison service territory means the average demand and kilowatthour consumption that would remain in the Company's service territory after the planned transfer.

4. An Energy Intensive Customer may be eligible to receive a higher percentage reduction. An Energy Intensive Customer means a customer that can provide evidence that the cost of electric power is at least 20% of the customer's operating cost, whereupon the percentage reduction referenced in (2) or (3) above will remain at 35%. The determination that a Customer is Energy Intensive will be based on the cost of electric power vs. the customer's operating cost for the first twelve months under this Rider.
5. For customers, that are served at primary voltage or above, whose energy requirements necessitate upgrading the Company owned equipment at a substation, the Company will assist the customer in defraying the Company owned substation equipment costs of the upgrade. The Company will contribute up to one-half of the first year's increase in incremental non-fuel charges less any incentive amounts not to exceed one-quarter of a million dollars.

**RIDER 4a**  
**Economic Development Rider**

**APPLICATION DATE, EFFECTIVE DATE, TERMINATION:**

The Application Date means the date on which the Customer applied for the Rider. The Effective Date means the date on which the application is approved by Toledo Edison. The Effective Date may be deferred up to one year after application by the Customer at the Customer's request.

The Company shall have the option to require evidence from the Customer that the Minimum Investment Unit is being maintained by the Customer. If in the judgment of the Company, the Customer has failed to maintain the Minimum Investment Unit, the Rider shall no longer be available to that Customer during the remaining term of the Rider. Otherwise, the Rider will terminate 60 months after the Effective Date of the Rider.

**MINIMUM MONTHLY BILLING DEMANDS:**

The Minimum Monthly Billing Demand shall be 100 kW.

Terms and Conditions:

1. All terms and conditions of the applicable retail service rates shall apply except those specifically modified under this Rider.
2. The Company reserves the right to normalize the Base Employees or the Base Usage if in the judgment of the Company either represents an atypical or seasonal level.
3. In the event that the Customer's usage falls below the base usage or the Customer transfers a significant portion of its electric load to a non Toledo Edison energy source during the term of the Rider, which will be construed as a breach of, and has the effect of canceling the Rider, the Company shall bill the Customer for the amount of the incentive already received under the Rider. The Customer shall pay such bill within thirty (30) days after the date of the receipt of the bill by the Customer, and if the bill remains unpaid, interest at the rate of 1.5% per month shall be charged and paid.

**Rider No. 11**

**UNIVERSAL SERVICE RIDER**

A Universal Service charge of 0.18964¢ per kWh for the first 833,000 kWh and 0.05610¢ per kWh for the kWh above 833,000 kWh shall be added to the energy charge of all applicable rate schedules for the exclusive purposes of providing funding for the low-income customer assistance programs and for the Consumer Education Program authorized under Section 4928.56 of the Ohio Revised Code, and for paying the administrative costs of the low-income customer assistance programs and the Consumer Education Program.

This Universal Service Rider replaces the Interim Emergency and Temporary Recovery of Percentage of Income Payment Plan Arrearages. Any service subject to Emergency and Temporary Recovery of Percentage of Income Payment Plan Arrearages shall be subject to this Universal Service Rider instead.

**Rider No. 12**

**TEMPORARY ENERGY EFFICIENCY RIDER**

An Energy Efficiency charge of \$0.09 per customer per month shall be added to all applicable rate schedules and special contracts pursuant to Ohio Revised Code 4905.31 for the exclusive purposes of funding the Energy Efficiency Revolving Loan Program created under Section 4928.62 of the Ohio Revised Code and for paying the program's administrative costs.

All services shall be subject to this Temporary Energy Efficiency Rider regardless of underlying tariff or special arrangement.

This Temporary Energy Efficiency Rider shall remain in effect no later than December 31, 2010.

**RIDER SKT**  
**State kWh Tax Rider**

**APPLICABILITY:**

A state kWh tax shall be applied to each kWh delivered to a customer taking service under Rate Schedules RS, GS, GP, GSU, GT, STL, TRF and POL consistent with Section 5727.81 of the Ohio Revised Code, unless a customer elects to be a self-assessing purchaser that has been approved by the Ohio Department of Taxation. A self-assessing purchaser is any customer taking service from the Company that consumed over the course of the previous calendar year more than 45,000,000 kWhs of electricity and meets the requirements set forth in Section 5727.81 of the Ohio Revised Code.

**RATE:**

First 2,000 kWhs	0.465¢ per kWh
Next 13,000 kWhs	0.419¢ per kWh
All Excess Over 15,000 kWhs	0.363¢ per kWh

In the event that the customer's meter is not actually read for the billing period, the estimated kWhs to collect the Company charges may be used to collect the State kWh Tax.

**ADDITIONAL TAXES:**

The Ohio Commercial Activity Tax (CAT) rate as established in Section 5751.02 of the Ohio Revised Code shall be applied to the above charges according to the formula  $1 / (1 - \text{CAT})$ .

## **Rider No. 14 Net Energy Metering Rider**

### **Availability**

Pursuant to Section 4928.01(A)(30)-(32) of the Revised Code (Net Metering), a customer-generator is a customer of the Company that is a user of a net metering system. To qualify for a net metering system, the customer-generator facility must use as its fuel either solar, wind, biomass, landfill gas, or hydropower, or use a microturbine (a combustion turbine with a peak capacity of 100 kW or less) or a fuel cell which is located on the customer-generator's premises and operates in parallel with the Company's transmission and distribution systems and is intended primarily to offset part or all of the customer's requirements for electricity. A net metering system used by a customer-generator shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronic Engineers, and Underwriters Laboratories.

Pursuant to Section 4928.67 of the Revised Code, service under this Rider is available upon request to customer-generators on a first come, first served basis so long as the total rated generating capacity used by customer-generator facilities is less than one percent of the Company's aggregate customer peak demand in this state.

### **Metering**

In order to receive service under this Rider, Net Metering must be accomplished using a single meter capable of registering the flow of electricity in each direction. If the existing electrical meter in service at the customer's facility is not capable of measuring the flow of electricity in each direction, the Company will, upon written request by the customer-generator, acquire, install, maintain, and read an approved meter that is capable of measuring electricity in each direction. The customer-generator will pay the Company all expenses involved in either modifying the existing meter or providing a new meter capable of registering the flow of electricity in each direction. Maintenance of the meter will be the responsibility of the Company, which will own the meter. The Company, at its own expense and with written consent of the customer-generator, may install additional meters to monitor the flow of electricity. Maintenance of the additional meter(s) will be the responsibility of the Company, which will own the meter(s).

### **Billing**

The provisions of this rider will be applied to the rate schedule to which the customer would be assigned if that customer were not a customer-generator. The customer-generator will be billed or credited charges and applicable riders as measured by the meter. Measured demand specified in the appropriate tariff shall be based on the peak demand measured as supplied by the Company only, flowing from the Company's system to the customer-generator's facility. If the Company supplies more kilowatt-hours of electricity than the customer-generator facility feeds back to the Company's system during the billing period, all energy charges of the appropriate rate schedule shall be applied to the net kilowatt-hours of electricity that the Company supplied. If the customer-generator facility feeds more kilowatt-hours of electricity back to the system than the Company supplies to the customer-generator facility during the billing period, energy charges of the unbundled generation component of the appropriate rate schedule shall be applied to the net kilowatt-hours of electricity that the customer-generator facility supplied, which shall be allowed to accumulate as a bill credit until netted against the customer generator's bill. A refund in an amount of the accumulated bill credit will be paid to the customer-generator after three consecutive billing periods of such accumulation upon written request by the customer-generator.

**Rider No. 14 Net Energy Metering Rider**

**Application**

Customer-generators seeking to receive service under the provisions of this rider must submit a written application to the Company demonstrating compliance with the Net Energy Metering Rider provisions and quantifying the total rated generating capacity of the customer-generator facility.

**Interconnection**

The Company's Distribution Interconnection Tariff shall apply to service under this rider.

**RIDER DSM**  
**Demand Side Management**

**APPLICABILITY:**

A Demand Side Management ("DSM") Charge shall be applied to each kilowatt-hour ("kWh") delivered during a billing month to all retail customers taking service under Rate Schedule RS. The DSM Charge shall be non-bypassable.

**RATES:**

On the Effective Date ("ED"), the DSM Charge shall be 0.04¢, and shall be adjusted annually based on the following formula:

DSM Charge =  $[(ADB - ADFIT) \times CC + AMORT + RA] / PS \times [1 / (1 - CAT)]$ , rounded to the fifth decimal place.

Where:

ADB = The net accumulated balance of the residential demand side management costs deferred by the Company, including applicable Carrying Costs ("CC"). Residential demand side management costs that are deferred shall include all DSM program costs incurred for programs contemplated in the Settlement Stipulation approved in PUCO Case Nos. 05-1125-EL-ATA, 05-1126-EL-AAM and 05-1127-EL-UNC, all reasonable administrative costs to conduct such DSM programs and lost distribution revenues until included in the Company's tariffs established in a subsequent rate case.

The initial ADB will be based on the Company's filing in Case No. 07-551-EL-AIR, with all subsequent ADB's being based on the deferred balance at each April 30 and October 31 thereafter.

ADFIT = The accumulated deferred income tax associated with the ADB.

AMORT = The ADB amortized over a three year period. However in no case will the amortization period extend beyond December 31, 2012. Any ADB at April 30, 2012 will be collected over the RHY effective July 1, 2012.

RA = The net over or under collection of the RC during the Recovery Half-Year ("RHY"), plus Carrying Costs. A positive RA reflects an under collection of the RC.

PS = The Company's forecasted kWh retail sales during the RHY for customers taking service under Rate Schedule RS.

CAT = The Commercial Activity Tax rate (expressed in decimal form) as established in Section 5751.02 of the Ohio Revised Code.

CC = The return earned on the RC and RA, which shall be calculated by multiplying the RC and RA by the Company's cost of debt.

RHY = The calendar half-year in which the then current DSM Charge is collected. The RHY commences on January 1 and July 1, immediately following the determination of the ADB as of October 31 or April 30 for such DSM Charge.

**RIDER DSM**  
**Demand Side Management**

ED = The date on which the DSM Charge becomes effective. The ED for the initial DSM Charge shall be January 1, 2009 with all subsequent DSM Charges becoming effective on each following July 1 and January 1.

**OTHER PROVISIONS:**

1. No later than November 1 and May 1 of each year, the Company shall file with the Public Utilities Commission of Ohio ("Commission") a request for approval of a DSM Charge which, unless otherwise ordered by the Commission, shall become effective on a service rendered basis on January 1 and July 1 following the determination of the ADB to which the DSM Charge applies.
2. The Company shall submit with its annual filing, documentation sufficient to demonstrate that the DSM Charge that is the subject of the filing is calculated consistent with the DSM Charge formula set forth in this DSM Rider. All such documentation shall be subject to Commission audit and review.
3. If after the Effective Date, but prior to the next semi-annual filing, the Commission determines that the DSM Charge proposed by the Company is unreasonable, any differential in amounts collected under this DSM Rider based on the DSM Charge on the Effective Date, and that authorized in a final order of the Commission for said Recovery Half Year, including any Carrying Costs on said differential, shall be adjusted in the next Reconciling Adjustment.

**Rider No. 24 - Green Resource Rider**

**APPLICABILITY:**

Available to customers taking service under the Company's metered rate schedules. This Rider is not available to Percentage of Income Payment Plan customers.

Participation in this program is subject to the Company's ability to procure renewable energy certificates (RECs) from qualifying resources through a competitive bid process. If the total of all kWh under contract under this Rider equals or exceeds the RECs procured by the Company, the Company will endeavor to procure additional RECs consistent with the process described in Case No. 06-1112-EL-UNC.

**CONDITIONS OF SERVICE:**

The purchase of RECs will support the generation of electricity by qualifying resources. Customers may contract to purchase each month a specific number of fixed REC kWh blocks, where each block equals 100 kWh. Customers may elect to purchase a minimum of two (2) blocks per month and a maximum of fifty (50) blocks per month.

Qualifying resources are resources that meet the definition of REC as set forth in Case No. 06-1112-EL-UNC.

**MONTHLY RATE:**

In addition to the rates and charges determined according to the Company's rate schedule under which the customer takes service, the customer shall also pay the following rate for each fixed kWh block under contract on a monthly basis regardless of the customer's actual energy consumption.

Charge (\$ per block)	\$0.50
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**NET MONTHLY BILL:**

Consumers who participate under this Rider will be billed for electric service under all standard applicable tariffs including all applicable riders.

The purchase of RECs, under this rider, will be billed at the applicable rate set forth above multiplied by the number of REC kWh blocks the customer has agreed to purchase per month. The customer's monthly bill will consist of the sum of all kWh billed at the applicable rate tariffs, including all applicable riders and charges, and the agreed to REC kWh blocks billed at the rate set forth above.

**TERMS AND CONDITIONS:**

1. The customer shall enter into a service agreement with Company that shall specify the amount and tariff price of REC kWh blocks they agree to purchase monthly. Customer shall give Company at least thirty (30) days notice prior to cancellation of participation in this rider. Cancellation will be effective on the customer's meter read date following the notice period.
2. Funds collected under this Green Resource Rider will be used to purchase RECs for the program and administer the program.

**Rider No. 24 - Green Resource Rider**

3. A REC shall mean a tradable unit that represents the commodity formed by unbundling the environmental attributes of a unit of qualifying resource from the underlying electricity. One REC is created and a certificate issued when 1 MWh of energy is created by a qualifying resource. One REC is equivalent to the environmental attributes of one MWh of electricity from a qualifying resource.
4. This Rider shall be in effect through December 31, 2008. Should all REC kWh blocks taken under this Rider exceed the RECs procured by the Company and the Company is unable to procure additional RECs, this Rider will continue until all RECs are utilized at which time this Rider may be withdrawn consistent with the process described in Case No. 06-1112-EL-UNC.

**SERVICE REGULATIONS:**

This Rider is subject to the Company's Standard Rules and Regulations and all provisions rate schedule under which the customer takes service, including all payment provisions. The Company may deny or terminate service under this Rider to customers who are delinquent in payment to the Company.

**ADDITIONAL PROVISION:**

Notwithstanding any provisions to the contrary, the terms and conditions of the foregoing tariff shall remain in effect, including the 2008 charges, credits, or pricing calculation, as applicable, until otherwise revised or terminated.

**RIDER AMI**  
**Advanced Metering Infrastructure / Modern Grid Rider**

**APPLICABILITY:**

Applicable to any customer who receives electric service under the Company's Rate Schedules. The Advanced Metering Infrastructure / Modern Grid charge ("AMI Charge") will apply for all Rate Schedules, for all kWhs per kWh.

**RATE:**

AMI Charge

0.0000¢ per kWh

**RIDER UPDATES:**

The charge contained in this Rider shall be updated and reconciled on an annual basis. No later than November 1 of each year, the Company shall file with the PUCO a request for approval of the rider charges which, unless otherwise ordered by the PUCO, shall become effective on a service rendered basis on January 1st of the following year.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 89-6008-EL-TRF, 07-0551-EL-AIR**

Summary: Tariff In response to the Opinion and Order of January 21, 2009, please file the attached Delivery Service tariffs on behalf of The Toledo Edison Company. electronically filed by Mr. George A Yurchisin on behalf of FirstEnergy Corp. and Ridmann, William R. Mr.