PACIFIC COUNTY
PUBLIC UTILITY DISTRICT NO. 2
CODE

A Codification of the Resolutions
of Public Utility District No. 2 of Pacific County

Codified, Indexed, and Republished by
CODE PUBLISHING COMPANY
Seattle, Washington
2003
TABLE OF CONTENTS

Preface

Table of Revised Pages

Title 1 General Provisions

Title 2 Administration

Title 3 Personnel

Title 4 Revenue and Finance

Title 5 (Reserved)

Title 6 Electricity

Title 7 Water

Title 8 Communications

Resolution Table

Index
PREFACE

In 2003, the Pacific County Public Utility District No. 2 Code was republished by Code Publishing Company, retaining the previous code organization.

Citation to the Code: This code should be cited by section; i.e., “see Section 3.05.010.” A title should be cited Title 3. A chapter should be cited Chapter 3.05. A section should be cited Section 3.05.010. Through references should be made as Sections 3.05.010 through 3.05.040. Series of sections should be cited as Sections 3.05.010, 3.05.020, and 3.05.030.

Numbering system: The number of each section of this code consists of three parts, in sequence as follows: Number of title; number of chapter within the title; number of section within the chapter. Thus, Section 3.05.020 is Title 3, chapter 5, section 20. The section part of the number (.020) initially consists of three digits. This provides a facility for numbering new sections to be inserted between existing sections already consecutively numbered. In most chapters of the code, sections have been numbered by tens (.010, .020, .030, .040, etc.), leaving nine vacant numbers between original sections so that for a time new sections may be inserted without extension of the section number beyond three digits.

Legislation: The legislative source of each section is enclosed in parentheses at the end of the section. References to resolutions are abbreviated; thus “(Res. 675 § 1, 1992; Res. 498 § 2, 1984)” refers to section 1 of Resolution No. 675 and section 2 of Resolution No. 498. “Formerly” followed by a section number citation preserves the record of original codification. A semicolon between resolution citations indicates an amendment of the earlier section.

Codification tables: To convert an ordinance citation to its code section number consult the codification tables.

Index: Code Titles 1 through 8 are indexed following the codification tables. The index includes complete cross-referencing and is keyed to the section numbers described above.

Errors or omissions: Although considerable care has been used in the production of this code, it is inevitable in so large a work that there will be errors. As users of this code detect such errors, it is requested that a note citing the section involved and the nature of the error be e-mailed to: CPC@codepublishing.com, so that correction may be made in a subsequent update.

Computer access: Code Publishing Company supports a variety of electronic formats for searching, extracting, and printing code text; please call the publisher for more information.

CODE PUBLISHING COMPANY
Seattle, Washington
(206) 527-6831
How to Amend the Code

Code Structure and Organization

The code is organized using a 3-factor decimal numbering system which allows for additions between sections, chapters, and titles, without disturbing existing numbers.

![2.04.050]

Title

Chapter

Section

Typically, there are 9 vacant positions between sections; 4 positions between chapters, and several title numbers are “Reserved” to allow for codification of new material whose subject matter may be related to an existing title.

Resolutions of a general or public nature, or one imposing a fine, penalty or forfeiture, are codifiable. Prior to enacting a codifiable resolution, ascertain whether the code already contains provisions on the topic.

Additions

If the proposed resolution will add material not contained in the code, the ordinance will specify an “addition”; that is, a new chapter (or title) will be added. For example:

Section 1. Chapter 4.20, Warrants, is added to read as follows:

-or-

Section 1. A new title, Title 8, Communications, is added to read as follows:

A specific subsection can also be added when appropriate:

Section 2. Subsection D is added to Section 4.04.070, to read as follows:

Amendments

If the resolution amends existing code provisions, specify the affected section or chapter numbers in the resolution. This kind of amendment typically adds a section to an existing chapter, or amends an existing section. For example:

Section 1. Section 4.04.030 is amended to read as follows:

-or-

Section 1. Section 4.04.035, Additional fees, is added to Chapter 5.05 to read as follows:

A resolution can also amend a specific subsection of a code section:

Section 3. Subsection B of Section 4.04.070 is amended to read:

Repeals

Resolutions which repeal codified material should specify the code section number (or chapter number if an entire chapter is being repealed). These section or chapter numbers will be retained in the code, along with their title, as a record of resolution activity (and as an explanation for gaps in the numbering sequence). The number of the repealed section or chapter number can be reused at a later time when desired. For example:

Section 2. Section 5.05.020, License, is repealed.

Codification Assistance

Code Publishing Company can assist either in specifying code numbers or in providing other codification related problems free of charge. Please call us at (206) 527-6831.
TABLE OF REVISED PAGES

The following table is included in this code as a guide for determining whether the code volume properly reflects the latest printing of each page. This table will be updated with the printing of each supplement.

Through usage and supplementation, pages in looseleaf publications can be inserted and removed in error when pages are replaced on a page-for-page substitution basis.

The “Page” column lists all page numbers in sequence. The “Revised Date” column reflects the latest revision date (e.g., “(Revised 3/05)”) and printing of pages in the up-to-date volume. A “—” indicates that the page has not been revised since the 2003 republication. This table reflects all changes to the code through Resolution 1415, passed October 16, 2018.

<table>
<thead>
<tr>
<th>Page</th>
<th>Revised Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table of Contents</td>
<td>4/09</td>
</tr>
<tr>
<td>Preface</td>
<td>—</td>
</tr>
<tr>
<td><strong>Title 1</strong></td>
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<tr>
<td><strong>Title 2</strong></td>
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<td>12/18</td>
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<tr>
<td>3, 4</td>
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<td>12/18</td>
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<td>24.1, 24.2</td>
<td>12/18</td>
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<td>24.2a, 24.2b</td>
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<td>24.2c, 24.2d</td>
<td>12/18</td>
</tr>
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<td>12/13</td>
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<tr>
<td>24.4a, 24.4b</td>
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<tr>
<td>24.4c, 24.4d</td>
<td>12/18</td>
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<tr>
<td>24.5, 24.6</td>
<td>3/05</td>
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<td>25, 26</td>
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<td>27, 28</td>
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<tr>
<td><strong>Title 3</strong></td>
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<td>10.3, 10.4</td>
<td>12/18</td>
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<td>3/05</td>
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<td>12/18</td>
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## Table of Revised Pages

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<td>12/13</td>
</tr>
<tr>
<td>41, 42</td>
<td>12/18</td>
</tr>
<tr>
<td>42.1, 42.2</td>
<td>12/18</td>
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<td>43, 44</td>
<td>12/13</td>
</tr>
<tr>
<td>45, 46</td>
<td>12/18</td>
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<tr>
<td>46.1, 46.2</td>
<td>12/18</td>
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<td>47, 48</td>
<td>12/13</td>
</tr>
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<td>49, 50</td>
<td>12/13</td>
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<td>12/13</td>
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<td>55, 56</td>
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<td>59, 60</td>
<td>12/18</td>
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<td>61, 62</td>
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<td>67, 68</td>
<td>12/18</td>
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<td>69, 70</td>
<td>12/18</td>
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<td>71, 72</td>
<td>12/18</td>
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<td>73, 74</td>
<td>12/18</td>
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<td>75, 76</td>
<td>12/18</td>
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<td>77, 78</td>
<td>12/18</td>
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<td>79, 80</td>
<td>12/18</td>
</tr>
<tr>
<td>81, 82</td>
<td>12/18</td>
</tr>
<tr>
<td>83, 84</td>
<td>12/18</td>
</tr>
<tr>
<td>85, 86</td>
<td>12/18</td>
</tr>
<tr>
<td>86.1, 86.2</td>
<td>12/18</td>
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<tr>
<td>86.3, 86.4</td>
<td>12/18</td>
</tr>
<tr>
<td>86.5, 86.6</td>
<td>12/18</td>
</tr>
<tr>
<td>86.7, 86.8</td>
<td>12/18</td>
</tr>
<tr>
<td>87, 88</td>
<td>4/09</td>
</tr>
<tr>
<td>89, 90</td>
<td>4/09</td>
</tr>
<tr>
<td>91, 92</td>
<td>4/09</td>
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<td>93, 94</td>
<td>4/09</td>
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<tr>
<td>95</td>
<td>12/13</td>
</tr>
</tbody>
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<table>
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<th>Revised Date</th>
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<td>35, 36</td>
<td>1/07</td>
</tr>
<tr>
<td>37, 38</td>
<td>1/07</td>
</tr>
<tr>
<td>39, 40</td>
<td>12/18</td>
</tr>
<tr>
<td>41, 42/44</td>
<td>12/18</td>
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<td>12/13</td>
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<td>12/13</td>
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### Title 8

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<th>Revised Date</th>
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<tr>
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#### Resolution Table

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<th>Revised Date</th>
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<td>12/18</td>
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<tr>
<td>23</td>
<td>12/18</td>
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</table>

#### Index

<table>
<thead>
<tr>
<th>Page</th>
<th>Revised Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>12/18</td>
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<tr>
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<td>12/18</td>
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(Revised 12/18)
Title 1

GENERAL PROVISIONS

Chapters:
1.01 Code Adoption
1.04 Incorporation
1.08 Official Seal
Chapter 1.01
CODE ADOPTION
(Reserved)

Chapter 1.04
INCORPORATION

Sections:
1.04.010 Incorporation.
1.04.020 Corporate limits.
1.04.030 Consolidation of water system into electric system.

1.04.010 Incorporation.
Public Utility District No. 2 is and shall be deemed a public utility district vested with all the rights, privileges and powers granted by a vote of the people. (Res. 1 § 1, 1937)

1.04.020 Corporate limits.
The corporate limits of Public Utility District No. 2 shall include all of the territory within the boundaries of Pacific County. (Res. 1 § 2, 1937)

1.04.030 Consolidation of water system into electric system.
A. Creation of the Water System. The commission of the District hereby finds and determines that it is in the public interest and to the District’s advantage to create and/or continue a water system to be known as the “water system” (the “water system”). The water system shall include all assets, liabilities, revenues, income, receipts and expenses of the District in connection with the operations of its water utility properties and assets, real, personal and mixed, tangible and intangible, together with all additions, improvements and betterments thereto and extensions thereof, and shall include any and all existing water systems of the District heretofore established, specifically, the Bay Center, Lebam and Wilson Point water systems.

B. Consolidation of Electric and Water System Into One Utility System. The commission of the District hereby finds and determines that it is in the public interest and to the District’s financial advantage to consolidate into the utility system, the District’s electric and water system. Such systems shall be, and hereby are, consolidated and combined into the utility system, but subject, however, to such terms, limitations, restrictions and covenants contained in, and any existing or future liens and charges created and any existing or future pledges made under and pursuant to, any resolution of the District heretofore or hereafter adopted. It is expressly provided that nothing in this section shall limit, restrict or preclude the District from pledging or placing a lien or pledge (including through cre-
Chapter 1.08

OFFICIAL SEAL

Sections:
1.08.010 Established.
1.08.020 Description.

1.08.010 Established.

There shall be a common seal for Public Utility District No. 2. (Res. 2 § 1, 1937)

1.08.020 Description.

The seal of Public Utility District No. 2 shall be circular in form of ordinary size and shall represent by its impression the words “Corporate Seal, Organized Jan. 11, 1937, State of Washington,” surrounded by scroll work and the outer edge of the seal, which shall be milled, shall be the words “Public Utility District No. 2 of Pacific County, Light-Heat-Water-Power.” (Res. 2 § 2, 1937)
Title 2

ADMINISTRATION

Chapters:

2.04  Board of Commissioners
2.06  Commissioner Compensation Policy
2.08  District Treasurer
2.14  Conservation and Renewable Energy System
2.24  Legal Defense of Officers and Employees
2.28  Public Records
2.30  Records and Information Management Policy
2.32  Insurance Coverage
2.36  Sale or Loan of District Property and Equipment
2.40  Property Damage Claims
2.42  Damage Claim Agent
2.44  District Vehicle Use
2.46  Identity Theft Prevention Program
2.48  Hazard Mitigation Program
2.52  Arc Flash Hazard Policy
2.56  Video Monitoring Policy
2.60  Customer Privacy Policy
Chapter 2.04

BOARD OF COMMISSIONERS

Sections:
2.04.010 Regular meetings.
2.04.020 Quorum.
2.04.030 Record of proceedings.
2.04.040 Presiding officer.
2.04.050 Secretary.
2.04.060 Rules for commissioners’ compensation and expenses.
2.04.070 Repealed.
2.04.080 Repealed.
2.04.090 Absences.

2.04.010 Regular meetings.
A. Regular meetings of the Board of Commissioners will be as follows:

1st Tuesday of each month 1:00 p.m. Conference Room – PUD Office
4th and Duryea Streets
Raymond, Washington

3rd Tuesday of each month 1:00 p.m. Lawrence J. Remington
Auditorium – PUD Office
9610 Sandridge Rd.
Long Beach, Washington

B. If a particular Tuesday is a legal holiday, the meeting will be held the following day.
C. The time, location, or date of a regular meeting or a special meeting may be called by following the notice procedures required by law for such changes.
D. The commission may meet at such other place as may be determined necessary for accommodation of the public by posting notice thereof in the regular meeting place, provided such alternate location shall not be in excess of one mile from the regular meeting place. (Res. 1178, 2001; Res. 1069, 1992; Res. 854, 1981; Res. 851, 1981)

2.04.020 Quorum.
A majority of the persons holding the office of Public Utility District Commissioner at any time shall constitute a quorum for the transaction of business, and the concurrence of a majority of the commissioners resolution, but no business shall be transacted unless there are in office at least a majority of the full number of commissioners fixed by law. (Res. 10 § 3, 1937)

2.04.030 Record of proceedings.
All proceedings of the commission shall be by motion or resolution recorded in a book or books kept for such purpose, which shall be public records. (Res. 10 § 4, 1937)

2.04.040 Presiding officer.
The president shall be the chief executive officer of the commission, and shall preside over all of its meetings. In his/her absence, the member of the commission not holding office as secretary shall act as the presiding officer. The president shall sign all deeds, contracts, and other instruments required to be executed by the commission. (Res. 1337, 2013; Res. 10 § 5, 1937)

2.04.050 Secretary.
The secretary shall keep the minutes of all meetings of the commission, and shall be the custodian of the official seal, and of all its books, records, papers and files, except such of the foregoing as shall be in the custody of the auditor of the commission, in the performance of his/her official duties. (Res. 1337, 2013; Res. 10 § 6, 1937)

2.04.060 Rules for commissioners’ compensation and expenses.
A. The Board of Commissioners of Public Utility District No. 2 of Pacific County, Washington, shall adopt rules for payment of commissioners’ compensation and expenses.
B. Per RCW 54.12.080, the District shall provide for the payment of a salary during a calendar year which shall depend upon the total gross revenue of the District from its distribution system and its generating system, if any, for the fiscal year ending June 30th prior to such calendar year, the amount as is set forth in the laws of the State of Washington.
C. In addition to salary, the District will provide for the payment of per diem compensation to each commissioner at the maximum rate allowed by the Legislature of the State for each day or major part thereof devoted to the business of the District, and days upon which he/she attends meetings of the commission of the District or meetings attended by one or more commissioners of two or more districts called to consider business common to them, or a meeting of an organization of which the District is a member and whereat the commissioner attends as a representative of the District, but such compensation paid during any one year to a commissioner shall not exceed the maximum annual amount allowed by the Legislature of the State.

1st Tuesday of each month
1:00 p.m. Conference Room – PUD Office
4th and Duryea Streets
Raymond, Washington

3rd Tuesday of each month
1:00 p.m. Lawrence J. Remington
Auditorium – PUD Office
9610 Sandridge Rd.
Long Beach, Washington

(Revised 12/13)
D. Each commissioner of the District shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including subsistence, lodging and travel while away from the place of residence of the commissioner. (Res. 1337, 2013; Res. 1080, 1993)

2.04.070  Maximum amount of per diem compensation.
  Repealed by Res. 1080. (Res. 935, 1985)

2.04.080  Travel expense reimbursement.
  Repealed by Res. 1080. (Res. 625, 1968)

2.04.090  Absences.
  A. RCW 54.12.010 sets forth the controlling law with regard to absences from meetings of the commission.
  B. Commissioners, to the extent practical, shall request determination of the issue of excusable absence prior to, or at, the time of the meeting to which such absence is applicable.
  C. In all events, determination of the issue of “excusable absence” shall be determined no later than three weeks following the date of such absence.
  D. The determination as to whether an absence by a commissioner shall be excused shall be made by motion duly entered upon the minutes of the Board of Commissioners of the District.
  E. No commissioner shall vote upon the question as to whether or not their own absence is excusable, unless at the time of such vote, such commissioner’s vote is necessary to provide a quorum therefor or to resolve a tie vote. (Res. 771, 1976)
adjusted accordingly. A commissioner that is working for another employer that offers health care coverage will not be covered by this District benefit.

2. Retiree Health Care. A commissioner who retires from elected office with the District and meets the following required criteria is eligible to receive the retiree health care coverage including medical, dental, and vision.

Health care coverage also extends to the retiree’s spouse and eligible dependents that are covered at the time of the commissioner’s retirement if the retiree elects coverage for his/her dependents. Health care coverage for the spouse and other eligible dependents will cease when the retiree is no longer eligible for coverage. However, if the retiree dies while covered by the District’s health care coverage, the District will continue to provide coverage for the spouse and eligible dependents that are covered at the time of the retiree’s death until the time of the surviving spouse’s death. The surviving spouse must meet the following criteria:

a. The surviving spouse requests continued coverage from the board of commissioners.

b. The surviving spouse is not covered by another medical program other than Medicare.

c. The surviving spouse does not become employed by an employer who offers a full or partially funded medical program.

d. The surviving spouse continues to make the same monthly payment as the current active employees which is adjusted annually.

e. The surviving spouse does not remarry.

The District will contribute a portion of the retiree health care premiums. The retired commissioner will pay their share of the monthly premium in effect at the time of coverage. Health care coverage will continue for those commissioners that retire under the requirements as described below:

a. The commissioner must request continued coverage in writing prior to retirement from the District.

b. Commissioners that wish to receive retiree health care benefits must have participated as members of the Public Employees Retirement System (PERS), as defined by the Washington State Department of Retirement Systems (DRS), and retire under PERS. The District pays an employer contribution to PERS in accordance with DRS requirements.

c. The retiring commissioner must have reached the minimum age of 55.

d. The retiring commissioner must have served a minimum of three terms (18 years).

Eligibility for retiree health care coverage from the District will cease if the retiree begins working for another employer and that employer offers health care benefits.

A retired commissioner and/or the retiree’s spouse and other eligible dependent receiving medical coverage after age 65 will be covered by the District’s Medicare supplement, which enhances Medicare Parts A and B. As a Medicare supplement, coverage benefits will be calculated in coordination with Medicare benefits, whether or not the retiree, retiree’s spouse, or other eligible dependent actually enrolls in Medicare. This Medicare supplement is the only medical coverage available from the District for a retired commissioner, the retiree’s spouse and other eligible dependent once they pass age 65. It is possible for a retiree or the retiree’s spouse to be covered under the District’s Medicare supplement and the other individual receives full retiree health care coverage from the District until reaching age 65. The retiree will be responsible to pay their share of the total premium in place at the time of the coverage.

3. Life Insurance. Commissioners will be provided with life insurance as follows:

a. While in Office.

i. Term Insurance.

(A) Ten thousand dollars coverage from the District.

(B) Twenty-four thousand, two hundred and fifty dollars plus $24,250 of AD&D insurance (optional insurance: 50 percent paid by commissioner).

(C) Five thousand dollars (optional insurance: 50 percent paid by commissioner).

ii. Accidental Death and Dismemberment Insurance.

(A) Five thousand dollars.

b. In Retirement.

i. Life insurance is only applicable to a retiree, not a surviving spouse or other eligible dependent. The District will pay its share in effect at the time of coverage with the retired commissioner covering the balance.

(A) Two thousand, five hundred dollars basic life insurance (each retiree up through age 65).

(B) One thousand, seven hundred and fifty dollars basic life insurance (each retiree up through age 69).
(C) One thousand, five hundred dollars basic life insurance (each retiree age 70 and above). (Res. 1337, 2013; Res. 1269, 2008)

Chapter 2.08

DISTRICT TREASURER

Sections:
2.08.010 Established.
2.08.020 Crime shield policy.

2.08.010 Established.
There is created within the District’s organization the position of treasurer of the District. (Res. 563 § 3, 1963)

2.08.020 Crime shield policy.
The Board of Commissioners of the District finds that adequate protection for District funds may be obtained by purchasing an insurance policy in lieu of a bond. (Res. 1399, 2018; Res. 1337, 2013; Res. 1178, 2001; Res. 1069, 1992; Res. 979, 1986; Res. 563 § 3, 1963)
Chapter 2.14

CONSERVATION AND RENEWABLE ENERGY SYSTEM

Sections:
2.14.010 Membership.

2.14.010 Membership.
The District shall participate as a member of Conservation and Renewable Energy System (CARES), a joint operating agency which shall be organized and formed pursuant to Chapter 43.52 RCW to acquire electric conservation and small renewable generation resources for use by its members and/or other participating utilities or for sale to the United States Department of Energy, Bonneville Power Administration (BPA), or others. (Res. 1055, 1991)

The commission of the District finds it to be in the best interests of the District and its electric rate-payers that the District participate with any or all of the districts\(^1\) or other Washington public utility districts, if any, in the application for the formation of the joint operating agency and in the initial conservation project described therein. (Res. 1055 § 1, 1991)

An application for formation of the joint operating agency in substantially the form of Exhibit A, attached to the resolution codified in this chapter and on file in the office of the District, is authorized to be submitted on behalf of the District and the other districts or districts to the Director of the Department of Ecology, all as provided by Chapter 43.52 RCW. The District shall be an initial participant in and member of the joint operating agency, as those terms are used in Chapter 43.52 RCW. The manager of the District is authorized to execute that application on behalf of the District. (Res. 1055 § 2, 1991)

The task force established by the District and the districts in furtherance of the initial conservation project described in the application is authorized to commence negotiations with Bonneville for the securing of the financing for the initial conservation project and for the sale of the electric energy to be acquired by that project to Bonneville. (Res. 1055 § 3, 1991)

A. During the time any such insurance\(^2\) is in effect, upon the individual’s request, the District will submit a claim to the insurer on behalf of the individual and the District will request the insurer, subject to the terms and conditions of the insurance policy, to indemnify the individual for any amount any such individual may be legally obligated to pay, and for any costs of defense, attorneys’ fees, and any other obligation for payment arising from such legal proceeding, whether or not the facts giving rise to such liability occurred prior to or subsequent to the passage of the resolution codified in this section.

B. In the event that insurance coverage, and any insurance coverage that may be purchased by CARES, is not applicable, then, upon request of any such individual, the District shall grant his or her request to have any attorney of the District’s choosing be given authority to defend said legal proceeding, and the cost of defense, attorneys’ fees, and any obligation for payment arising from such legal proceeding, by judgment or settlement, shall be paid from the District’s funds, whether or not the facts giving rise to such liability occurred prior to or subsequent to the passage of the resolution codified in this section; provided, that the individual was acting in good faith and in the scope of his or her duties with the District, including his or her duties as the District’s representative or alternate representative to the CARES board of directors.

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1. Code reviser’s note: “Districts” as used in this chapter refers to Public Utility District No. 1 of Benton County, Public Utility District No. 1 of Clallam County, Public Utility District No. 1 of Franklin County, Public Utility District No. 1 of Grays Harbor County, Public Utility District No. 1 of Klickitat County, Public Utility District No. 1 of Okanogan County, and Public Utility District No. 1 of Skamania County.

2. Code reviser’s note: “Insurance” in this section refers to insurance provided pursuant to RCW 36.16.138 for the District’s CARES representatives.
C. In the event that insurance coverage, and any insurance coverage that may be purchased by CARES, is insufficient to meet the District's obligations under this section, the cost of defense, attorneys' fees, and any obligation for payment arising from the legal proceeding, by judgment or settlement, in excess of that paid for by any such insurance, shall be paid from the District’s funds whether or not the facts giving rise to such liability occurred prior to or subsequent to the passage of the resolution codified in this section; provided, that the individual was acting in good faith and in the scope of his or her duties with the District, including his or her duties as the District’s representative or alternate representative to the CARES board of directors. (Res. 1082, 1993)

Chapter 2.24

LEGAL DEFENSE OF OFFICERS AND EMPLOYEES

Sections:

2.24.010 Authorization.

2.24.010 Authorization.
Whenever any action, claim or proceedings is instituted against any person who is or was an officer, employee, commissioner and/or agent of the District, arising out of the performance or failure of performance of duties for or employment with the District, the commission of the District may grant a request by such person that the attorney of the District’s choosing be authorized to defend such claim, suit or proceeding and the costs of defense, attorney’s fees and any obligation for payment arising from such action shall be paid from the District’s funds provided that costs of defense and/or judgment or settlement against such person shall not be paid in any case where the court has found that such person was not acting in good faith or within the scope of his employment with or duties for the District. (Res. 884, 1982)
Chapter 2.28
PUBLIC RECORDS

Sections:
2.28.010 Purpose.
2.28.020 Definitions.
2.28.030 Administration.
2.28.040 Availability – Generally.
2.28.050 Responsibility.
2.28.060 Inspection and copying – Office hours.
2.28.070 Inspection and copying – Procedures.
2.28.080 Fees.
2.28.090 Exemptions and denials.
2.28.100 Review of denial.
2.28.110 Index of documents.
2.28.120 Formal address designation.
2.28.130 Request form.

2.28.010 Purpose.
The purpose of this chapter shall be to ensure compliance by the PUD with provisions of Chapter 274, Laws of 2005, classified as Chapter 42.56 RCW, and in particular, RCW 42.56.070 through 42.56.120. (Res. 1268, 2008; Res. 976 § 1, 1986)

2.28.020 Definitions.
Whenever the following words or terms are used in this chapter, they shall have the following meanings:
A. “Public record” includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.
B. The “PUD” is a municipal corporation created and existing under the laws of the State of Washington and located in the county of Pacific. Public Utility District No. 2 of Pacific County shall hereinafter be referred to as the PUD. Where appropriate, the term “PUD” also refers to its officers, directors, staff and employees of the Public Utility District No. 2 of Pacific County.
C. “Writing” means handwriting, typewriting, printing, photostatting, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents such as existing data compilations from which information may be obtained or translated. (Res. 1268, 2008; Res. 976 § 4, 1986)

2.28.030 Administration.
The PUD is a municipal corporation directed by a PUD board of commissioners. The administrative office of the PUD and its staff are located at the PUD headquarters of the District. (Res. 1268, 2008; Res. 976 § 3, 1986)

2.28.040 Availability – Generally.
All public records of the PUD as defined in Section 2.28.020(A) of this chapter are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by applicable portion of State law and this chapter. (Res. 1268, 2008; Res. 976 § 4, 1986)

2.28.050 Responsibility.
The PUD’s public records shall be in charge of the board secretary or designee. The person so designated shall be located in the administrative office of the PUD. The public records officer shall be responsible for the following: the implementation of the PUD’s rules and regulations regarding release of public records, coordinating the staff of the PUD in this regard, and generally ensuring compliance by the staff with the public records disclosure requirements of Chapter 274, Laws of 2005. (Res. 1268, 2008; Res. 976 § 5, 1986)

2.28.060 Inspection and copying – Office hours.
Public records shall be available for inspection and copying during the customary office hours of the PUD. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. (Res. 1268, 2008; Res. 976 § 6, 1986)

2.28.070 Inspection and copying – Procedures.
In accordance with the requirements of Chapter 274, Laws of 2005, the Public Records Act, and Chapter 42.56 RCW, that PUDs prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be inspected or copied or copies of such records may be obtained by members of the public, upon compliance with the following procedures:
A. A request may be made in writing, by e-mail, by facsimile, in person, or by phone to the PUD’s general manager, or the administrative secretary in the absence of the general manager, in the Raymond office. The request should be as detailed as possible to allow appropriate and efficient document retrieval and should include the following information, at a minimum:

1. The name of the person requesting the record;
2. The time of day and calendar date on which the request was made;
3. The nature of the request;
4. If the record requested is referenced within the current index maintained by the PUD administrative secretary, a reference to the requested records as it is described in current index should be included;
5. If the requested record is not identifiable by reference to the PUD’s current index, an appropriate description of the record requested should be included.

B. In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public records requested. (Res. 1268, 2008; Res. 976 § 7, 1986)

2.28.080 Fees.

No fee shall be charged for the inspection of public records. The PUD shall charge a fee of $0.15 per page (or the maximum allowed by law) of copy for providing copies of public records and for use of the PUD’s copy equipment.

A. When extensive research is required and/or when numerous copies are requested, where filling such request would unreasonably disrupt the operations of the PUD, the PUD may fill the request on a partial or installment basis pursuant to RCW 42.45.080.

B. The requester may, at his/her option, subject to reasonable scheduling with the PUD, review public documents at a PUD office to identify or locate the requested record to be copied.

C. The charges for obtaining copies of public documents shall be paid at the time they are obtained from the PUD. (Res. 1337, 2013; Res. 1268, 2008; Res. 976 § 8, 1986)

2.28.090 Exemptions and denials.

A. The PUD reserves the right to determine that a public record requested in accordance with the procedures outlined in Section 2.28.070 of this chapter is exempt under the provisions of Chapter 274, Laws of 2005, and RCW 42.56.210.

B. In addition, the PUD reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by Chapter 274, Laws of 2005, and Chapter 42.56 RCW. The PUD will justify such deletion in writing.

C. All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. (Res. 1268, 2008; Res. 976 § 9, 1986)

2.28.100 Review of denial.

A. Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

B. Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the chairman of the board. The chairman shall consider the matter and either affirm or reverse such denial or call a special meeting of the commission as soon as reasonably possible to review the denial. In any case, the request shall be returned with a final decision, within a reasonable time, following the original denial.

C. Administrative remedies shall not be considered exhausted until the commission has returned the petition with a decision. (Res. 1268, 2008; Res. 976 § 10, 1986)

2.28.110 Index of documents.

Since the preparation of a formal index for all other documents, items, annuals, etc., required to be indexed pursuant to RCW 42.56.070 would be unduly burdensome upon the PUD in relation to the extreme cost and difficulty of coordinating such an indexing project, and the extent of personnel time required to prepare it which would interfere with the operations of the PUD, the PUD shall make available for public inspection and copying all indexes currently maintained or to be main-
tained in the future for the PUD’s use. (Res. 1268, 2008; Res. 996, 1987; Res. 976 § 11, 1986)

2.28.120 Formal address designation.
All communications with the PUD including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of Chapter 1, Laws of 1973, and Chapter 42.17 RCW, and these rules; requests for copies of the PUD’s decisions and other matters, shall be addressed as follows:

PUBLIC UTILITY DISTRICT NO. 2
OF PACIFIC COUNTY, WASHINGTON
P.O. Box 472
Raymond, Washington 98577

(Res. 1268, 2008; Res. 976 § 12, 1986)

2.28.130 Request form.
The PUD adopts for use by all persons requesting inspection and/or copying or copies of its records, the form attached to this chapter as Appendix A, entitled “Request for Public Record.” (Res. 1268, 2008; Res. 976 § 13, 1986)
APPENDIX A
REQUEST FOR PUBLIC RECORD

PUBLIC RECORDS REQUEST

Public Utility District No. 2 of Pacific County
Post Office Box 472
Raymond, WA 98577

PERSON REQUESTING
Name:
Mailing Address:
City, State & Zip:
Telephone: ( )  Fax: ( )

PUBLIC RECORD REQUESTED
Description of Information:

CONDITIONS FOR RELEASE OF REVIEW OF PUBLIC RECORDS

1. The requestor must be very specific as to the public record requested. The PUD is not required to create a new document to meet the request.
2. No fee shall be charged for the inspection of public records. The PUD shall charge a fee of fifteen cents per page of copy for providing copies of public records and for use of the PUD's copy equipment.
3. When extensive research is required and/or when numerous copies are requested, the requestor will be required to pay an hourly fee or part thereof for the time spent locating the particular documents.

Signature of person requesting public document  Date of request

(Res. 1337, 2013; Res. 1268, 2008)
Chapter 2.30

RECORDS AND INFORMATION MANAGEMENT POLICY

Sections:
2.30.010 Policy.
2.30.020 Administration.
2.30.030 Employees’ responsibilities.
2.30.040 Procedures.
2.30.050 Implementation.

2.30.010 Policy.
This records and information management policy is established to support the retention and disposition of all District records. The District recognizes that records retention schedules must be applied to all records regardless of their physical characteristics including electronic records. This policy complies with the District’s requirements for a records management program as defined by Chapter 40.14 RCW and WAC Title 434, as well as other legal and business needs. (Res. 1281, 2009)

2.30.020 Administration.
The general manager is responsible for District compliance with the records control program. The auditor is responsible for developing and overseeing the records management program. The records management program and public records disclosure function work together to protect all public records. (Res. 1281, 2009)

2.30.030 Employees’ responsibilities.
All District employees must be responsible for supporting the policy and related procedures ensuring proper security, maintenance, retrieval and disposition of the District’s records. All documents created or received may only be used for the intended business purpose. (Res. 1281, 2009)

2.30.040 Procedures.
The District’s auditor develops and manages the records retention schedules by providing listing of records and information created, stored, and maintained by the District.
All retention periods must be in compliance with the current general schedules issued by the State Archives and Records Management Division.
Various storage media are utilized as part of the normal and regular course of business and may be assigned as the official record for and/or in lieu of hard copy in accordance with approved retention schedules. Storage media may include magnetic media, audio, visual, optical, written or any other recorded form.
Disposition practices will allow for reasonable and appropriate measures to prevent the unauthorized access or use of confidential information in accordance with guidelines established by the FACT Act. (Res. 1337, 2013; Res. 1281, 2009)

2.30.050 Implementation.
An effective records management program requires the support and participation of all District personnel in its implementation. The auditor is responsible for overall direction and coordination of the program and will provide District-wide educational support to employees on the policies and procedures for records management. (Res. 1281, 2009)
Chapter 2.32

INSURANCE COVERAGE¹

Sections:
2.32.010 Liability program acceptance authorization.
2.32.020 Liability program amendment approval.
2.32.030 Property program acceptance authorization.
2.32.040 Joint self-insurance agreement name change.
2.32.050 Health and welfare program acceptance authorization.
2.32.060 Privacy officer.
2.32.070 Privacy rules.

2.32.010 Liability program acceptance authorization.

The Board of Commissioners of the District does approve acceptance by the District of the rules and regulations for liability self-insurance program and authorizes the president and secretary of the board to sign the agreement on behalf of the District to signify acceptance and participation in the joint self-insurance program thereby provided. (Res. 1178, 2001; Res. 783, 1977)

2.32.020 Liability program amendment approval.

The president of the Board of Commissioners of the District is authorized and directed to sign the amendment to the Washington Public Utility Districts’ Utilities System Liability Self-Insurance Agreement. (Res. 1178, 2001; Res. 1106, 1995; Res. 1103, 1994; Res. 994, 1987; Res. 873, 1982)

2.32.030 Property program acceptance authorization.

The Board of Commissioners declares its approval of the Washington Public Utility Districts’ Utilities System Liability Self-Insurance Agreement. (Res. 1178, 2001; Res. 1106, 1995; Res. 1103, 1994; Res. 994, 1987; Res. 873, 1982)

2.32.040 Joint self-insurance agreement name change.

The joint self-insurance member board voted and approved of changing the Washington Public Utility Districts’ Utilities System (“WPUDUS”) name to Public Utility Risk Management Services (“PURMS”) during their annual meeting on December 3, 1999. (Res. 1178, 2001)

2.32.050 Health and welfare program acceptance authorization.

The Board of Commissioners of the District declare approval of the Public Utility Risk Management (“PURMS”) Joint Self-Insurance Agreement (“SIA”), amended and restated as of April 1, 2000, adopting the health and welfare coverage, the Health and Welfare (“H&W”) General Assessment Formula, and amendments to the Interlocal Agreement to implement the same, effective April 1, 2000. (Res. 1337, 2013; Res. 1178, 2001; Res. 1163, 2000)

2.32.060 Privacy officer.

A. Authority is hereby granted to management for the District to establish a “privacy officer” as required by the retained privacy rules obligations applicable to the District under the proposed privacy rules amendments to the PURMS H&W coverage.

B. The privacy officer so established shall perform the duties assigned to privacy officers of members of the H&W pool, as applicable, under the terms of the proposed privacy rules amendments.

C. The privacy officer is hereby directed to work with PURMS, its administrator and general counsel, to develop, establish and implement a privacy policy for the District’s health plan, and to develop, establish and implement policies and procedures for the District to comply with and discharge its retained privacy rules obligations.

D. Authority is hereby granted to management for the District to determine whether it is reasonably necessary for the District to receive and use specified types of “protected health information” (“PHI”) from the administrator for purposes of performing “plan administrative functions,” as that term is defined by the privacy rules, through designated District personnel.

E. If management for the District determines that receipt and use by the District of specified types of “protected health information” is reasonably necessary for appropriate administration of the District’s health plan, as may be permitted by

¹. Prior resolution history: Res. 386.
the privacy rules, then authority is hereby granted to management for the District to instruct the privacy officer to work with PURMS, its administrator and general counsel, to develop, establish and implement the policies and procedures necessary under the privacy rules for a plan sponsor to receive PHI from its health plan.

F. The actions required of the District’s management and privacy officer to fully and completely implement the privacy rules obligations applicable to the District under the privacy rules and under the terms of the proposed privacy rules amendments to the H&W coverage of the SIA be accomplished and in place by the privacy rules compliance date. (Res. 1337, 2013; Res. 1218, 2004)

2.32.070 Privacy rules.

A. The commission hereby acknowledges prior receipt of the privacy rules amendments to the H&W coverage of the SIA approved and adopted by the PURMS board at its April 8, 2004, meeting pursuant to PURMS Resolution No. 4-8-04-1, a copy of which is attached to this authorizing resolution (the resolution codified in this section).

B. The commission has reviewed the privacy rules amendments and finds that they adequately and appropriately assist in addressing the relevant and applicable insurance needs of the District and in establishing compliance of the District’s health plan with the applicable privacy rules.

C. The commission finds that approving the privacy rules amendments, as submitted to and approved by the PURMS board, is in the best interest of the District.

D. The commission hereby authorizes and ratifies the acts of its director or other designated representative to the PURMS board:

1. Voting in favor of approving and adopting the privacy rules amendments to the H&W coverage of the PURMS Joint Self-Insurance Agreement, amended and restated as of November 23, 2003, as reflected by PURMS Resolution No. 4-8-04-1; and

2. Executing the signature page for the privacy rules amendments, effective as of April 8, 2004. (Res. 1219, 2004)
Chapter 2.40

PROPERTY DAMAGE CLAIMS

Sections:
2.40.000 Electrical service supply.
2.40.001 Customer responsibilities.
2.40.002 Compensation for damages.
2.40.003 Claim forms.
2.40.004 Release of claim.
2.40.010 Payment.
2.40.020 Administration.

2.40.000 Electrical service supply.

The District shall exercise reasonable diligence and care to provide an adequate supply of uninterrupted electric service. Electric service may be subject to interruption, fluctuation, suspension or curtailment. The District assumes no liability for any loss or damage (personal and/or property) if such interruption, fluctuation, suspension or curtailment is caused by scheduled, unscheduled, or automatic interruption of service. (See Section 6.16.010, Continuity of service.) (Res. 1337, 2013)

2.40.001 Customer responsibilities.

The customer shall be responsible for the protection of his/her equipment from the effects of high voltage, low voltage, over current, single phasing, phase reversal, nonsequential shutdown or startup, and momentary interruption. (See Section 6.12.040, Responsibility for load factors.) (Res. 1337, 2013)

2.40.002 Compensation for damages.

It is the policy of Public Utility District No. 2 of Pacific County to compensate individuals who have property damaged by an event caused by negligence of the District or its employees. The District will require submittal of a standard tort claim form for individuals wishing to file a claim. All claims submitted will be investigated for evidence of District negligence. The District does not recognize liability for damages caused by events that the District has no control over. (Res. 1337, 2013)

2.40.003 Claim forms.

The District has standard tort claim forms available to request consideration for compensation of damaged property. Claims expected to exceed $1,500 will be forwarded to the District’s insurance carrier for handling. All claims will be processed in accordance with District procedures. (Res. 1337, 2013)

2.40.004 Release of claim.

A settlement release of all claims form must be signed and notarized before a claimant shall receive reimbursement for authorized damages. (Res. 1337, 2013)

2.40.010 Payment.

The District shall pay the fair market value, less salvage or cost of repair whichever is less, of property damaged through negligence of the District. (Res. 965, 1986)

2.40.020 Administration.

Claims for property damage will be administered by employees of the District subject to final approval by the Board of Commissioners before any monetary awards are made. (Res. 965, 1986)
**Chapter 2.42**

**DAMAGE CLAIM AGENT**

Sections:
2.42.010 Designated.

2.42.010 Designated.

**2.42.010 Designated.**

A. The general manager of Public Utility District No. 2 of Pacific County is hereby designated as the District’s damage claim agent and as such is authorized to receive any claim for damages. The damage claim agent may be reached during normal business hours at PUD No. 2 of Pacific County, 405 Duryea Street, P.O. Box 472, Raymond, Washington, 98577.

B. This designation shall be recorded with the Pacific County auditor’s office in South Bend, Washington. (Res. 1181, 2001)

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**Chapter 2.44**

**DISTRICT VEHICLE USE**

Sections:
2.44.010 Management personnel to drive PUD vehicles to and from PUD office and their homes.

2.44.020 Compensation of management personnel for additional costs.

2.44.010 Management personnel to drive PUD vehicles to and from PUD office and their homes.

The Board of Commissioners finds it prudent and necessary to mandate that management personnel drive their PUD vehicles to and from the PUD office to their homes. (Res. 960, 1986)

2.44.020 Compensation of management personnel for additional costs.

The District intends to compensate such personnel for the additional costs incurred through taxes by considering these costs as a factor in the annual compensation for such employees. (Res. 960, 1986)
Chapter 2.46  
IDENTITY THEFT PREVENTION PROGRAM

Sections:  
2.46.010 Purpose.  
2.46.020 Background.  
2.46.030 Policy.

2.46.010 Purpose.  
This identity theft prevention program (“program”) is enacted in response to the federal rules and guidelines jointly issued by federal agencies implementing Sections 114 and 315 of the Fair and Accurate Credit Transaction Act of 2003 (“FACT Act”). (Res. 1273, 2008)

2.46.020 Background.  
The FACT Act was enacted into law on December 4, 2003. This law added several new provisions to the Fair Credit Reporting Act of 1970 (“FCRA”), including Section 114, which amended Section 615 of the FCRA and directed the relevant federal agencies to issue joint regulations and guidelines regarding the detection, prevention, and mitigation of identity theft. Section 315 of the FACT Act added a new section to Section 605 of the FCRA requiring the federal agencies to issue joint regulations to provide guidance regarding reasonable policies and procedures that a user of consumer reports should employ when the user receives a notice of address discrepancy.

On July 18, 2006, the federal agencies published a joint notice of proposed rulemaking in the Federal Register proposing rules and guidelines to implement Sections 114 and 315 of the FACT Act. The final rules were published in the Federal Register on November 9, 2007, and became effective on January 1, 2008. Mandatory compliance with the rules is required no later than November 1, 2008. (Res. 1273, 2008)

2.46.030 Policy.  
A. Definitions.  
Confirmed Address. For purposes of this program, the term “confirmed address” means an address that the District has reasonably confirmed to be accurate for a consumer about whom the District has requested a consumer report following receipt of a notice of address discrepancy.

Covered Account. For purposes of this program, the term “covered account” means (1) an account that the District offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions, and (2) any other account that the District offers or maintains for which there is a reasonably foreseeable risk to customers or the safety and soundness of the District from identity theft, including financial, operational, compliance, reputation, or litigation risks.

Identity Theft. For purposes of this program, the term “identity theft” means a fraud committed or attempted using the identifying information of another person without authority.

Notice of Address Discrepancy. For purposes of this program, the term “notice of address discrepancy” means a notice received by the District that informs the District of a substantial difference between the address for a consumer that the District provided to request a consumer report and the address(es) in the agency’s file for the consumer.

Red Flag. For purposes of this program, the term “red flag” means a pattern, practice, or specific activity that indicates the possible existence of identity theft. Specific descriptions of red flags applicable to this policy are set forth below.

B. Identification of Relevant Red Flags. After careful consideration of (1) covered accounts, including methods by which the District and its customers open and access covered accounts; (2) the District’s past experience with identity theft; and (3) industry practices, the following events/occurrences are identified as red flags for purposes of this program:

1. Alerts, Notifications, or Other Warnings Received from Consumer Reporting Agencies or Service Providers, Such as Fraud Detection Services. Although it is not common practice for the District to request or receive consumer reports, the following should be considered red flags in any case where the District requests or receives such reports:
   a. A fraud or active duty alert is included with a consumer report received by the District.
   b. A consumer reporting agency provides the District with a notice of credit freeze in response to a request for a consumer report.
   c. A consumer reporting agency provides a notice of address discrepancy.
   d. A consumer report received by the District indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:
      i. A recent and significant increase in the volume of inquiries;
ii. An unusual number of recently established credit relationships;

iii. A material change in the use of credit, especially with respect to recently established credit relationships; or

iv. An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

2. The Presentation of Suspicious Documents.

a. Documents provided for identification appear to have been altered or forged.

b. The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

c. Other information on the identification is not consistent with the information provided by the person opening a new covered account or customer presenting the identification.

d. Other information on the identification is not consistent with readily accessible information that is on file with the District, such as a signature, account information, name, address, or other personally identifying information.

2. The Presentation of Suspicious Personal Identifying Information, Such as a Suspicious Address or Responsible Party Change.

a. Personal identifying information provided is inconsistent when compared against internal and/or external information sources used by the District. For example, the personal or address information does not match the information in the District’s records, conflicts with another customer’s information, or does not match information received from external sources such as references or consumer reports.

b. Personal identifying information provided is not consistent with other personal information provided. For example, conflicting or inconsistent address, name(s), dates of birth, or other information.

c. Personal identifying information is provided that is associated with known fraudulent activity as indicated by internal or third-party sources available to the District. For example:

i. The address or name is the same as the address or name provided for a fraudulent account or application.

ii. The address or name matches an address or name reported to the District as fraudulent or as being associated with identity theft.

d. Personal identifying information is provided and of a type commonly associated with fraudulent activity as indicated by internal or third-party sources. For example:

i. The address on an application is fictitious, a mail drop, or a prison;

ii. The phone number is invalid, or is associated with a pager or answering service.

e. The personal identifying information is the same as that submitted by other persons or customers.

f. The personal identifying information is the same as or similar to that submitted by a disproportionate number of other persons or customers.

g. All required personal identifying information on an application is not provided.

h. Information provided is inconsistent with information on an application that is on file with the District.

i. Authenticating information cannot be provided or the provided information is inconsistent with the information on file with the District. For example, in response to questions about personal identifying information, account information, service information, or account and service history.

4. The Unusual Use of, or Other Suspicious Activity Related to, a Covered Account.

a. After receiving a notice of change of address or establishing a new service for a covered account, the District receives a request for a new or different billing address or responsible party.

b. Payment is received from parties other than the customer.

c. The District receives a request that the invoice be sent to an address or individual other than the service address or addressee.

d. A covered account activity is inconsistent with typical patterns of activity on the account. For example:

i. A material change in payments or payment patterns;

ii. A material increase in consumption.

e. Mail or correspondence, including telephone, is returned, re-routed, or not connected or undeliverable although transactions continue to be conducted in connection with the covered account.

f. The District is notified that the covered account holder is not receiving account statements or other information.
g. The District is notified of unauthorized charges or use in connection with a covered account.

5. Notice from Customers, Victims of Identity Theft, Law Enforcement Authorities, or Other Persons Regarding Possible Identity Theft in Connection with Covered Accounts Held by the District.

a. The District is notified by a customer, a victim of identity theft, a law enforcement authority, or another person that it has opened a fraudulent account for a person engaged in identity theft.

C. Detection. In an effort to ensure proper detection of any red flags, all customers must provide at least the following information or documentation before any new covered account will be opened:

1. A full name for billing and account responsibility purposes.
2. Service address, with authorization for service as appropriate. For example, in a landlord-tenant circumstance.
3. A serviceable billing address.
4. Identification. For example, for an individual, a valid driver’s license or a U.S. Government issued photo ID. For a business, a UBI or EIN number.
5. A working telephone number for contact and messages.

In addition, the District prefers to obtain additional personal identifying information and alternative contact and verification information including, for example, employer name and address, alternate contact.

Whenever it is discovered that the required information, or sufficient information, is not on file with the District, District staff will contact the account holder within a reasonable time following discovery to obtain the necessary information.

To assist in detecting red flags, the District has and will continue to implement appropriate information technologies, internal controls, and practices tailored to the District’s business, customer service and security needs to help authenticate customer account information and services, monitor account services and activities, process account and customer service transactions, secure customer account and personal identifying information, and otherwise protect the District’s interests and the interests of the District’s customers.

D. Preventing and Mitigating Identity Theft. In the event a red flag is detected, the District is committed to preventing the occurrence of identity theft and taking the appropriate steps to mitigate any harm caused thereby. In order to respond appropriately to the detection of a red flag, the District will consider aggravating circumstances that may heighten the risk of identity theft. After assessing the degree of risk posed, the District will respond to the red flag in an appropriate manner, which may include, but shall not be limited to:

1. Monitoring the covered account;
2. Contacting the customer or covered account holder;
3. Changing passwords, security or other access codes, or other security devices and/or measures that permit access to a covered account or covered account information, including customer information;
4. Reopening a covered account with a new account number;
5. Not opening a new covered account;
6. Closing a covered account;
7. Not attempting to collect on a covered account or not selling a covered account to a debt collector or referring the matter to a consumer reporting agency;
8. Notifying law enforcement; and/or
9. Determining that no response is warranted under the particular circumstances.

To assist in preventing and mitigating red flags, the District has and will continue to implement appropriate information technologies, internal controls and practices tailored to the District’s business, customer service and security needs to help authenticate customer account information and services, monitor account services and activities, process account and customer service transactions, secure customer account and personal identifying information, and otherwise protect the District’s interests and the interests of the District’s customers.

For the protection of the District’s customers, all service providers hired by the District to perform activities or services in connection with any covered account must also take appropriate steps to prevent identity theft. To this end, the District will only contract with secure providers for covered account services that have implemented and follow an appropriate identity theft prevention program.

E. Program Updates. The District is committed to maintaining a program that is current and updated to reflect and address the changes in risks to District customers and to the safety and soundness of the District from identity theft. To that end, the District will reassess its program as necessary and appropriate to address, among other things, the nature and extent to which the District maintains...
covered accounts; add to or delete red flags; and evaluate appropriate detection, prevention and mitigation efforts and responses.

Any determination to make changes to this program will be made only after careful consideration of relevant information, including, at a minimum, the following:

1. The District’s past experience with identity theft;
2. Changes in methods of identity theft;
3. Changes in methods to detect, prevent, and mitigate identity theft;
4. Changes in the District’s operations including, without limitation, the types or accounts and services that the District offers or maintains; and
5. Changes in the business arrangements of the District including, without limitation, alliances, joint ventures, and service provider arrangements.

F. Additional Provisions Applicable to Address Confirmation. The provisions of this section shall apply if the District receives a notice of address discrepancy from a consumer reporting agency pursuant to 15 U.S.C. 1681c(h)(1), that informs the District of a substantial difference between the address for the consumer that the District provided to request the consumer report and the address in the agency’s file for the consumer.

1. Address Discrepancies. In the event that the District receives a notice of discrepancy, the District shall take appropriate steps to confirm that the report received relates to the consumer about whom the District requested the report. Reasonable steps shall include, at a minimum, one of the following steps:
   a. Comparing the differing address with the information that the District (i) has obtained and used to verify the consumer’s identity in accordance with the requirements of the customer information program rules implementing 31 U.S.C. Section 5318(1) (31 CFR 103.121); (ii) maintains in its own records, such as applications, change of address notifications, other customer account records, or retained customer information program documentation; or (iii) obtains from third-party sources.
   b. Verifying the information in the consumer report provided by the consumer reporting agency with the consumer.

2. Address Confirmation. In the event that the District receives a notice of address discrepancy, the District shall take reasonable steps to confirm the accuracy of the address for the consumer about whom the District requested a report. Reasonable steps for confirming the accuracy of the address may include, in addition to other reasonable methods for verification, one or more of the following:
   a. Verifying the address with the consumer about whom the report was requested;
   b. Reviewing District records; or
   c. Verifying the address through third-party sources.

3. In the event that the District is able to form a reasonable belief as to the accuracy of the address, then the District shall take reasonable steps to furnish an address for the consumer that the District has confirmed to be accurate to the consumer reporting agency from whom the District received the notice of address discrepancy; provided, that the District:
   a. Reasonably believes that the consumer report related to the consumer about whom the District requested the report;
   b. Establishes a continuing relationship with the consumer; and
   c. Regularly and in the ordinary course of business furnishes information to the consumer reporting agency from which the notice of address discrepancy relating to the consumer was received.

If the District must furnish the confirmed address to the credit reporting agency, then at a minimum, the District shall furnish the confirmed address to the consumer reporting agency as part of the information the District regularly furnishes for the reporting period, if any, in which the District establishes a relationship with the consumer.

G. Program Administration and Responsibility.

1. The board of commissioners shall be responsible for approving any changes to this policy and to the program as necessary to address changing identity theft risks.

2. The board of commissioners hereby assigns specific responsibility for the program’s implementation to the general manager.

3. The board of commissioners shall review reports regarding program compliance by the District.

4. The general manager shall be responsible for preparing program compliance reports for board review, which shall include the following:
   a. The effectiveness of the program in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
   b. Material program matters related to service provider arrangements;
c. Significant incidents involving identity theft and management’s response; and
d. Recommendations for material changes to the program.

5. The auditor and customer service manager will assist the general manager with training, report preparation, and program implementation (including detecting red flags and preventing and mitigating identity theft).

6. The customer service, accounting, and data processing departments will be responsible for carrying out the provisions of this policy and program. (Res. 1337, 2013; Res. 1273, 2008)

Chapter 2.48

HAZARD MITIGATION PROGRAM

Sections:

2.48.010 Hazard Mitigation Plan adopted.

2.48.010 Hazard Mitigation Plan adopted.

A. The participating stakeholder hereby approves and adopts the Hazard Mitigation Plan in its entirety with projects as adopted by the mitigation planning committee; and agrees to be governed by the Hazard Mitigation Plan attached to the resolution codified in this section and incorporated.

B. The participating stakeholder authorizes the appropriate participating officials to pursue funding opportunities for implementation of proposals designated therein; and will upon receipt of such funding or other necessary resources, seek to implement the actions contained in the Hazard Mitigation Plan.

C. The participating jurisdiction will continue to cooperate and participate in the hazard mitigation planning process, holding regular meetings, including reporting of progress as required by FEMA, the Washington Military Department Emergency Management Division and the mitigation planning committee. (Res. 1372, 2016; Res. 1299, 2010)
Chapter 2.52

ARC FLASH HAZARD POLICY

Sections:
2.52.010 Purpose.
2.52.020 Scope.
2.52.030 Objective.
2.52.040 Definitions.
2.52.050 Engineering support.
2.52.060 General requirements.
2.52.070 FR clothing procedures.
2.52.080 Employee responsibilities.
2.52.090 Repair and laundering.
2.52.100 FR clothing replacement.
2.52.110 Clothing issued for each group.

2.52.010 Purpose.
The purpose of this arc flash hazard policy is to outline the authority, responsibility, and procedures for flame-resistant (FR) clothing that is worn by employees that may be exposed to an arc flash in the workplace. All affected employees working on Public Utility District No. 2 of Pacific County’s electrical system, classifications of all such employees are listed herein, shall follow the procedures detailed in this policy.

This policy is based on NFPA 70E-2015; the Electrical Safety in the Workplace Standard published by the National Fire Protection Association and the National Electrical Safety Code (NESC-2007) published by IEEE/ANSI. This policy complies with OSHA 1910.269, WAC 296-45-325, as well as the requirements of NESC-C2 (2012). (Res. 1405, 2018; Res. 1371, 2016)

2.52.020 Scope.
This policy is to apply to all work performed at, in, or on all Public Utility District No. 2 of Pacific County and outside electrical facilities and/or equipment where the potential for an arc flash exists beginning September 1, 2015. (Res. 1405, 2018; Res. 1371, 2016)

2.52.030 Objective.
The objective of this policy is to reduce injury to affected employees who could be involved in electric arcs or the hazards of flames.

The use of insulated tools and rated cover-up in combination with the principles outlined in this FR clothing policy can reduce the severity of injuries due to electric arcs and flashes. (Res. 1405, 2018; Res. 1371, 2016)

2.52.040 Definitions.
Affected Employees. All employees in the following job classifications will receive FR clothing as described herein and will be required to follow this arc flash hazard and flame-resistant clothing policy.

1. Group A: line foreman, journeyman lineman, apprentice lineman, head groundman, groundman, electrical maintenance technician, and apprentice electrical maintenance technician.
2. Group B: journeyman meterman, apprentice journeyman meterman, meter reader/installer, and upgraded individuals (i.e., WOC laborer/assistant storekeeper, POC laborer, etc.).
3. Group C: District engineering and operations management personnel.

“Arc flash” means a phenomenon where a flash-over of electric current leaves its intended path and travels through the air from one conductor to another, or to ground. The results are often violent and, when a human is in close proximity to the arc flash, serious injury or even death can occur.

“Arc flash hazard assessment” means the process of determining where a potential exposure to an electric arc for personnel who work on or near energized electrical parts or equipment will exceed two calories/cm². The process of approving this work practice, prior to calculating calories/cm² and boundary, constitutes the assessment.

“Arc flash hazard assessment” means the process of determining where a potential exposure to an electric arc for personnel who work on or near energized electrical parts or equipment will exceed two calories/cm². The process of approving this work practice, prior to calculating calories/cm² and boundary, constitutes the assessment.

“Arc rating” means maximum heat energy resistance demonstrated by a material prior to break-open or onset of a second degree burn.

“Arc thermal performance value (ATPV)” means the incident energy on a material that results in sufficient heat transfer through the material to cause the onset of a second degree burn based on the Stoll curve. ATPV~arc rating.

“Calories per square centimeter (calories/cm²)” means the measurement of heat transferred to a person’s skin from an arc flash. A second degree (blister) burn may be caused at two calories/cm².

“District-provided clothing” means clothing purchased and provided by the District, not including clothing obtained through a stipend.

“Flame resistant” means the property of a material which resists ignition and will self-extinguish if ignited.

“Flame retardant” means a chemical substance applied to inherently flammable material making it flame resistant.

“Work area” means the area within 10 feet of a specific job site where work is being performed on the energized electrical system.
“Working distance” is defined as the approximate distance from the arc source to the worker’s face and body, not their hands or arms. (Res. 1405, 2018; Res. 1371, 2016)

2.52.050 Engineering support.
The engineering department is responsible for performing the arc flash hazard assessment. (Res. 1405, 2018; Res. 1371, 2016)

2.52.060 General requirements.
Beginning September 1, 2015, affected employees will be required to wear FR clothing and adhere to the following general requirements:

A. The results of the arc flash hazard assessment has determined a minimum FR clothing level for high voltage (above one kV) work to be four calories/cm² (HRC-1) as per NESC Table 410-1 and 410-2 (2012).

B. After reviewing the minimum FR clothing requirements for both high (above one kV) and low (zero to 240 volts) voltage work, the District has chosen to set a minimum standard of eight calories/cm² for FR clothing.

C. Affected employees shall wear their District-provided/approved FR clothing when working on or near all energized overhead and underground electrical facilities which present an arc flash hazard or a potential arc flash.

D. All three-phase pad-mounted equipment (above 240 volts) will be de-energized before performing any work on the equipment. Checking voltage and/or rotation will not require de-energization of the pad-mounted equipment.

E. Affected employees will not wear their FR raincoat or bibs when installing new de-energized underground electrical facilities where there is zero potential for an electrical arc flash and when pulling and chipping brush during tree trimming and tree removal.

F. Natural fiber garments (cotton, wool, silk, or a minimum of four calories/cm² FR HRC 1 rated material) may be worn under the FR clothing but may not protrude or be exposed from under the FR clothing layer.

G. No patches, logos, pins, decoration, or other modifications shall be added to the FR clothing other than the District logo supplied and attached by the District and required prior to wear while working for the District.

H. Affected employees shall be trained on the hazards of electric arcs and on the importance of wearing FR clothing. Affected employees shall be informed in the proper wearing of FR clothing and the proper care of these items.

K. Other employees and visitors not performing electrical work shall maintain a minimum of 10 feet plus 0.4 inches per kV over 50kV from the work area and will not be required to wear FR clothing.

L. The minimum FR clothing rating and this policy will be reviewed periodically or as major electrical system improvements are made. (Res. 1405, 2018; Res. 1371, 2016)

2.52.070 FR clothing procedures.
A. Group A affected employees shall wear their FR clothing at all times with the exception of their FR raingear when they are installing new de-energized underground electrical facilities where there is zero potential for an electrical arc flash and when pulling and chipping brush during tree trimming and tree removal.

B. Group B and C affected employees shall wear their FR clothing when they are in the work area.

C. While in the work area, FR clothing shall be worn such that all shirts are tucked into the pants, the sleeves fully rolled down to the wrist area with no exposed skin, shirts must be appropriately butonned so as not to expose the upper torso and neck area to arc flash. The jacket or raingear must also be buttoned and completely zipped.

D. FR clothing shall not be worn if it has holes, rips, tears, or has flammable materials on the surface of the clothing.

E. Insect repellents containing DEET and suntan lotions should be applied before putting on FR clothing. DEET and some suntan lotions have been shown to reduce the FR rating of clothing. See clothing manufacturer’s recommendations.

F. Area operation managers shall have the authority to allow a temporary variance to the FR clothing procedures in unique circumstances. (Res. 1405, 2018; Res. 1371, 2016)

2.52.080 Employee responsibilities.
A. Each affected employee will have his or her FR clothing on each work day and in callout situations for use as covered in this policy. Each affected employee is responsible to keep their FR clothing clean and free from frays and holes. Dis-
trict-provided clothing shall be worn for work purposes only, not for general use.

<table>
<thead>
<tr>
<th>Work Method</th>
<th>Minimum Clothing Requirement</th>
</tr>
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<tbody>
<tr>
<td>All new construction, and de-energized and grounded work practices</td>
<td>FR pants, shirts, hard hat, 100% leather work gloves, safety glasses and jacket and/or raingear as needed</td>
</tr>
<tr>
<td>Energized work practices, 1 kV and above or 0 – 240 volts</td>
<td>FR pants, shirts, hard hat, 100% leather work gloves or rubber gloves and leather protectors, safety glasses and jacket and/or raingear as needed</td>
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B. Affected employees will be responsible for proper laundering and maintenance of their FR clothing as prescribed on the label of the clothing by the manufacturer.

C. Each affected employee is responsible for managing his/her FR clothing, including ordering, sizing, and return of clothing for any reason.

D. Failure to wear FR clothing when required or wearing FR raincoat and bibs when prohibited can result in disciplinary action as per current District personnel policy.

An affected employee that reports to work without the required FR clothing will be sent home to change to appropriate clothing and report back to work. The employee will not be paid during the drive or change time.

E. Employees may, at their own expense, purchase additional FR clothing of the type and rating approved by the District. Each employee purchasing additional FR clothing not already approved by the District must provide the District’s purchasing agent the product’s specifications for District approval.

F. For District-provided FR clothing the District will order replacements for that which has been lost, damaged or stolen at no expense to the affected employee on a case-by-case basis, except that the replacement of FR clothing will be paid for by the affected employee if the employer reasonably determines the lost, damaged or stolen FR clothing was the affected employee’s fault as described under Section 2.52.100(B), FR clothing replacement.

G. Upper FR clothing (shirts, jackets, sweatshirts, etc.) covered by this policy and where reasonably available shall be high visibility meeting ANSI Standard 107. It shall be brought to the District purchasing agent for addition of a District logo patch. Approximately one week should be allowed for the District to complete the addition and return the garment to the employee. No upper clothing (raingear excluded) shall be worn without the addition of this patch.

H. Upon leaving employment with the District, the affected employee shall turn in all District-provided clothing. The employee will have the option of purchasing any District-provided clothing at 50 percent of the initial cost.

If the affected employee fails to turn in all District-provided clothing upon leaving employment, the employee will be billed for those missing articles at 50 percent of the initial cost and reimbursement shall be made by payroll deduction. (Res. 1405, 2018; Res. 1371, 2016)

2.52.090 Repair and laundering.

A. Repair of FR clothing shall be done only by the manufacturer or the vendor.

B. The FR clothing shall be maintained and laundered by the affected employee. Special laundering considerations apply to FR clothing. Employees must follow the manufacturer’s recommendations for laundering FR clothing. For example, bleach and fabric softeners should never be used while laundering FR clothing. Additionally, the use of hot water for laundering should be avoided.

C. Employees having questions about special laundering considerations should contact the manufacturer. (Res. 1405, 2018; Res. 1371, 2016)

2.52.100 FR clothing replacement.

A. The affected employee shall be responsible for the care of the FR clothing.

B. An affected employee will meet with his/her supervisor to discuss, on a case-by-case basis, District-provided FR clothing that has been lost, damaged or stolen. If the affected employee is found to be at fault, it is the responsibility of the affected employee to reimburse the District for providing the replacement FR clothing that has been lost, damaged or stolen. The reimbursement will be made by payroll deduction after the affected employee has received the replacement FR clothing.
C. The return policy for any FR clothing purchased under this policy shall be as specified by the supplier.

D. FR clothing damaged beyond repair due to a catastrophic event while on duty will be replaced on a case-by-case basis at no expense to the affected employee following authorization by his/her operations manager.

E. “A” group employees will be responsible for managing their apparel account that has been set up with a single clothing supply company such as Tyndale, FR Safety or other agreed-upon vendor. Alternatively, if the employee wishes to purchase approved clothing outside of this supplier they may do so and submit receipts to the District’s purchasing agent for reimbursement by the district. Reimbursements will be made and the reimbursement amount, up to the remaining account balance, will be deducted from the employee’s account set up with the chosen vendor. In any case, if the expenditure by the employee exceeds their account balance the employee will be responsible to pay the difference.

F. All of “B” and “C” group employees’ FR clothing as well as employees in the “A” group that have chosen to have FR raingear provided by the District shall go through the District’s purchasing agent for reimbursement by the district. Reimbursements will be made and the reimbursement amount, up to the remaining account balance, will be deducted from the employee’s account set up with the chosen vendor. In any case, if the expenditure by the employee exceeds their account balance the employee will be responsible to pay the difference.

G. All employees issued gloves will go through the District’s purchasing agent for replacement as needed.

H. All District-provided clothing covered in this policy and issued by the District shall require the employee to turn in their worn-out articles before being issued replacements.

I. For clothing obtained through stipend, the PUD logo shall be removed prior to any repurposing for non-District use. (Res. 1405, 2018; Res. 1371, 2016)

2.52.110 Clothing issued for each group.

Each full-time, permanent, affected employee of Public Utility District No. 2 of Pacific County shall be provided the following:

A. Group A.

1. Employees will receive an annual stipend of $750.00* on the first day of May. Remaining account balances at the end of a stipend period (April 30th) shall be rolled over to the following year and be added to that year’s annual stipend amount. Rollover amounts shall be limited to $350.00 for any one given year. New employee hires will receive a onetime startup stipend of $1,400 at the time of hire.

2. The stipend is for the purpose of purchasing only the following FR clothing items:
   a. Long sleeve shirts;
   b. Pants;
   c. Sweatshirts;
   d. Jackets.

3. Additionally, each employee will have the option to choose either a stipend for or having the District-provided FR raingear. Should the employee choose a FR raingear stipend it would be in the amount of $750.00 and start on May 1, 2018, and each three years thereafter. Any employee wishing to switch between options shall do so at the time raingear stipends are due to be renewed (May 1st of every third year). Should an employee choose to switch from the District-provided option to a stipend, that employee would be required to turn in their District-provided FR raingear.

4. All employees in this group will also be supplied with the following District-provided gloves:
   a. Three pair of leather gloves;
   b. Three pair of work gloves.

B. Group B. Employees in this group will receive the following District-provided clothing:

1. Two twill coveralls.
2. One rain jacket.
3. One rain bib overall.
4. Three pair of leather gloves.
5. Three pair of work gloves.

C. Group C. Employees in this group will receive one District-provided twill coverall. (Res. 1405, 2018; Res. 1371, 2016)

* For new employees hired in the second half of a stipend period, the employee will receive 50 percent of the annual stipend amount for that first period following startup and the full stipend amount thereafter.
Chapter 2.56

VIDEO MONITORING POLICY

Sections:
2.56.010 Policy overview.
2.56.020 Purpose.
2.56.030 Requirements.

2.56.010 Policy overview.
The District recognizes the need to provide for the safety and security of employees and the security of District property. One means of helping to ensure this is to install and utilize video surveillance cameras in various strategic locations throughout the District. This policy defines the parameters under which these cameras may be used by District personnel to carry out the mission of the District. (Res. 1351, 2014)

2.56.020 Purpose.
The primary purpose for video monitoring of District premises shall be to provide for the safety and security of District employees and the security of District property and facilities. Use of video cameras and recorded video for purposes other than safety and security will only be allowed with special permission by the general manager, after discussing the specifics with the general counsel, or as outlined in this policy. It is the District's desire to maintain a safe and secure working environment, as well as the confidentiality and confidence of the District’s employees. It is incumbent upon the District to protect, to the extent possible, individual expectation of privacy and confidentiality. The purpose of this policy is therefore to manage and limit access to video cameras and their recorded data on an “as needed” basis, under a well understood protocol. (Res. 1351, 2014)

2.56.030 Requirements.
A. Monitoring Employee Activity. Video cameras and recorded video shall not be used to routinely monitor the activities of employees. Routine monitoring shall only be allowed when there is reasonable belief that an employee is engaging in illegal or fraudulent activity, concerns with interactions with customers, or in the use of employee training, and then only with the approval of the general manager, general counsel or the general manager’s designee.

B. Monitoring District Property, Premises or Facilities. Video cameras that are placed and used to monitor District premises, property and facilities, for example storage areas, gates, buildings, substations, District offices and access points, etc., shall be the responsibility of the information technology department (IT) manager. Upon approval by the general manager or a designee, a written request must be submitted to the IT department to access cameras or recorded video. Request must be for specific time periods, specifically related to events such as theft, equipment damage, break-ins, suspicious persons, customer interactions, possible unauthorized use of material or equipment, or related type circumstances, shall be made available to department heads to assist in any investigation.

C. Responsibility and Authorization for Placement of Cameras. It shall be the responsibility of the information technology department to provide for the installation and maintenance (or contract for the installation and maintenance) of all video surveillance equipment used by the District. A department head who desires installation of a video camera must demonstrate a need for video surveillance consistent with this policy. Upon approval by the general manager or designee, the department head shall provide the IT department with a written request with the location to install a surveillance camera.

Upon approval by the general manager, previously installed cameras that are accessible may have their field of view changed. The department head must submit in writing to the IT department specifying the new area to be surveilled.

D. Access to Live or Recorded Video. Video monitoring will be conducted in a professional, ethical and legal manner. Specific authorization is required for access to live video feed or review of stored video from the District's security cameras.

All requests to view video must be submitted in writing to the general manager or designee. The request will specifically identify the purpose for access and include the date, time and camera location(s) they wish to access. Approved requests will be forwarded to IT department for fulfillment.

The District reserves the right to share live feed or recorded video with outside third parties, for example, but not limited to, law enforcement agencies, when the District determines such disclosure is appropriate or is required by law.

E. Notice of Surveillance. Signs shall be displayed prominently in public areas covered by video surveillance informing the public of the usage of video surveillance on District property.

F. Storage. Video tapes or other media will be stored and transported in a manner that preserves
their security. Recorded images and audio not related to or used for an investigation shall be kept confidential and destroyed on a regular basis. Generally, video surveillance records shall be stored for a period of not less than 30 days. All records under a criminal investigation, court proceedings or other bona fide use shall not be destroyed until approved by the general manager.

G. Access Log. An access log shall be maintained by the IT department of all instances of access to, or use of, surveillance records. This log shall include the date, time and identification of the person or persons to whom access was granted, as well as a summary of the reason for which access was necessary.

H. Destruction or Tampering with Video Surveillance Technology. Any person who tampers with or destroys a video surveillance camera or any part of the video surveillance system will be subject to appropriate administrative and/or disciplinary action, as well as possible criminal charges.

(Res. 1351, 2014)
such as operating and maintaining the system, managing outages, processing customer bills, credit and collections, conservation and usage management, etc. With the implementation of automated metering, even more detailed customer data is now being collected. The District is committed to protecting the security and privacy of all customer data, and will conform to applicable laws and regulations, as well as internal standards and policies which are intended to keep this information private and secure.

The District may be required to release various types of customer information in response to a public records request, court order, search warrant or discovery request. When one of these events occurs, efforts will be made, as allowed by law, to notify customers of such requests before the information is disclosed.

The customer rights statement (Section 2.60.140) states, in part, that Public Utility District No. 2 of Pacific County’s customers have the right to and can expect that:

- We only share customer information with third parties in order to conduct essential business functions (such as electronic payment processing services). We will not sell customer information. Our vendors are held accountable to the same standards regarding customer information shared with them.

- We only share customer information with the public in compliance with local, state and federal laws.

- We are committed to a fair resolution of privacy concerns. We provide our customers with an appeal process that allows them to voice concerns regarding the release of their information.

- We will not transmit PII over our Automated Meter Infrastructure network.

(Res. 1374, 2016)

2.60.030 Personally identifiable information (PII).

The District is committed to the protection of personally identifiable information (PII) to prevent its unauthorized use or disclosure. To this end, customer data defined as PII by this policy is more restrictive than what is established by local, state and federal laws. Information considered PII covered by this policy is limited to:

A. Names.
B. Street addresses.
C. Telephone numbers.
D. Email addresses.
E. Social Security or Unified Business Identifier (UBI) numbers.
F. Account numbers (PUD account numbers, credit card numbers, bank account numbers).
G. Account balances.
H. Any information received during the identity and customer creditworthiness process.
I. Identity information provided on a driver’s license, passport, etc.
J. Meter interval/electricity use data that can be tied to subsections A through I of this section. (Res. 1374, 2016)

2.60.040 Definition for the use and release of PII – Primary versus secondary purpose.

When customer data is released to a contractor/subcontractor or third party, the purpose of the release of the data will be defined as being for either a “primary” or “secondary” purpose, as follows:

A. Primary Purpose. Data released for essential business functions, such as billing or bill presentation, energy efficiency program validation or administration (such as BPA), and customer surveys. When data is released to a vendor to provide services that are of a primary purpose, the vendor is further prohibited from disclosing the customer information to a party that is not under contract with the District or its contracted affiliates. Further, the vendor must sign a confidentiality and nondisclosure agreement (CND A).

B. Secondary Purpose. Data released for marketing services or product offerings the customer does not already subscribe to. Data released for a secondary purpose requires affirmative customer consent (see Section 2.60.050). Requests for customer data used for secondary purposes might come from a customer asking for their data to be shared directly to a third-party vendor, from a vendor asking for customer information for marketing
purposes, or from District staff working with a third party to market a new product or service. (Res. 1374, 2016)

2.60.050 Affirmative customer consent – Release of data for secondary purpose.

When releasing customer data for a secondary purpose, affirmative customer consent must be obtained in advance for each instance of release of data, unless the customer has previously provided advance consent.

The following is necessary to meet the requirements of affirmative consent, which can be provided electronically or via hard copy:

A. The consent must include the date or period for which the consent is granted.
B. The consent must specify the party or parties to whom the customer has authorized the release of their data to, including any affiliates and third parties.
C. The District must validate that the individual providing the consent matches the name, service address and account number of the customer of record in the District’s customer information system.
D. A record for each instance the customer has given written or electronic consent must be maintained, following applicable records retention guidelines.
E. The customer authorization to release information (CARI) (Section 2.60.170) is provided as a template to use to obtain consent from a customer. CARIs obtained for a contract will be routed with the contract recommendation memo and CARIs obtained for customer-requested releases of their data will be retained in customer service.

Customers who have given affirmative consent also have the right to retract said consent at any time. (Res. 1374, 2016)

2.60.060 Aggregated data.

Aggregated data is data that is considered sufficiently consolidated so that any individual customer cannot reasonably be identified. The District will generally follow a 15/15 rule, which means that aggregated data must include the data of at least 15 customers, and that no single customer included in the sample is to comprise more than 15 percent of the total aggregated load. Any personal identifying information must be removed from the aggregated data before release.

Customer consent is not required when releasing aggregated data that meets this definition. (Res. 1374, 2016)

2.60.070 Disclosure of PII to contractors/subcontractors.

As an electric utility, the District may engage a contractor to provide services in support of primary and secondary business functions as noted above. For new contracts, a CNDA will be included as part of the standard contract language. Further, the District’s contractors may engage a subcontractor or third party to provide services in support of their contract with the District. A CNDA must be signed by a subcontractor or third party and be routed through the normal contract approval process. (Res. 1374, 2016)

2.60.080 Responsibilities of contract work manager – Release of PII for primary purpose.

The general manager or designee, referred to in this policy as the contract work manager (CWM), must review any need or request for PII to determine if PII shared with the contractor/subcontractor is necessary to meet the business objective.

A. Any need or request to release PII to a contractor requires approval from the general manager and chief privacy officer. An approval only needs to be obtained the first time the District releases PII to that entity. Subsequent requests are only required if additional types of PII will be provided to the contractor.
B. It is up to the CWM to reduce the amount of PII that is being released, where possible, by questioning the purpose and needs of the contractor to receive all information they are requesting.
C. The contractor/subcontractor must provide a specific timeline in which the PII will be used and a scope that defines the manner in which the data will be used. Further, the contractor must comply with contract requirements that will address the disposition of PII after the contract timeline has expired.
D. The CWM is also responsible for communicating the terms of the agreement to the contractor.

To facilitate this review, the CWM must complete the nondisclosure agreement checklist (Section 2.60.150) and route it through the standard contract approval process. (Res. 1374, 2016)
2.60.090 Responsibilities of contract work manager – Release of PII for secondary purpose.

The CWM must obtain completed CARI forms from each customer whose data will be shared.

The third-party vendor the CWM is working with will be required to sign a CNDA. (Res. 1374, 2016)

2.60.100 Transmittal of PII to contractor/subcontractor.

All files and forms of data provided to a vendor to conduct business of the District must be sent via secure FTP or be encrypted. Email or hard copies should never be used to share PII with a vendor. (Res. 1374, 2016)

2.60.110 Disclosure of PII during customer transactions.

Public Utility District No. 2 of Pacific County considers security of PII a top priority, and will only share PII when requested with the customer(s) of record or an individual designated by the customer(s) of record to receive such information. Before releasing PII, measures will be taken to verify the identity of the person requesting the information. This may include asking for the UBI number of a commercial business, some combination of a social security number (first three digits, last four digits), or verification by driver’s license number. (Res. 1374, 2016)

2.60.120 Disclosure of PII to law enforcement.

The District will comply with RCW 42.56.235, which gives law enforcement authorities a mechanism to obtain records of individuals who are suspected of committing a crime. The law enforcement officer must complete a “Request for Inspection, Copying or Obtaining of Public Records by Law Enforcement Agencies” form (Section 2.60.190) before certain PII will be released to the requesting officer.

Customer information that is strictly protected from disclosure by law will not be released to law enforcement under the above process. In order for law enforcement to obtain this type of exemptible data, a subpoena, warrant or other form of court order must be obtained by the requesting agency.

All requests for PII by law enforcement should be processed through the District’s public records officer. (Res. 1374, 2016)

2.60.130 Breach notice practice.

The District will implement administrative, technical, and physical safeguards to protect PII from unauthorized access, destruction, use, modification, or disclosure.

If the District should discover or be informed of a breach, it will make an effort to secure the breached data and will ensure notification to all affected customers of the breach. The District will keep customers informed about the status of their information security as updates are made. (Res. 1374, 2016)

2.60.140 Customer rights statement.

A. The Protection of Customer Data and Privacy. Public Utility District No. 2 of Pacific County’s customer rights statement shares our utility’s guiding principles for how the District operates and conducts our business related to the security, privacy, and use of customer data, and matters of customer choice. Consumer trust is essential to the success of new technologies, and protecting the privacy of customer data is one crucial component of strengthening this trust.

B. Public Utility District No. 2 of Pacific County collects and uses customer data to perform essential business operations such as operating and maintaining the system, managing outages and processing customer bills. In using this data, the District will conform to applicable laws and regulations intended to keep this information private and secure. Moreover, Public Utility District No. 2 of Pacific County recognizes its responsibilities may appropriately extend beyond these laws and regulations and as such has developed this customer rights statement.

C. PUD No. 2 of Pacific County’s customers have the right to:

1. Privacy.
   a. The District only shares customer information with third parties in order to conduct essential business functions (such as electronic payment processing services). Our PUD will not sell our customers’ information. The District’s vendors are held accountable to the same standards regarding customer information shared with them.
   b. Our utility only shares customer information with the public in compliance with local, State, and federal laws. As a public entity, the District will seek to protect the privacy of our customers’ personal information in complying with public records requests.
   c. PUD No. 2 of Pacific County is committed to a fair resolution of privacy concerns. Our
utility provides our customers with an appeal process that allows them to voice concerns regarding the release of their information.

2. Data Security and Integrity.
   a. The District only captures data required to conduct our business and retains it for only as long as required.
   b. The PUD designs security into every data collection, access and transfer point.
   c. The utility will not transmit personally identifiable information over our advanced metering infrastructure network.
   d. The District implements measures to protect against a loss, misuse, and alteration of the information we control.
   e. The PUD ensures delivery of an accurate bill and/or timely response if an error is discovered.
   f. Our utility will notify customers if any personal information is breached.

3. Transparency.
   a. PUD No. 2 of Pacific County conducts business in an open, transparent manner where our privacy policies and decisions are available to the public.
   b. The District provides information to our customers about all aspects of their account. The utility will strive to provide more accessibility for customers through the development of a web portal.

   a. The District does not currently have a time-of-use pricing program in place. In the event a time-of-use pricing program is considered, development of such a program will be conducted through an open, public process.
   b. The PUD will not implement a home area network that enables customers to monitor and control their own appliances without prior written consent. (Res. 1374, 2016)

2.60.150 Contract work manager nondisclosure agreement checklist.

Contract Work Manager Non-Disclosure Agreement Checklist

It is the policy of Public Utility District No. 2 of Pacific County to implement strong consumer data privacy protection to maintain the trust of our customers. The sharing of District customer, employee, or vendor information with third parties should occur only when it is for a primary purpose and is necessary in the conduct of essential business functions.

Any Contract Work Manager (CWM) who requests that such information be shared with a third party will complete this checklist, sign, and route to the Administrative Secretary/Treasurer for filing with the CNDA.

The CWM’s signature indicates that he/she is aware of the District’s policy concerning Customer Privacy and in particular Personally Identifiable Information (PII) as defined in the Policy. The CWM should evaluate the purpose of the information data sharing request and attempt to limit the amount of PII shared with the third party to that which is minimally necessary to meet the business objective.

The following customer/vendor/employee information will be shared with ______________________ (check all that apply):

1. _____ Names
2. _____ Street addresses
3. _____ Telephone numbers
4. _____ Email addresses
5. _____ Social Security or Unified Business Identifier (UBI) numbers
6. _____ Account numbers (Named Utility account numbers, credit card numbers, bank account numbers)
7. _____ Account balances
8. _____ Any information received during the identity and customer creditworthiness process
9. ______ Identity information provided on a driver’s license, passport, etc.

10. ______ Meter interval/electricity use data that can be tied to items #1-9 above.

I have reviewed the information and data sharing request and believe that the PII identified above is that which is minimally necessary to accomplish the business objective, and that the data is being used for a primary purpose. A non-disclosure agreement is required with the contract.

By _______________________________ _____________

Contract Work Manager Date

Title ________________________________

______________________________ _____________

Chief Privacy Officer Date

_________________________________ _____________

General Manager Date

(Res. 1374, 2016)

2.60.160 Confidentiality and nondisclosure agreement.

Confidentiality and Nondisclosure Agreement

Date: ________________

This Confidentiality Agreement ("Agreement") is by and between Public Utility District No. 2 of Pacific County, a municipal corporation governed under RCW 54 of the laws of the State of Washington, and _______________________________ ("Contractor").

For purposes of this Agreement, "Confidential Information" shall include Public Utility District No. 2 of Pacific County customer, employee, or vendor information, all technical and business information or material that has or could have commercial value or other interest in the business or prospective business of Public Utility District No. 2 of Pacific County, and all information and material provided by Public Utility District No. 2 of Pacific County which is not an open public record subject to disclosure under the Washington Public Records Act. Confidential Information also includes all information of which unauthorized disclosure could be detrimental to the interests of Public Utility District No. 2 of Pacific County or its customers, whether or not such information is identified as Confidential Information.

For purposes of this Agreement, "Contractor" shall include all employees, consultants, advisors and subcontractors of Contractor ("its Representatives").

Contractor hereby agrees as follows:

1. Contractor and its Representatives shall use the Confidential Information solely for the purposes directly related to the business set forth in Contractor’s agreement with Public Utility District No. 2 of Pacific County and shall not in any way use the Confidential Information to the detriment of Public Utility District No. 2 of Pacific County. Nothing in this Agreement shall be construed as granting any rights to Contractor, by license or otherwise, to any Public Utility District No. 2 of Pacific County Confidential Information.
Contractor agrees to obtain and utilize such Confidential Information provided by Public Utility District No. 2 of Pacific County solely for the purposes described above, and to otherwise hold such information confidential pursuant to the terms of this Agreement.

2. In the event third parties attempt to obtain the Confidential Information by legal process, the Contractor agrees that it will not release or disclose any Confidential Information until Public Utility District No. 2 of Pacific County has notice of the legal process and has been given reasonable opportunity to contest such release of information and/or to assert the confidentiality privilege.

3. Upon demand by Public Utility District No. 2 of Pacific County, all information, including written notes, photographs, memoranda, or notes taken by Contractor that is Confidential Information shall be returned to Public Utility District No. 2 of Pacific County.

4. Confidential Information shall not be disclosed to any third party without prior written consent of Public Utility District No. 2 of Pacific County.

5. It is understood that Contractor shall have no obligation with respect to any information known by it or generally known within the industry prior to the date of this Agreement, or become common knowledge with the industry thereafter.

6. Contractor acknowledges that any disclosure of Confidential Information will cause irreparable harm to the Public Utility District No. 2 of Pacific County, and agrees to exercise the highest degree of care in safeguarding Confidential Information against loss, theft, or other inadvertent disclosure and agrees generally to take all steps necessary to ensure the maintenance of confidentiality including obligating any of its Representatives who receive Confidential Information to covenants of confidentiality.

7. The obligation set forth in this Agreement will continue for as long as Contractor possesses Confidential Information. If Contractor fails to abide by this Agreement, the Public Utility District No. 2 of Pacific County will be entitled to specific performance, including immediate issuance of a temporary restraining order or preliminary injunction enforcing this Agreement, and to judgment for damages caused by the Contractor’s breach, and to any other remedies provided by applicable law. Any breach of this Agreement shall constitute a default in performance by Contractor in any contract between the Public Utility District No. 2 of Pacific County and Contractor. If any suit or action is filed by Public Utility District No. 2 of Pacific County to enforce this Agreement, or otherwise with respect to the subject matter of this Agreement, the prevailing party shall be entitled to recover reasonable attorney fees incurred in the preparation or in prosecution or defense of such suit or action as affixed by the trial court, and if any appeal is taken from the decision of the trial court, reasonable attorney fees as affixed by the appellate court. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

____________________________________ ______________________
Public Utility District No. 2 of Pacific County Date

____________________________________ ______________________
Consultant Date

(Res. 1374, 2016)
Customer Authorization to Release Information

This form is to permit Public Utility District No. 2 of Pacific County to release customer data as indicated below to a third party. The customer must complete this document in its entirety and must also be listed as a customer of record in Public Utility District No. 2 of Pacific County Customer Information System in order to authorize the release of said data.

Customer Information:

Account Number: _________________________________
Name(s) on Account: _________________________________
Service Address: _________________________________
Phone Number: _________________________________
Email Address: _________________________________ (if applicable)

I authorize the release of my customer data as follows:

Type of data to be released (i.e. usage or payment history, payment, etc.) and the period in which the data covers (i.e., from January, 2014 through December, 2014):

_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

Name of Recipient/Business: _________________________________
Address: _________________________________
Phone Number: _________________________________
Manner in which data should be provided (mail, email, pick up): _________________________________
Date(s) in which this release is in effect: _________________________________

This data release is at the request of, and on behalf of the Public Utility District No. 2 of Pacific County customer listed above, and as such, the customer agrees to release and hold harmless Public Utility District No. 2 of Pacific County from any liability, claims, demands, causes of action, damages or expenses resulting from: 1) any release of information to the recipient noted above; 2) the unauthorized use of this information or data; and 3) from any actions taken by the recipient with respect to such information or data.

Account Holder Signature: _________________________________ Date: _________________________________

(Res. 1374, 2016)
2.60.180  Appeals process.
   A. Complaint Investigation Process. A customer has the right to request that PUD No. 2 of Pacific County
   investigate the potential release of their information.
   B. A customer shall utilize the following steps to initiate the investigation process:
      1. The District must receive a customer’s written request by personal delivery or mail, and shall be
         addressed to PUD No. 2 of Pacific County, 405 Duryea Street or P.O. Box 472, Raymond, Washington
         98577.
      2. The request must contain a short, plain statement of potential data released, the action requested by
         the customer and the appropriate customer contact information for purposes of communications for
         the appeals process.
      3. Upon receipt of the request, the customer will be contacted by the PUD’s designee(s) within
         10 business days and an informal conference will be scheduled.
      4. The District’s designee(s) will investigate and inform the customer of their findings and report back their
         findings to the customer of the investigation.
      5. If the investigation is resolved to the satisfaction of the customer, the process is concluded.
      6. If the situation remains unresolved, the customer may appeal the results of the investigation to the
         PUD Board of Commissioners. (Res. 1374, 2016)

2.60.190  Request for inspection, copying or obtaining public records by law enforcement agencies.

Request for Inspection, Copying or Obtaining Public Records by Law Enforcement Agencies

Public Utility District No. 2 of Pacific County is governed by Title 54 of the Revised Code of Washington,
and is subject to Washington state laws pertaining to the release of public records.

This document is provided to allow law enforcement agencies to obtain disclosure of public records in
accordance with Resolution No. 1374 and the Washington Public Records Act. Authorized law
enforcement representatives are required to provide proper identification and sign this form acknowledg-
ing the records being requested are being obtained pursuant to the requirements of the Washington
Public Records Act.

For further information, please contact the General Manager or his designee.

<table>
<thead>
<tr>
<th>Date of Request:</th>
<th>__________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requestor’s Name:</td>
<td>__________________________</td>
</tr>
<tr>
<td>Representing Agency:</td>
<td>__________________________</td>
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<tr>
<td>Identification provided:</td>
<td>__________________________</td>
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<td>Specific Document/Information requested:</td>
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</tr>
<tr>
<td>__________________________</td>
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</tr>
</tbody>
</table>

Legal Process Requirements: The following types of records, or portions thereof, will require a
signed warrant and/or subpoena for processing: customer records containing banking information,
including routing numbers, social security numbers, and credit card numbers. (This list may not be
all inclusive.)
Requestor must review and sign prior to document/information being provided:
This request for customer information from Public Utility District No. 2 of Pacific County is being made pursuant to the Washington Public Records Act. Upon signing this statement, the requestor acknowledges that the above information is being requested because they suspect that a particular person to whom the records pertain has committed a crime. The requestor further states that there is reasonable belief that the records being requested could determine or help determine whether their suspicion might be true.
__________________________________________ (signature of requestor)

For Internal Use:
__ Request approved
__ Date information provided
__ Other pertinent information _________________________________.

Signature of Public Records Officer: __________________________

(A copy of this request and all records provided must be retained in the District's Public Information Request files)

(Res. 1374, 2016)
## Summary of disclosure of customer data – Public and law enforcement records requests.

### Disclosure of Customer Data – Public Records Requests and Law Enforcement Records Requests

<table>
<thead>
<tr>
<th>Information Requested</th>
<th>Is Information Released Based on Method Used to Request (yes/no)?</th>
<th>General Public Records</th>
<th>Law Enforcement (requires written request(^5))</th>
<th>Law Enforcement Warrant or Court Order (all FACTA Data)</th>
<th>If “No,” Governing law/policy</th>
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<tbody>
<tr>
<td>Name</td>
<td>No(^1)</td>
<td>Yes</td>
<td>Yes</td>
<td>RCW 42.56.330 – Public Utilities and Transportation</td>
<td></td>
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<td>Address</td>
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<td>Yes</td>
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<td>Usage information – Billing period</td>
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<td>No</td>
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<td>Email Addresses</td>
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<td>Yes</td>
<td>Yes</td>
<td>FACTA – Patriot Act</td>
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<td>Bank Account/Credit Card Numbers</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>RCW 42.56.230 – Personal Information Exemptions</td>
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<td>Payment Information (am't, when pd)</td>
<td>No</td>
<td>Yes</td>
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<td>RCW 42.56.230 – Personal Information Exemptions</td>
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<td>Account payment history</td>
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<td>Yes</td>
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<td>RCW 42.56.230 – Personal Information Exemptions</td>
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<td>Type of payment (credit card, cash)</td>
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<td>Yes</td>
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<td>Billing statements</td>
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<td>Customer account notes</td>
<td>Yes/No(^4)</td>
<td>Yes</td>
<td>Yes</td>
<td>RCW 42.56.230 – Personal Information Exemptions</td>
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<td>Driver’s License</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>RCW 42.56.230 – Personal Information Exemptions</td>
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</tbody>
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1. When requesting the name of a person at an address, the address is exemptible, therefore the name becomes exemptible.
2. No, unless the address is provided in conjunction with a request for usage information.
3. RCW 42.56.330 exempts “addresses,” and each utility should discuss with their legal counsel if they want to apply this exemption when dealing with “mailing addresses.”
4. Depends on the content of the note, and if it contains exemptible information.
5. Written request and purpose must be in accordance with law enforcement statute RCW 42.56.335.
6. Individual utility decision to release information to law enforcement that is less than the billed usage.

This is intended to be a guide only. Please consult with your legal counsel for interpretation of governing laws.

(Res. 1374, 2016)
Title 3

PERSONNEL

Chapters:
3.04 Collective Bargaining
3.08 Arbitration Procedure
3.12 Equal Privileges for Union and Nonunion Employees
3.16 Personnel Policy
3.18 Electronic Media and Services Policy
3.20 Travel Policy
3.24 Compensation
3.28 Personal Leave Program
3.32 Insurance
3.34 Risk Management
3.36 Workman’s Compensation
3.40 Retirement
3.44 Substance Abuse Recovery Program
3.48 Reporting Improper Governmental Action
3.52 Health Reimbursement Arrangement/Voluntary Employees’ Beneficiary Association (HRA VEBA) Plan
Chapter 3.04

COLLECTIVE BARGAINING

Sections:
3.04.010 Authorization to conduct.
3.04.020 Authorization to execute understandings.

3.04.010 Authorization to conduct.
The manager is authorized to conduct collective bargaining activities, including the initialing of the labor agreement on the behalf of the Board of Commissioners, subject to ratification of the manager’s action by the Board of Commissioners. (Res. 819, 1979)

3.04.020 Authorization to execute understandings.
The manager is authorized to execute certain understandings of Association of WWPU on behalf of the Board of Commissioners, on the form attached to the resolution codified in this chapter and by this reference made a part hereof, as if fully set forth, including the cost sharing arrangements. (Res. 819, 1979)

Chapter 3.08

ARBITRATION PROCEDURE

Sections:
3.08.010 Establishment.
3.08.020 Notice to invoke.
3.08.030 Arbitrator – Selection.
3.08.040 Arbitrator – Authority.
3.08.050 Applicable law to guide.
3.08.060 Procedure generally.
3.08.070 Compensation and costs.

3.08.010 Establishment.
A process is established as set forth in this chapter for the resolution of labor disputes arising from claims not subject to the grievance and arbitration procedures in the collective bargaining agreement then in effect between the District and the union. (Res. 942, 1985)

3.08.020 Notice to invoke.
No later than six months after a dispute arises regarding representation or other labor matters provided for in RCW 54.04.170 or 54.04.180, the party initiating the dispute may invoke the arbitration procedure established in this chapter by so notifying the other party or parties in writing. Failure to do so will constitute a waiver of the right to utilize this procedure. (Res. 942, 1985)

3.08.030 Arbitrator – Selection.
Within 10 days of invoking this procedure, each party to the dispute shall appoint a representative and shall notify the other party or parties in writing of such appointment. Within 10 days of appointment, the representatives shall meet to select an arbitrator. An arbitrator shall be selected from a list of at least 10 arbiters provided by the Federal Mediation and Conciliation Service (FMCS). If the representatives cannot agree on an arbiter within 20 days, they shall notify the FMCS thereof and the FMCS shall designate an arbiter, who shall not have been listed on the selection list. In the event that any party disputes the applicability of this procedure; provided, however, that the arbiter shall consider the issue of applicability of the procedure along with the merits of the labor dispute. (Res. 942, 1985)

3.08.040 Arbitrator – Authority.
A. The arbiter selected pursuant to this chapter shall have the authority to decide all questions regarding:
1. The composition of appropriate collective bargaining units and inclusions and exclusions therefrom;
2. The election of a collective bargaining representative for an appropriate collective bargaining unit; and
3. Allegations of unfair labor practices.

B. The arbiter shall not be empowered to alter, amend, add to or delete from any of the provisions of an existing collective bargaining agreement, nor to determine the provisions of a collective bargaining agreement. (Res. 942, 1985)

3.08.050 Applicable law to guide.
The arbiter and the parties shall be guided by practices and procedures which have evolved in the electric utility industry within the State as to all disputes under the procedure set out in this chapter. (Res. 942, 1985)

3.08.060 Procedure generally.
Within 30 days of selection or appointment, the arbiter shall conduct a hearing to receive all relevant evidence regarding the dispute. The arbiter shall rule on all procedural questions. Following the close of testimony, the arbiter may order and consider post-hearing briefs to be submitted by all parties no later than a date set by the arbiter, and the hearing shall be considered closed on such date. Within 60 days of the close of the hearing, the arbiter shall issue a written decision setting forth facts and findings and a conclusion. The decision of the arbiter shall be the final action of the District, and shall be binding on all parties unless set aside by a court of competent jurisdiction. Judicial review of a decision of the arbiter shall be had in accordance with the Administrative Procedure Act, Chapter 34.04 RCW. (Res. 942, 1985)

3.08.070 Compensation and costs.
Expenses of the representatives appointed by the parties shall be paid by the respective appointing party. The fees and expenses of the arbiter and the cost of the hearing proceeding, including, but not limited to, rental of a hearing room and court reporter fees, shall be borne equally by the parties. Costs of conducting any election which may be ordered by the arbiter shall be borne equally by the parties. (Res. 942, 1985)

Chapter 3.12
EQUAL PRIVILEGES FOR UNION AND NONUNION EMPLOYEES

Sections:
3.12.010 Benefits.

3.12.010 Benefits.
Nonunion employees shall receive the same benefits as union personnel as designated in the current contract or in future union contracts and limited by such contract language as described herein:
A. Personal leave;
B. Supplemental leave bank, if applicable;
C. Holidays;
D. Life insurance, medical insurance, dental insurance, vision insurance, short-term disability and long-term disability, if any in effect;
E. Provision for occupational disability allowance;
F. Provision for pay while on jury duty;
G. Federal Social Security;
H. State retirement contributions;
I. Payment for medical, dental, vision and life insurance programs, if any in effect, from time to time after the employee’s retirement;
J. Payment of up to 240 hours for PERS 2 and 3 employees at retirement;
K. VEBA. (Res. 1337, 2013; Res. 1178, 2001; Res. 963, 1986)
Chapter 3.16

PERSONNEL POLICY

Sections:

Article I. General Provisions

3.16.010 Purpose.

Article II. Rules of Conduct

3.16.020 Destruction of property.
3.16.030 Work performance.
3.16.040 Dishonesty and fraud.
3.16.050 Insubordination.
3.16.060 Alcohol, drugs, narcotics or other controlled substances.
3.16.070 Controlled substances – Drivers of commercially licensed vehicles.
3.16.080 Firearms and weapons.
3.16.090 Absence.
3.16.100 Accidents/injuries.
3.16.110 Garnishment of wages.
3.16.120 Other employment.
3.16.130 Smoking.
3.16.140 Improper conduct.
3.16.150 Disciplinary action.
3.16.160 Dress and appearance.

Article III. Discipline

3.16.170 Purpose.
3.16.180 Generally.
3.16.190 Responsibilities.
3.16.230 Procedure – Suspension.
3.16.240 Procedure – Review.

Article IV. Employment Policies

3.16.260 Affirmative action.
3.16.270 Sexual harassment.

Article V. Job Performance

3.16.290 Race, color, religion, sex, national origin, age, disability, or genetic information discrimination.
3.16.300 Physically challenged workers.
3.16.310 Probation.
3.16.320 Medical examination.
3.16.330 Written, oral, and physical ability examination.
3.16.335 Employment of relatives.

Article VI. Employee and Community Relations

3.16.350 Job descriptions.
3.16.360 Performance appraisals.
3.16.370 Promotions.
3.16.380 Grievances.
3.16.390 Ethical conduct.
3.16.400 Gifts, entertainment and favors.
3.16.410 Outside work.
3.16.420 Public appearances.
3.16.430 Political activity.
3.16.440 Confidential information.
3.16.450 Fair and equal treatment.
3.16.460 District facility use.
3.16.470 Telephones.
3.16.480 Cellular phones.
3.16.490 Internet.

Article I. General Provisions

3.16.010 Purpose.

A. The purpose of this personnel policy is to provide all employees with a written guide to various rules, policies, benefits, rights and obligations pertaining to job performance during their period of employment with the District.

B. Such guidelines are designed to benefit both the employees and the District through a standardized understanding of the general conduct that is expected while the employee is on the job and/or representing the District.

C. The contents of this personnel policy may be revised, amended, supplemented or otherwise changed from time to time as conditions require. (Res. 1404 § 1, 2018; Res. 1373 § 1, 2016)
Article II. Rules of Conduct

3.16.020 Destruction of property.
A. No employee shall willfully or intentionally abuse, misuse, alter, mutilate or waste property of the District, fellow employee, customer, or general public. “Property” shall include, but not be limited to, equipment, facilities, records, real property and buildings, and personal belongings.
B. Any employee found to have purposely and knowingly damaged property as described above will be required to pay for repairs or replacement of the article and be subject to disciplinary action as outlined in Article III of this chapter. (Res. 1404 § 2(A), 2018; Res. 1373 § 2(A), 2016)

3.16.030 Work performance.
A. Employees are expected to perform their work for the District in an efficient and competent manner consistent with the requirements of a publicly owned utility service.
B. Employees shall not engage in any activities other than assigned work during working hours and/or while operating District equipment and/or while on District time, without prior approval by their supervisor.
C. Employees are expected to perform their work for the District in a respectful, courteous, and polite manner at all times. It shall be a violation of these rules of conduct for employees to be insulting, rude, insolent, or uncivil toward any customer or other person while working for the District, representing the District, operating District equipment, or on District premises. (Res. 1404 § 2(B), 2018; Res. 1373 § 2(B), 2016)

3.16.040 Dishonesty and fraud.
There shall be no misappropriation or theft of District, fellow employee, customer, or general public property, nor any unauthorized use of or removal of such property or any other conduct of a dishonest nature, including, but not limited to, conduct such as:
A. Falsifying personnel, time, payroll, or other records;
B. Soliciting and/or accepting gratuities or other compensation for service performed during the regular course of work and/or on behalf of the District and/or while on the District payroll. (Res. 1404 § 2(C), 2018; Res. 1373 § 2(C), 2016)

3.16.050 Insubordination.
A. Insubordination jeopardizes productivity, morale, and supervision, and therefore is not an acceptable form of conduct without a valid reason, as determined by the general manager. A valid reason could include a threat to the employee’s safety in terms of life and limb.
B. “Insubordination” includes, but is not limited to:
   1. Refusal or failure to carry out orders or perform a job assignment given by a foreman, another supervisor, or any authorized employee;
   2. Disrespect publicly displayed towards the District while performing work for or representing the District;
   3. Threatening, intimidating, coercing, or interfering with supervision;
   4. Abusive language directed to a supervisor. (Res. 1404 § 2(D), 2018; Res. 1373 § 2(D), 2016)

3.16.060 Alcohol, drugs, narcotics or other controlled substances.
A. The use or possession of intoxicating drinks or nonprescribed controlled substances on District property or in District-owned vehicles is prohibited. The activities of employees after working hours are generally not the District’s concern, except if it affects the ability of the employee to perform regular work.
B. The District treats drug abuse and alcoholism as an illness. Affected employees will be encouraged to enter appropriate treatment programs (see Chapter 3.44, Substance Abuse Recovery Program). Continued employment may, in some instances, depend on the employee’s cooperation.
C. PUD No. 2 of Pacific County endorsed the Federal Highway Administration’s antidrug policy and regulations as specified by 49 CFR, Part 382. Because of these requirements, a “Controlled Substance Use and Alcohol Misuse Program” was adopted to cover employees required to possess a commercial driver’s license (CDL) by the District and became effective January 1, 1996. This program covers any Group “A” operations employee as well as certain nonunion employees with a CDL. (Res. 1404 § 2(E), 2018; Res. 1373 § 2(E), 2016)

3.16.070 Controlled substances – Drivers of commercially licensed vehicles.
The policy attached to Resolution 1112, on file and available for public review and examination in the offices of the District, is adopted for drivers of commercially licensed vehicles of PUD No. 2 of Pacific County, effective January 1, 1996. (Res. 1112, 1995)
3.16.080 Firearms and weapons.

Firearms and weapons are prohibited on District premises without prior authorization by the general manager through appropriate supervisors. Additionally, this prohibition will apply to the general manager without prior authorization from the Board of Commissioners. Employees found carrying unauthorized firearms or weapons on District property are subject to termination. (Res. 1404 § 2(F), 2018; Res. 1373 § 2(F), 2016)

3.16.090 Absence.

There shall not be any absence from work or tardiness or premature quitting without a reason recognized as valid by the District. The employee must obtain permission from his/her supervisor prior to the absence, except where the absence is by a reason recognized as valid by the District, such as an emergency which could not have been anticipated by the employee. In such a case, it is expected of the employee to notify his/her supervisor as soon as possible. (Res. 1404 § 2(G), 2018; Res. 1373 § 2(G), 2016)

3.16.100 Accidents/injuries.

A. Accidents and/or injuries sustained by an employee on the job or while utilizing District equipment shall be reported immediately to supervisory personnel and a written accident report filled out. For workers’ compensation injuries, employees will receive an injured workers packet to be reviewed and submitted to their supervisor.

B. Accidents caused by employee negligence and/or injuries sustained by or to an employee due to carelessness of another employee (e.g., failure to adhere to and follow safety regulations or guidelines, horseplay) on the job or while utilizing District equipment shall be reported immediately to supervisory personnel and a written statement completed.

Employees found to be at fault and responsible for an accident causing damage to District property, as described under Section 3.16.020, Destruction of property, will be required to pay for any repairs and are subject to disciplinary action as outlined in Article III of this chapter.

Employees found to be at fault and responsible for any employee injury will be subject to disciplinary action as outlined in Article III of this chapter.

C. Supervisors shall investigate all accidents reported to them and submit a written report to the general manager as soon as possible. For worker’s compensation injuries, said written report is known as the supervisor’s injured worked packet forms. (Res. 1404 § 2(H), 2018; Res. 1373 § 2(H), 2016)

3.16.110 Garnishment of wages.

It shall be considered a violation of these rules of conduct for an employee to have wages or salary subject to a writ of garnishment from three or more separate indebtednesses in any continuous 12-month period. If the wages or salary of an employee are subject to a writ of garnishment from three or more creditors or separate indebtednesses in any continuous 12-month period, said employee will be encouraged to seek financial counseling from local or State resources. The employee also may be subject to disciplinary action which may result in discharge from the District. (Res. 1404 § 2(I), 2018; Res. 1373 § 2(I), 2016)

3.16.120 Other employment.

It shall be considered a violation of these rules of conduct for an employee to accept employment with another employer while on leave of absence from the District, unless properly authorized by the District. (Res. 1404 § 2(J), 2018; Res. 1373 § 2(J), 2016)

3.16.130 Smoking.

In accordance with RCW 70.160.030 requiring that no person may smoke in a public place or in any place of employment and RCW 70.160.075 stating smoking is prohibited within a presumptively reasonable minimum distance of 25 feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited so as to ensure that tobacco smoke does not enter through entrances, exits, open windows, or other means, PUD No. 2 of Pacific County will prohibit smoking inside all District-owned buildings and within 25 feet of all exterior doors, any windows that open to the outside, and any ventilation intake of District buildings. Furthermore, smoking is prohibited in District vehicles or while working for the District in other areas where smoking is restricted or prohibited by law or other policy.

“Smoke” or “smoking” means the carrying, or smoking, of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment.

The District recognizes vaping the same as smoking. All above restrictions shall apply to vaping. (Res. 1404 § 2(K), 2018; Res. 1373 § 2(K), 2016)
3.16.140 Improper conduct.

It shall be considered a violation of these rules of conduct for an employee while on District property and/or on District time to provoke, instigate or engage in contentious activities, violence or fighting; to use uncivil, obscene, or insulting language; or to engage in immoral conduct. (Res. 1404 § 2(L), 2018; Res. 1373 § 2(L), 2016)

3.16.150 Disciplinary action.

An employee may be subject to disciplinary action when the employee engages in a practice, behavior, or conducts himself or herself in a manner inconsistent with these rules of conduct necessary to the welfare of the District and its employees (see Article III of this chapter). (Res. 1404 § 2(M), 2018; Res. 1373 § 2(M), 2016)

3.16.160 Dress and appearance.

Employees are expected to dress according to normal guidelines of acceptable apparel for the type of work being performed. (Res. 1404 § 2(N), 2018; Res. 1373 § 2(N), 2016)

Article III. Discipline

3.16.170 Purpose.

A. The purpose of this policy is to provide a uniform discipline procedure for all employees. Disciplinary action will be taken when an employee engages in a practice which is inconsistent with the District’s rules of conduct, personnel policies, federal, State, and local laws, or when such practices are contrary to ordinary, reasonable, common sense behavior necessary for the safety and welfare of the District and its employees.

B. Disciplinary action may also be taken when an employee’s work performance is considered unsatisfactory.

C. The objective of disciplinary action is one of correction and guidance of employees who have violated the rules of conduct and/or personnel policies, or performance standards, and to avoid their recurrence.

D. The primary authority for the administration and initiation of disciplinary action rests with the involved employee’s direct supervisor.

E. The policy with regard to employees covered by collective bargaining agreement (CBA) will be governed by the applicable agreements in addition to the provisions of this policy, the CBA having precedence in case of conflict. (Res. 1404 § 4(A), 2018; Res. 1373 § 4(A), 2016)

3.16.180 Generally.

A. In determining the degree of disciplinary action, full consideration must be given to the seriousness of the offense, the intent and attitude of the employee, and the circumstances involved.

B. The following questions are presented as guidelines when considering disciplinary action:

1. Did the employee know what was expected of him/her?
   a. Was the employee properly instructed on the tasks to perform?
   b. Did the employee know about the rule of conduct or policy that was violated?
   c. Was the employee provoked into an action or was the action avoidable or unavoidable?
   d. Were there other mitigating circumstances?
   e. Is the violation related to safety and the efficient operation of the District and did, or could have, the violation have resulted in serious consequences?

2. Was an attempt made to correct the employee?
   a. Was the employee properly warned about his/her actions?
   b. Did the supervisor personally work with the employee?
   c. Did the employee have a clear understanding of the corrections and improvements to be made?

3. Did the employee know of the consequences of his/her actions?
   a. Was the employee previously warned of the seriousness of his/her actions?
   b. Have previous actions by the employee gone unchallenged or have they been condoned?
   c. Where condoning may have been a previous practice, was the employee properly notified of the impending change?

4. Was the employee given due process?
   a. Is the employee in question being treated as equal as the other employees?
   b. Was the employee given a chance to explain his/her actions?
   c. Was the violation or action analyzed on factual information?
   d. Was the employee’s previous record good or poor? (Res. 1404 § 4(B), 2018; Res. 1373 § 4(B), 2016)
3.16.190 Responsibilities.
A. Each supervisor is responsible for the following:
1. Set an example for the employees through exemplary conduct;
2. Ensure that the employees have received and are aware of the rules of conduct and work standards as described in the personnel policy; and
3. Communicate with the general manager or his representative regarding any disciplinary action, or any unusual or difficult situations.
B. The general manager is responsible for the following:
1. Monitor all disciplinary actions to assure fairness and consistency;
2. Review the situations and make recommendations to the supervisor; and
3. Correspond appropriately with the union representative when necessary. (Res. 1404 § 4(C), 2018; Res. 1373 § 4(C), 2016)

When administering discipline, the steps set out in Sections 3.16.210 through 3.16.250 shall be followed by the supervisor. (Res. 1404 § 4(D), 2018; Res. 1373 § 4(D), 2016)

A. Oral warnings are given for minor offenses, violations, or for bringing the employee’s attention to potential problems developing in work performance. Oral warnings will include an explanation of the infraction and a request for corrective action on the part of the employee. Documentation of such an oral warning will be placed in the employee’s file for future reference.
B. Such warning shall be signed by the employee’s supervisor(s) and reviewed and signed by the general manager.
C. After review with the employee, one copy shall be placed in the employee’s personnel file, and in the case of an employee covered by the collective bargaining agreement, one copy shall be forwarded to the business representative. The employee will be asked to acknowledge by signature that they have read and received a copy of the oral warning. (Res. 1404 § 4(D)(1), 2018; Res. 1373 § 4(D)(1), 2016)

A. A written warning shall be given for a more serious offense in conjunction with an oral warning, or it may be given for a repeated infraction subsequent to an oral warning.
B. Written warnings shall contain a statement of the facts involved with the infraction; the discipline being given, if any; the employee’s explanation and reason for the infraction; the required corrective action on the part of the employee; and a statement indicating the extent of further disciplinary action if correction is not achieved.
C. Such warning shall be signed by the employee’s supervisor and reviewed and signed by the general manager.
D. After review with the employee, one copy shall be placed in the employee’s personnel file, and in the case of an employee covered by the collective bargaining agreement, one copy shall be forwarded to the business representative. The employee will be asked to acknowledge by signature that they have read and received a copy of the written warning. (Res. 1404 § 4(D)(2), 2018; Res. 1373 § 4(D)(2), 2016)

3.16.230 Procedure – Suspension.
A. A suspension represents disciplinary action which is given for more serious infractions of employee rules of conduct, or for repeated infractions where oral and written warnings have been previously given.
B. A suspension is time off with forfeiture of pay for disciplinary reasons and will be in such increments or amounts as the District determines is reasonable and necessary for a specific violation.
C. In each case of disciplinary suspension, a written memo shall be prepared indicating the event or events which led to the suspension; the duration of suspension; a statement indicating required corrective action on the part of the employee; a statement indicating the extent of further disciplinary action if correction is not achieved; and, if appropriate, the employee’s explanation or comments.
D. The memo shall be signed by the employee’s supervisor and reviewed and signed by the general manager.
E. After review with the employee, one copy shall be placed in the employee’s personnel file, one copy shall be retained by the employee, and in the case of an employee covered by the collective bargaining agreement, one copy shall be forwarded to the business representative. (Res. 1404 § 4(D)(3), 2018; Res. 1373 § 4(D)(3), 2016)
3.16.240 Procedure – Review.
Employees are encouraged to improve their performance as it relates to any disciplinary action. Upon such improvement, an employee may request a performance review with the District’s general manager. Such a review can occur at no less than a six-month interval from the date of a documented oral warning, and at no less than a 12-month interval for a written warning. With no further infractions and with improved performance of the employee, the general manager may insert a memorandum in the employee’s personnel file recognizing this change. (Res. 1404 § 4(D)(4), 2018; Res. 1373 § 4(D)(4), 2016)

A. An employee discharge results from the failure of the employee to achieve the desired corrective action or rehabilitation through the three previous progressive discipline steps (oral warning, written warning, and suspension).
B. The employee’s supervisor shall prepare the discharge memo or report which shall contain the following:
   1. The reasons for the discharge; and
   2. Records or information relevant to the previous warnings and steps of progressive discipline. (Res. 1404 § 4(D)(5), 2018; Res. 1373 § 4(D)(5), 2016)

Article IV. Employment Policies

3.16.260 Affirmative action.
The District is an equal opportunity employer and does not discriminate on the grounds of race, color, creed, age, sex, religion, sexual orientation, or national origin as listed under Title VII of the United States Civil Rights Act of 1964 or as subsequently amended. The District complies with local, State and federal laws and applicable union agreements. (Res. 1404 § 5(A), 2018; Res. 1373 § 5(A), 2016)

3.16.270 Sexual harassment.
A. The District will ensure that all employees are able to work in an environment free from all forms of discrimination, including sexual harassment.
B. Unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
   1. Submission to the conduct is made either an explicit or implicit condition of employment;
   2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee; or
   3. The harassment substantially interferes with an employee’s work performance or creates an intimidating, hostile, or offensive work environment.
C. Although the law does not prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision.
D. If an employee considers that he/she has been subjected to sexual harassment, the individual should bring it to the immediate attention of the general manager. In instances where an employee considers he/she has been subjected to sexual harassment by the general manager, complaints should be brought to the immediate attention of the president of the Board of Commissioners. Complaints will be treated in the strictest confidence and will be promptly investigated. (Res. 1404 § 5(B), 2018; Res. 1373 § 5(B), 2016)

3.16.280 Local Government Whistleblower Act.1
It is the policy of the District to encourage reporting by its employees of improper governmental action by District officers or employees. This same policy prohibits District officials and employees from taking retaliatory action against a District employee because he or she in good faith reported an improper governmental action in accordance with District policies and procedure(s). All pertaining to the Local Government Whistleblower Act. (Res. 1404 § 5(C), 2018; Res. 1373 § 5(C), 2016)

3.16.290 Race, color, religion, sex, national origin, age, disability, or genetic information discrimination.
A. The District has an affirmative duty to maintain a work atmosphere free of discriminatory language and conduct. To this end, it is prohibited to discriminate on the basis of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.
B. If an employee considers that he/she has been subjected to race, color, religion, sex, national

1. Code reviser’s note: See also Chapter 3.48, Reporting Improper Governmental Action.
origin, age, disability or genetic information discrimination, the individual should bring it to the immediate attention of the general manager. In instances where an employee considers he/she has been subjected to race, color, religion, sex, national origin, age, disability or genetic information discrimination by the general manager, complaints should be brought to the immediate attention of the president of the Board of Commissioners. Complaints will be treated in the strictest confidence and will be promptly investigated. (Res. 1404 § 5(D), 2018; Res. 1373 § 5(D), 2016)

3.16.300 Physically challenged workers.

The District will give full consideration to all applicants for job vacancies. The job applicants will be considered according to the physical and mental requirements of the position. The District abides by the Americans with Disabilities Act of 1990 as amended. (Res. 1404 § 5(E), 2018; Res. 1373 § 5(E), 2016)

3.16.310 Probation.

A. All employees are considered temporary employees during their first six months of employment. This is termed the probationary period. Temporary employees may be discharged at the discretion of the District.

B. During this period, some employee’s rights and benefits are generally restricted. Once the probationary period is complete, however, the employee will receive all the benefits of a regular employee. Personal leave is accrued during the probationary period; however, use of personal leave is conditioned upon completion of six months of continuous employment.

C. After 90 days of continuous employment during the probationary period, new employees can use accrued personal leave for qualified sick leave events at the rate of one hour for every 40 hours worked until such time the six-month probationary period is complete. All per Washington State sick leave law (Chapter 49.46 RCW). (Res. 1404 § 5(F), 2018; Res. 1373 § 5(F), 2016)

3.16.320 Medical examination.

As a condition of employment, the District may require all newly hired part-time and full-time employees to have a medical examination by a physician selected by and at the expense of the District. The District may also require a medical examination when an employee changes job classification within the District. The results of the examination are kept strictly confidential. Also, before returning to work after a major illness and/or extended period of time off, the employee may be required to take a re-examination. (Res. 1404 § 5(G), 2018; Res. 1373 § 5(G), 2016)

3.16.330 Written, oral, and physical ability examination.

In making appointments to bid vacancies, the District may require the applicant to take a written, oral, and/or physical ability examination covering the duties and requirements of said vacancy, as well as a medical examination, described in Section 3.16.320, to determine qualifications before making final appointment. (Res. 1404 § 5(H), 2018; Res. 1373 § 5(H), 2016)

3.16.335 Employment of relatives.

A. The District is concerned about the possibility of conflicts of interest that may arise from relatives supervising relatives. Direct relatives of current employees will only be first hired when:

1. Neither employee would have the authority or practical power to supervise, appoint, remove or discipline the other.
2. Neither employee would be responsible for auditing the work of the other.
3. Circumstances do not exist which would place either relative in a situation of actual or reasonably foreseeable conflict between the District’s interest and their own.
4. It does not lead to the reality or appearance of improper influence or favor.

B. “Direct relative” for the purpose of this policy includes:

1. Child, brother, sister, parent, grandparent, or grandchild.
2. Stepchild, brother, sister, parent, grandparent, or grandchild.
3. In-laws – parents, children, brother, or sister.
4. Spouse, domestic partner or significant other for which the law recognizes a close personal relationship. (Res. 1404 § 5(I), 2018; Res. 1373 § 5(I), 2016)


A. The U.S. Department of Health and Human Services issued “Standards for Privacy of Individually Identifiable Health Information” (privacy rule) to implement the privacy requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The privacy rule standards
address the use and disclosure of employees’ health information by the District, as well as standards for individuals’ privacy rights to understand and control how their health information is used.

B. Generally, under the privacy rule, the District cannot use or disclose protected health information, except either:
   1. As the privacy rule permits or requires; or
   2. As the employee who is the subject of the information authorizes in writing.

C. The District follows the requirements as covered under the privacy rule and has named a privacy officer to oversee the program. (Res. 1404 § 6(G), 2018; Res. 1373 § 6(G), 2016)

**Article V. Job Performance**

**3.16.350 Job descriptions.**

Statements of general duties for District positions, called job descriptions, will be kept in the personnel files. Job descriptions may be updated periodically. (Res. 1404 § 7(A), 2018; Res. 1373 § 7(A), 2016)

**3.16.360 Performance appraisals.**

A. The District’s salary structure provides an initial wage and progressive steps for each nonunion job classification. Employees are eligible to progress through a salary range for their classification on the basis of improved job performance.

B. When the maximum step for a particular salary classification has been reached, further increases must depend upon the following:
   1. Promotion to a position with a higher salary range; or
   2. Increasing levels of difficulty, complexity, experience and knowledge in the existing position.

C. Salary increases are determined by the merit of each particular employee with consideration given to:
   1. Attainment of annually established goals;
   2. General abilities;
   3. The manner in which the employee discharges his or her particular duties;
   4. The degree of responsibility connected with each position;
   5. Adaptability to position; and
   6. The recommendation of immediate supervisors.

D. Performance appraisals will be generally completed for each nonunion employee six months after initial employment, 12 months after initial employment, and annually thereafter. (Res. 1404 § 7(B), 2018; Res. 1373 § 7(B), 2016)

**3.16.370 Promotions.**

A. The District will seek to promote, whenever possible, by filling vacancies based on the applicant’s skill, experience, knowledge and ability.

B. Union employee upgrades are outlined in the collective bargaining agreement. (Res. 1404 § 7(C), 2018; Res. 1373 § 7(C), 2016)

**Article VI. Employee and Community Relations**

**3.16.380 Grievances.**

A. The District’s management staff will make every effort to consider employee complaints and grievances with reason and understanding and will attempt to correct any unsatisfactory conditions. Most grievances can be avoided with good two-way communication between the employees and management.

B. Should informal attempts to satisfy a particular problem or concern fail, the employee and supervisor should promptly discuss the matter with the general manager. Members of the IBEW should consult the collective bargaining agreement for specific procedures. (Res. 1404 § 10(A), 2018; Res. 1373 § 10(A), 2016)

**3.16.390 Ethical conduct.**

A. The District recognizes that high ethical and moral standards to promote honest and open conduct among District officials and employees are essential to gain and maintain the confidence of the public. The proper operation of a public entity requires public officials and employees to be independent and impartial when establishing or administering policies and their positions should never be used for personal gain, but should be applied for the benefit of the public.

B. Employees should never engage in acts which are in conflict with the performance of their official duties.

C. A conflict of interest will be considered to exist if an employee:
   1. Receives or has any financial interest in any sale to or by the District of any service or property when such financial interest was with prior knowledge that the District was intending to purchase such property or obtain such service; or
   2. Has influence in the selection or the conduct of business with a corporation, person, or firm doing business with the District in which the employee personally has an interest.
D. Further, employees are asked to avoid any action, whether or not specifically prohibited, which might result in or create the appearance of:
1. Using public employment for private gain;
2. Giving preferential treatment to any person;
3. Knowingly impeding District efficiency or economy;
4. Losing complete impartiality;
5. Making a District decision outside of official channels; or
6. Adversely affecting the confidence of the public in the integrity of the District. (Res. 1404 § 10(B), 2018; Res. 1373 § 10(B), 2016)

3.16.400 Gifts, entertainment and favors.
A. Except as provided in the following subsections, employees are prohibited from soliciting or accepting, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:
1. Has or is seeking to obtain contractual or other business or financial relations with the District;
2. Conducts operations or activities that are regulated by this District; or
3. Has interests that may be substantially affected by the performance or nonperformance of the employee’s official duties.
B. Unless specifically authorized, the employee may not accept on behalf of the District voluntary donations or cash contributions from private sources for travel expenses or the furnishing of services in kind, such as hotel accommodations, meals and travel accommodations.
C. Employees may, however, accept food, refreshments, or entertainment, of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or during an inspection tour where the employee’s attendance is appropriate. (Res. 1404 § 10(B), 2018; Res. 1373 § 10(C), 2016)

3.16.410 Outside work.
Outside work or participation in business ventures is acceptable to the extent that it does not prevent the employee from devoting primary interest, talents, and energies to the accomplishment of work for the District or does not tend to create a conflict between private interests and official responsibilities or reflect unfavorably on the District. Such outside work would require prior authorization of the employee’s supervisor and general manager. (Res. 1404 § 10(C), 2018; Res. 1373 § 10(D), 2016)

3.16.420 Public appearances.
The District encourages employees to be active in community affairs. Occasionally, employees may be asked to speak in public or contribute articles to the press, professional publications or other public information sources. Employees should clear material pertaining to the District or the power industry with their supervisor so that statements made will be consistent with District policies. (Res. 1404 § 10(D), 2018; Res. 1373 § 10(E), 2016)

3.16.430 Political activity.
Employee involvement in political activities is encouraged in accordance with the following guidelines:
A. Employees have the right to vote and to express opinions on all political subjects and candidates, and to hold political office or participate in the management of a partisan political campaign.
B. Employees must not solicit on District property any contribution to be used for partisan political purposes. Other solicitation will be permitted only with prior consent of the general manager.
C. Employees seeking office which may require decisions involving the conduct or actions of the District must receive prior consent from the Board of Commissioners. (Res. 1404 § 10(E), 2018; Res. 1373 § 10(F), 2016)

3.16.440 Confidential information.
Many employees have access to confidential information. It is important to the public’s continued trust in the District that employees treat certain material as strictly confidential. Employees should not divulge information under any circumstances except as required in the performance of work. It is especially important to avoid discussion involving confidential reports, cases and customer accounts. (Res. 1404 § 10(F), 2018; Res. 1373 § 10(G), 2016)

3.16.450 Fair and equal treatment.
A. Use of District-owned vehicles, equipment, materials or property should be neither requested nor permitted for personal convenience or profit except when such services are available to the public generally or are provided as District policy for use in the conduct of official duties.
B. Use of such vehicles, equipment, materials or property will be available to public entities if
operated by a qualified District employee on their own time and where the entity assumes all liability.

C. No public entity should be granted any special consideration, treatment, or advantage beyond that which is available to every other public entity. (Res. 1404 § 10(G), 2018; Res. 1373 § 10(H), 2016)

3.16.460 District facility use.
The District will, on occasion, provide facilities at no cost for both PUD related and non-PUD related nonprofit, nonpolitical, and nonreligious meetings, conventions, and other events. Use of the facilities requires prior approval of the general manager. Inquiries about use of the facilities should be directed to the appropriate District office. Requests for use of facilities should include a description of the extent of the District’s involvement and responsibilities, what costs to the District may be incurred, how these costs are to be handled, and what District personnel and facilities will be needed. (Res. 1404 § 10(H), 2018; Res. 1373 § 10(I), 2016)

3.16.470 Telephones.
A. District telephones are official District business phones. The telephone system has been installed to accommodate efficiency and ease in performing your work.

B. Exercise the normal and customary phone courtesies when dealing with our customers.

C. There are times when employees must make or receive personal calls on District telephones. Such calls are to be made only when necessary, should be made on breaks if at all possible, and should be kept brief. Daily routine calls between office and home on District time are expressly discouraged, particularly those from home that routinely ask for the employee to be paged.

D. No long distance personal phone calls are to be charged to the District.

E. The routine conduct of private business, private solicitations, surveys, or campaigns over District telephones is prohibited. (Res. 1404 § 10(I), 2018; Res. 1373 § 10(J), 2016)

3.16.480 Cellular phones.
A. This policy defines the conditions under which the District will provide cellular telephones for employees to use in conducting District business and the conditions under which a payroll stipend will be paid to designated employees who use their personal cellular phones for District business.

B. Public Utility District No. 2 of Pacific County (District) recognizes the need to provide efficient, cost-effective communications equipment and service to further its business goals. Employee use of cellular telephones (cell phones) for business purposes is identified as a means of providing this service and shall be limited to the specifications contained within this guideline. The District, at its discretion, may provide cell phones for employees to use while conducting District business. In lieu of a District-provided cell phone, the District may provide a payroll stipend for designated employees to offset the cost of carrying/using a personal cell phone for District business.

1. General Safety Guidelines. Employees who are using cell phones in the performance of their duties must balance the necessity of maintaining communications with the safe operation of their vehicles. Safe operation of the vehicle always takes priority. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short; use hands-free options if available or as required by State or local laws or ordinances; refrain from discussion of complicated or emotional issues; and keep their eyes on the road. It is the employee’s responsibility to be aware of and follow all laws and ordinances related to the use of cell phones while operating a vehicle.

Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area.

2. District-Provided Cell Phones. In certain situations, the District may provide cell phones for general use by employees in conducting District business. These phones will typically be assigned to specific vehicles, or they may be assigned to a specific department within the District, where they will be made available for employees to use on a temporary basis with supervisory approval.

District-provided cell phones may be assigned to individuals for their use of direct District business. These phones are owned by the District and should be treated as such. In general, District-provided cell phones are not to be used for personal calls. In the event an employee must use a District-provided cell phone to make or receive a personal phone call, the employee may be required to reimburse the District for the cost of the call if
the District incurs additional costs above the regular cell plan monthly costs.

The District may provide smartphones to individuals that demonstrate a need for data communications. These phones may be used to synchronize with a District email account. However, if the employee chooses to synchronize with a District email account, then the employee will be required to set a lock PIN on the phone (minimum four digits) and understands there is a chance the phone is subject to remote wiping under certain circumstances (i.e., PIN entered incorrectly eight times, lost phone, stolen phone, etc.).

For security reasons, an employee that is no longer in possession of their data-enabled phone (lost or stolen), and the phone was set up for District email synchronization, must report it to the IT department in order to make arrangements for remotely wiping the phone.

3. Payroll Stipend for Use of Personal Cell Phones on District Business. Exempt employees may be designated to receive a taxable payroll stipend when there is a demonstrated need for cell phone use away from the workplace and/or after normal business hours. Examples of this need are when cell phone use improves safety, increases productivity and/or efficiency, improves emergency preparedness, and in situations where communications cannot be provided by any other less costly or reasonable means.

   a. Authorization. A payroll stipend requires the approval of the employee’s department head and the general manager. The department head and the general manager will approve the payroll stipend in accordance with this directive. The stipend set for each designated employee is intended to provide reimbursement that coincides with the appropriate business use of each employee’s cell phone.

   b. Budget. Each department head is responsible for budgeting the costs associated with payroll stipends for employees within his or her department.

   c. Responsibilities. Employees authorized to receive payroll stipends will be responsible for entering into a contract for cellular service with the provider of their choice. The District will not be responsible, in any way, for the employee’s personal cell phone and/or associated service, regardless of the type of use, including inappropriate charges; a lost/stolen phone; or delinquent payments. The District will not be responsible for the costs associated with the termination of service unless authorized in writing by the general manager.

   Each employee authorized for a payroll stipend will immediately report the number of the cell phone to their department head. The District reserves the right to make this phone number available to other employees and the general public when the District determines there is a business need to do so. The employee will carry the phone during normal working hours, and after normal working hours when it is reasonably determined that there is a business need. The employee is expected to answer their phone when called during those hours the District is paying a stipend for.

   Use of a personal cell phone for District business may subject the phone to the Public Information Act.

   d. Stipend. The payroll stipend will depend upon the level of business use required for the employee. Employees in all categories will be expected to maintain a level of service that includes voice mail. For IRS purposes, all stipends will be considered taxable and will be subject to normal payroll tax deductions.

   i. For employees who are expected to use a cell phone only during normal business hours, the stipend will be $25.00 per month and will maintain a level of service that includes voice mail.

   ii. For employees who are expected to carry the cell phone and respond to District needs during and outside of normal business hours, the stipend will be $50.00 per month and will maintain a level of service that includes voice mail.

   iii. For employees who frequently travel outside the District, or who have a demonstrated business need for enhanced communications options (such as email) while away from the office, the stipend will be $80.00 per month. In addition to the minimum level of service described above, these employees will be required to maintain a level of service that includes text messaging and remote access to District email. Employees will be required to set a lock PIN on the phone (minimum four digits) and understand there is a chance the phone is subject to remote wiping under certain circumstances (i.e., PIN entered incorrectly eight times, lost phone, stolen phone, etc.). For security reasons, an employee that is no longer in possession of their data-enabled phone (lost or stolen), and the phone was set up for District email synchronization, must report it to the IT department in order to make arrangements for remotely
wiping the phone. (Res. 1404 § 10(J), 2018; Res. 1373 § 10(K), 2016; Res. 1306, 2011)

3.16.490 Internet.¹

A. The District makes available Internet access and the capability to send and receive emails to assist employees in the performance of their duties. The electronic mail system is the property of the District and is intended to be used only for official business. The District reserves the right to access any account assigned by the District and disclose all messages sent over its electronic mail system. Messages can be accessed by District management without prior notice. Therefore, an employee should not use the electronic mail system to transmit any messages he or she would not want read by a third party.

B. District network resources, including access to the Internet, are for the use of District employees, officers, and persons legitimately affiliated with, or involved in, the business of the utility. They are intended to be used to facilitate the exchange of information and for the provision of services that support the needs of those directly associated with the District, as well as individuals, agencies, and companies who request information. Toward that end, virtually any use that adheres to the “responsible, efficient, ethical and legal activities” guidelines is, therefore, an “acceptable use.” Incidental and occasional personal use of network resources is permitted within the utility as long as that use:

1. Adheres to acceptable use guidelines;
2. Does not create an additional financial burden for the District;
3. Does not conflict with the performance of regular duties.

C. Use of the District’s Internet services in violation of these guidelines will result in disciplinary action, up to and including termination. (Res. 1404 § 10(K), 2018; Res. 1373 § 10(L), 2016)

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¹ Code reviser’s note: See also Chapter 3.18, Electronic Media and Services Policy.
Chapter 3.18

ELECTRONIC MEDIA AND SERVICES POLICY

Sections:
3.18.010 Purpose and scope.
3.18.020 Privacy disclosure.
3.18.030 E-mail.
3.18.040 Basic guidelines.
3.18.050 Acceptable use.
3.18.060 Specific unacceptable uses.
3.18.070 Reporting misuse.
3.18.080 Disclaimer.
3.18.090 Failure to comply.
3.18.100 Electronic media user agreement.

3.18.010 Purpose and scope.
A. To set acceptable standards for employees and elected officers when accessing the Internet and other forms of electronic communication and services via District-owned equipment or using District-assigned accounts.
B. The District reserves the right to modify, change or discontinue any portion of this policy at any time.
C. The District encourages the use of this media and associated services, i.e., fax machines, telephone, voice mail, and on-line services (including e-mail and the World Wide Web) because they make communications more efficient and effective, and because they are valuable resources of information, e.g., about vendors, new products and services. However, electronic media and services provided by the District are the property of the utility, and their purpose is to facilitate PUD business.
D. Justification for authorization to access on-line services (Internet) must be made by the supervisor of the department.
E. With the rapidly changing nature of the electronic communication media, and the etiquette that is developing among users of external on-line services and the Internet, this policy cannot lay down rules to cover every possible situation. Instead it expresses the District’s philosophy and sets forth general principles to be applied to the use of electronic media and services.
F. The primary functions of providing Internet access to District personnel are:
   1. To promote the exchange of information and facilitate research.
   2. To support and enhance learning by sharing information resources.
   3. To promote the use of the Internet as a strategic initiative in advancing the mission of the District.
G. It is a general policy that District network resources are to be used in a responsible, efficient, ethical, and legal manner. Users must acknowledge their understanding of the general policies and guidelines governing the use of e-mail, communication services, such as the Internet, and all other electronic media. Failure to adhere to these policies may result in disciplinary action. (Res. 1220, 2004)

3.18.020 Privacy disclosure.
Although Pacific County PUD No. 2 respects the individual privacy of its employees, an employee cannot expect privacy rights to extend to work-related conduct or the use of District-owned equipment. Although employees have individual access passwords to e-mail, and other electronic media and services, these systems are accessible at all times by the District. Therefore, pursuant to the Electronic Communications Privacy Act of 1986 (18 U.S.C. 2510 et seq.), notice is hereby given that there are no facilities provided by this system for sending or receiving truly private or confidential electronic communications. (Res. 1220, 2004)

3.18.030 E-mail.
A. Pacific County PUD No. 2 provides electronic mail systems to assist employees in the performance of their duties. The electronic mail system is the property of the District and is intended to be used only for official business. The District reserves the right to access any account assigned by the District and disclose all messages sent over its electronic mail system. Messages can be accessed by District management without prior notice. Therefore, you should not use e-mail to transmit any messages you would not want read by a third party.
B. E-mail access will be terminated when the employee terminates their association with the District, unless other arrangements are made. The District is under no obligation to store or forward the contents of an individual’s e-mail inbox/outbox after the term of their employment has ceased.
C. Important official communications are delivered via e-mail. As a result, employees of the District with e-mail accounts are expected to check their e-mail in a consistent and timely manner so that they are aware of important company announcements and updates, as well as for fulfilling business- and role-oriented tasks.
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D. E-mail users are responsible for mailbox management, including organization and cleaning. If a user subscribes to a mailing list, he or she must be aware of how to remove himself or herself from the list, and is responsible for doing so in the event that their current e-mail address changes.

E. E-mail users are also expected to comply with normal standards of professional and personal courtesy and conduct. (Res. 1220, 2004)

3.18.040 Basic guidelines.

The following guidelines are recommended for sending Internet mail, participating in Internet mailing lists and common interest groups.

A. E-mail in general is not a secure form of communication. Do not send passwords, credit card or social security numbers, or other sensitive information via e-mail. Never include in an e-mail message anything which you want to keep private or confidential.

B. Be aware of system etiquette.

C. Always include a signature which contains methods by which others can contact you (usually your e-mail address and phone number).

D. Let senders know you have received their e-mail.

E. Remember that the recipient is a human being. Since he (she) can’t see you, they can’t tell when you are joking. Humor cannot be easily detected in print. Be sure to include visible clues. Convention dictates the use of the “smiley face :-)” to indicate humor.

F. Do not routinely send messages entirely in capital letters. It looks as if you are shouting. Use capitals only at the beginning of a sentences or for intentional emphasis.

G. Only join groups and lists that have relevance to your job. Do not post messages to lists or news groups that appear to represent District opinions, positions or policies. These should be reserved for more official correspondence.

H. Obey copyright laws.

I. Files may be downloaded from on-line services but must be stored on a local (non-network) disk drive or diskette and virus checked before being utilized on the network.

J. Any introduction of a file or software of any kind received from any company must first be scanned for viruses before being utilized on the network. (Res. 1220, 2004)

3.18.050 Acceptable use.

District network resources, including access to the Internet, are for the use of District employees, officers, and persons legitimately affiliated with, or involved in, the business of the utility. They are intended to be used to facilitate the exchange of information and for the provision of services that support the needs of those directly associated with the District, as well as individuals, agencies and companies who request information. Toward that end, virtually any use that adheres to the “responsible, efficient, ethical and legal activities” guidelines is, therefore, an “acceptable use.” Incidental and occasional personal use of network resources is permitted within the utility as long as that use:

A. Adheres to acceptable use guidelines.

B. Does not create an additional financial burden for the District.

C. Does not conflict with the performance of regular duties. (Res. 1220, 2004)

3.18.060 Specific unacceptable uses.

The District provides electronic mail to employees for their use while conducting PUD business and incidentally for personal purpose. Access to, and use of, the Internet is a privilege provided by the District. Therefore, responsible users will employ self-discipline and common sense when using Internet resources. With regard to District provided network resources and Internet access, the following are examples of unacceptable activities but not intended to be a complete list:

A. Use of e-mail for illegal or unlawful purposes, including copyright infringement, obscenity, libel, slander, fraud, defamation, plagiarism, harassment, intimidation, forgery, impersonation, soliciting for illegal pyramid schemes, and computer tampering (e.g., spreading of computer viruses).

B. Use of e-mail in any way that violates the District’s policies, rules, or administrative orders.

C. Opening e-mail attachments from unknown or unsigned sources. Attachments are the primary source of computer viruses and should be treated with utmost caution.

D. Sharing e-mail account passwords with another person, or attempting to obtain another person’s e-mail account password. E-mail accounts are only to be used by the registered user.

E. Excessive personal use of the District’s e-mail resources. The District allows limited personal use for communication with family and friends, independent learning, and public service so long as it does not interfere with staff productivity, preempt any business activity, or consume more than a trivial amount of resources. The District prohibits personal use of its e-mail systems...
3.18.070 Reporting misuse.

Any allegations of misuse should be promptly reported to the IT manager. If you receive an offensive e-mail, do not forward, delete, or reply to the message. Instead, report it directly to the individual named above. (Res. 1220, 2004)

3.18.080 Disclaimer.

The District assumes no liability for direct and/or indirect damages arising from the user’s use of the District’s electronic media and services system and services. Users are solely responsible for the content they disseminate. The District is not responsible for any third-party claim, demand, or damage arising out of use of the District’s e-mail systems or other electronic media service. Any District employee or authorized user accessing any electronic media or service through the District will be assumed to be familiar with these policies. (Res. 1220, 2004)

3.18.090 Failure to comply.

Violations of this policy will be treated like other allegations of wrongdoing toward the District. Allegations of misconduct will be adjudicated according to established procedures. Sanctions for inappropriate use on the District’s e-mail systems and other electronic media services may include, but are not limited to, one or more of the following:

A. Temporary or permanent revocation of e-mail or Internet access;
B. Disciplinary action according to applicable District policies;
C. Termination of employment; and/or
D. Legal action according to applicable laws and contractual agreements. (Res. 1220, 2004)

3.18.100 Electronic media user agreement.

I have received a copy of the electronic media and services policy. I understand if I violate the rules explained herein, I may face legal or disciplinary action according to applicable laws and/or District policy.

Name: ___________________________
Signature: ________________________
Date: ____________________________

(Res. 1220, 2004)
Chapter 3.20

TRAVEL POLICY

Sections:
3.20.010 Travel.
3.20.020 Approval for travel.
3.20.030 Travel arrangements.
3.20.040 Travel credit card procedure.
3.20.050 Meal allowance.
3.20.060 Travel follow-up.
3.20.070 Reimbursement and allowable expenses.
3.20.080 Auditing of travel expenses.
3.20.090 District-owned transportation.
3.20.100 Mileage allowance.
3.20.110 Rental cars.
3.20.120 Speeding or other violations of the law.
3.20.130 Reporting automobile accidents.
3.20.140 Air travel.
3.20.150 Personal telephone call.
3.20.160 Violation of travel policy.

3.20.010 Travel.

Travel expenses incurred by District employees are allowed for appropriate and authorized travel. Expenses incurred in connection with the following activities are generally acceptable as long as they are pre-authorized. Reasons for travel include:

A. Communications with representatives of regional, State and national government on District policy positions.
B. Serving on professional organization or governmental committees, boards, or task forces.
C. Attending educational seminars, conferences, or organized educational activities designed to improve skill levels or provide information on topics of importance to the District.
D. Preparing research for District projects or implementing adopted District policies, goals, or programs.
E. Attending meetings or engaging in other business related activities that are consistent with adopted policies, goals, or programs. (Res. 1404 § 9, 2018; Res. 1392 § 9, 2017)

3.20.020 Approval for travel.

Travel by District employees requires prior approval by the employee’s immediate supervisor and/or the general manager or commissioners for the following situations:

A. Travel within District boundaries requires the approval of the employee’s supervisor.
B. Travel within the states of Idaho, Oregon, California, Nevada, Utah, Montana and outside of District boundaries in Washington requires the additional approval of the general manager.
C. Travel outside of these states for all employees requires the commissioner’s approval as well.
D. Travel for the commissioners does not require prior approval, except for travel outside the above-listed states.
E. For travel of a recurring nature to attend meetings of importance to the District (e.g., BPA, NoaNet, PPC, WPUDA, TEA, SIG/SLICE, PURMS, etc.) the designated District commissioner appointee and/or staff representative shall be approved to travel and represent the District.
F. Supervisors should verify there are adequate funds in the department’s budget prior to authorizing travel. If you are unsure of your department’s unspent budget dollars contact the accounting department. (Res. 1404 § 9(A), 2018; Res. 1392 § 9(A), 2017)

3.20.030 Travel arrangements.

Each employee traveling on District business is responsible for making sure travel arrangements and reservations (cancellations, if necessary) are made.

A. Travel arrangements should be made using the most economically direct route to the destination. Other routes, except as required in order to obtain reasonable accommodations and scheduling, are presumed to be for personal benefit and the extra cost incurred is nonreimbursable and must be paid by the employee.
B. When making hotel and motel reservations, employees should always request the government, commercial or group rate. If less expensive options are available they should be considered and taken advantage of when appropriate.
C. The administrative secretary/treasurer shall make hotel reservations using District-assigned credit cards. Cost of lodging is at actual cost for reasonable accommodations, which can vary depending on the location of travel. The administrative secretary is expected to use prudent judgment in the selection of lodging. Considerations should include nightly rate, safety, and the location to the business venue. The choice cannot be based on an employee’s personal preference or benefits received (chain name or rewards programs).

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1. Prior legislation: Resos. 1025, 1064, 1066, 1178 and 1337.
D. Supervisors/employees are encouraged to plan ahead and give the District enough advance notice to allow the administrative secretary the ability to obtain the lowest possible travel costs (e.g., 30 days).

E. If spousal costs are incurred while registering for an event those costs will be billed to the employee accordingly and payment must be received within 30 days of the billing.

F. Employees are encouraged to consider the most cost-effective means of travel. Excessive or unnecessary travel expenses will not be approved or reimbursed. If the primary purpose for any additional expense is a result of personal choices or reasons, in connection with District travel, the District is under no obligation to pay the expense and the expense is the responsibility of the employee.

G. Travelers should review reimbursement guidelines outlined in this policy before spending personal funds on business travel to determine if such expenses are reimbursable. The District reserves the right to deny reimbursement of travel-related expenses for failure to comply with policy and procedures.

H. Travelers who use personal funds to pay for travel arrangements will be reimbursed after the trip occurs and when proper documentation is submitted and approved. (Res. 1404 § 9(B), 2018; Res. 1392 § 9(C), 2017)

3.20.050 Meal allowance.

A. A meal allowance/per diem payment will be provided for employees when on official District business requiring an overnight stay at a commercial lodging facility outside of Pacific County.

B. Employees are eligible to receive the per diem meal allowance authorized by the IRS on a meal-by-meal basis. The District’s per diem payment will be for meals only. The meal per diem should not be requested in instances where a full meal is provided by the hotel, provided by the conference, or paid for by another third party, etc. In such cases, employees are expected to acknowledge that the meal was provided and not seek a per diem reimbursement for that meal. In cases where a provided meal was not adequate or not able to be accepted due to dietary restrictions, the meal per diem may be claimed. Such instances should be reported on the travel expense form. The per diem meal allowance recognized by the IRS is published by the U.S. General Services Administration (www.gsa.gov/perdiem) for all travel within the continental United States. Incidental expenses are not included in the District’s per diem payment. Meals incurred en route to a meeting without an overnight stay will not be eligible for per diem. Meal per diem payments are paid at the current IRS rate based on the location of the overnight stay. Rates are set by the IRS and effective October 1st to September 30th. The District will review the rates and update when necessary.

C. To preserve the nontaxable status of the meal per diem payments the following IRS requirements must be met:

1. An overnight stay at a commercial facility outside Pacific County is required.

2. The per diem payment must not exceed the current established IRS rate for the location of the overnight stay.
3. A travel expense report must be filed including the business purpose of the trip, the date and place of the trip, and receipts for the lodging.

4. The employee must file the report within five days, or by the twenty-fifth of the month when the travel occurred.

D. If any of these provisions are not met, the per diem payment will be considered taxable and included in the employee’s W-2 wages as required by the IRS.

E. As an alternative to per diem payments, employees may be reimbursed actual meal costs or may use the District credit card, but must provide itemized receipts as proof of purchase. Meal reimbursements will be up to the amount of the appropriate per diem payment or the cost of the meal, whichever is less. Reimbursement limits will be determined by the IRS per diem payments for the county to which the employee travels.

F. Employees are able to choose to report actual expenses purchased using the District credit card, request reimbursement up to the allowable per diem or be provided a per diem payment. Payments for per diem and reimbursement will be paid with the next voucher batch approval. Employees will select a single reporting method for the entire duration of the trip. (Res. 1404 § 9(D), 2018; Res. 1392 § 9(D), 2017)

3.20.060 Travel follow-up.

Upon returning from travel on District business, employees should complete a travel expense report within five days of the incurred expenses or the twenty-fifth of the month, whichever happens first. In addition, so that others may benefit, employees attending a multi-day session should prepare a brief written report to the general manager after attending meetings and seminars, detailing the subjects discussed, knowledge gained, and whether or not others may learn from attendance at the same or similar events. (Res. 1404 § 9(E), 2018; Res. 1392 § 9(E), 2017)

3.20.070 Reimbursement and allowable expenses.

Upon the completion of a District travel expense form by the employee, the approval of expenditures and possible reimbursement will be determined in accordance with the following:

A. Itemized receipts for overnight lodging, toll bridges, parking, bus tickets and other major expense items are always required. When requesting reimbursement for all business trips with no overnight stay or when using the District credit card, itemized receipts for meals are required as well.

1. Receipts returned that are not itemized will not be allowed/reimbursed.

2. Receipts returned using the District credit card containing alcohol will not be allowed/reimbursed.

B. Mileage for use of private vehicles, using the most economically direct route, will be reimbursed at the rate currently authorized by the commissioners.

C. The District is not responsible for travel costs incurred by anyone other than the employee. No travel costs are to be charged to the District for spouses or others.

D. A gratuity may be added to an approved meal not to exceed a maximum of 15 percent of the cost of the meal.

E. Meals may be reported as per diem if an overnight stay at a commercial lodging facility outside Pacific County occurs, with a completed travel expense form and detailed lodging receipt.

F. Meals may be reimbursed with itemized receipts and a completed District travel expense form at the per diem rate or actual cost, whichever is lower, if an overnight stay does not occur.

G. Meals purchased using the District credit card are approved when itemized receipts are returned with a completed District travel expense form, up to the per diem amount. Meal costs above per diem limits should be avoided.

H. Expenditures must be made within the limits of this policy.

I. If spousal costs are incurred while registering for an event those costs will be billed to the employee accordingly. Payment must be made within 30 days of the bill. (Res. 1404 § 9(F), 2018; Res. 1392 § 9(F), 2017)

3.20.080 Auditing of travel expenses.

All expense reports are reviewed and approved by the District auditor. Expense reports must be properly completed and submitted timely. These reports are subject to internal and external audit for compliance with this policy and applicable State and federal laws (see RCW 42.20.060). (Res. 1404 § 9(G), 2018; Res. 1392 § 9(G), 2017)

3.20.090 District-owned transportation.

Whenever practical, employees traveling on District business should use District-owned vehicles. The District allows the employee to take family members or others in the vehicle. While away on official business in a District-owned vehicle, the
employee is covered by Labor and Industries and the District’s self-insurance for any approved claim should an accident occur. Because of regulations concerning the District’s insurance, only employees should drive District vehicles, therefore employees must not allow others to drive said vehicles. Should an accident occur, nonemployees may be covered by the District’s self-insurance fund upon submission of a claim.

A. Because of the public nature of the vehicles, employees should avoid using these vehicles for personal purposes. Driving District-owned vehicles requires constant attention to safe driving practices, observation of traffic laws and regulations, and recognition that driving safely and courteously (or the lack thereof) are a reflection on both the employee and the District.

B. An employee may use their own vehicle to travel for District business. This method is encouraged when accompanied by nonemployees or planning on using the vehicle for personal purposes. If in an accident, Labor and Industries will cover the employee for an approved claim. The employee’s personal insurance shall be utilized first with the District’s self-insurance in second position. District insurance could move to first for liability in the case of a successful claim by the employee. Should an accident occur, nonemployees may be covered by the District’s self-insurance fund upon submission of a claim.

C. Employees using rental cars in lieu of District vehicles, a hotel shuttle, or a taxi will be responsible for any charges for damages to the vehicle. Any costs for damage or repair to the rental car while used on District business, paid for by the employee or their insurance, can be submitted to the District’s self-insurance fund for consideration of payment. 

(Res. 1404 § 9(H), 2018; Res. 1392 § 9(H), 2017)

3.20.100 Mileage allowance.

The mileage allowance for District commissioners’ and employees’ private automobiles, when used on District business, will be set at the IRS standard mileage rate and changed on the effective date of each IRS announcement of a rate change. 

(Res. 1404 § 9(I), 2018; Res. 1392 § 9(I), 2017)

3.20.110 Rental cars.

A. Use of rental cars should be limited to only when such rental is necessary due to:

1. Geographical location of airport in relation to the event site.

2. When other local group transportation is unavailable.

3. When a rental car is the most economical means of accomplishing travel to the event site.

B. Whenever possible, use of airport or hotel shuttle is encouraged.

C. When a rental car is authorized the employee shall be limited to a compact or midsized vehicle. 

(Res. 1404 § 9(J), 2018; Res. 1392 § 9(J), 2017)

3.20.120 Speeding or other violations of the law.

Speeding, parking or other moving violations while using a District or personal vehicle are not reimbursable. 

(Res. 1404 § 9(K), 2018; Res. 1392 § 9(K), 2017)

3.20.130 Reporting automobile accidents.

Vehicular accidents must be reported by the operator of the District vehicle, or rental vehicle being used on official District business, immediately to the proper law enforcement agency so that an investigation may be made at the scene of the accident. All automobile accidents, however slight, must be reported in writing as required by the District using the form provided. Those accidents that involve personal injuries must be immediately reported by telephone and followed up with a written report to the general manager and auditor.

District vehicles shall have accident report forms, appropriate information and instructions in the vehicle glove compartments.

Statements regarding a traffic accident should be made only to law enforcement officers. No comments with regard to responsibility for an accident should be made at the time of the accident. No payment for damage or injury should be made even though a release may be offered.

(Res. 1404 § 9(L), 2018; Res. 1392 § 9(L), 2017)

3.20.140 Air travel.

Air travel will be at coach fares and made by the most direct and usually traveled route. The administrative secretary and employee will evaluate and schedule airplane travel to obtain the best available rates. Supporting documentation for airfare must include the travel itinerary listing dates, time of travel and cost. The most direct and usually traveled route is expected to be round-trip airfare from the airport nearest to the employee’s home or primary work location to the business location. All other air travel is considered alternate travel, whether such travel is selected due to business
travel costs, or personal choice for other reasons, and must be documented and approved in advance.

Any airline change fees must be incurred for legitimate business reasons that are in the best interest of the District; otherwise the cost becomes the responsibility of the employee. Written documentation to support the change must be attached to the expense report claiming the airline change fees and the approval of the supervisor or general manager.

The District will pay for one checked bag each way. Fees incurred for extra luggage will not be reimbursed, including fees for overweight baggage.

If an employee cancels travel for personal reasons, misses a flight, or is a no-show for a flight and the District is unable to obtain a refund, the employee may be held responsible for those expenses incurred. (Res. 1404 § 9(M), 2018; Res. 1392 § 9(M), 2017)

3.20.150 Personal telephone call.
The District will cover additional expenses incurred for one personal telephone call per day for each employee attending authorized meetings or sessions out of the area. (Res. 1404 § 9(N), 2018; Res. 1392 § 9(N), 2017)

3.20.160 Violation of travel policy.
Violation or abuse of this policy, including falsifying expense reports to reflect costs not incurred, can be grounds for disciplinary action per District personnel policy. State law prohibits the purchase of alcohol and purchases for nonemployees. Any suspected misappropriation of public funds is subject to reporting, review and potential action taken by the Washington State Auditor’s Office. (Res. 1404 § 9(O), 2018; Res. 1392 § 9(O), 2017)

Chapter 3.24

COMPENSATION

Sections:
3.24.010 Compensatory time and overtime pay for management employees.
3.24.020 Work hours.
3.24.030 Overtime pay.
3.24.040 Paydays.
3.24.050 Advance pay.
3.24.060 Payroll deductions.
3.24.070 Continuing education.
3.24.080 Employee check cashing.
3.24.090 Employee fitness program.

3.24.010 Compensatory time and overtime pay for management employees.
The resolution codified in this section amends and dissolves any previous resolution that provided for compensatory time and overtime pay for management personnel and affirms that there shall be no compensatory time off or pay for overtime worked by management personnel. Overtime work performed by management personnel shall be considered an important factor in computing annual compensation for said employees and the manager shall have discretionary power to grant time off with pay to management personnel. (Res. 1056, 1991; Res. 961, 1986)

3.24.020 Work hours.
A. Work hours for most employees are from 8:00 a.m. to 4:30 p.m. weekdays, with one-half hour for lunch. Schedules for some positions may vary slightly and are generally determined by mutual agreement of the District and the union.

B. Work hours for nonunion employees are flexible due to the particular requirements of their position; such as evening meetings, etc. Lunch hours are also flexible. The District requires that the average monthly hours for these individuals, including holidays, personal leave, evening and weekend meetings, etc., be no less than 173-1/3 hours on average. (Res. 1404 § 8(A), 2018; Res. 1373 § 8(A), 2016)

3.24.030 Overtime pay.
District union employees asked to work overtime will be paid at the overtime rate in accordance

1. Prior legislation: Res. 1337.
3.24.040 Paydays.
The District will pay employees twice per month on designated days which will be within three working days following the end of the pay period. Normal pay periods end on the fifteenth and final calendar days of each month. (Res. 1404 § 8(C), 2018; Res. 1373 § 8(C), 2016)

3.24.050 Advance pay.
A. Employees may request a full or partial paycheck in advance of the normal payday. This is in anticipation of their absence due to personal leave, out-of-town business or other leave of absence lasting for five working days or longer.
B. The District recognizes there are certain instances where an employee may request advance pay for reasons other than those listed above. This will be allowed but on a very limited basis as approved by the immediate supervisor.
C. Employees requesting such advance pay must complete the appropriate form, with approval from their immediate supervisor, at least five work days in advance except in emergency situations. (Res. 1404 § 8(D), 2018; Res. 1373 § 8(D), 2016)

3.24.060 Payroll deductions.
A. Deferred Compensation Plan. Employees can contribute a percentage of their includable compensation up to the limit established by the IRS for deferred compensation. This is handled by payroll deduction.
B. Other Payroll Deductions. Also available to employees is the ability to participate in other approved payroll deductions.
C. Additional Plan Enacted. The additional Public Utility District No. 2 deferred compensation plan, attached to Resolution No. 1059, is hereby enacted. Details and operational elements of the plan shall be as determined by a plan administrator, and as approved by a duly authorized designee of Public Utility District No. 2.
D. Another Plan Enacted. The additional deferred compensation plan, as described under Resolution No. 1226, is hereby enacted. Said plan through the Department of Retirement Systems Deferred Compensation Program, is subject to the requirements of RCW 41.50.770 and Chapter 415-501 WAC. (Res. 1404 § 6(M), 2018; Res. 1373 § 6(M), 2016; amended during the 4/09 supplement; Res. 1266, 2008; Res. 1059, 1992)

3.24.070 Continuing education.
A. Employees are encouraged to continue to develop professionally. Provided sufficient funds are budgeted, the District will reimburse the employee for 50 percent of the expenses for tuition and materials upon successful completion of courses approved in advance by the supervisor and general manager which are determined beneficial to the District and the employee.
B. An employee’s working hours may be revised to facilitate attendance in certain continuing education courses. Criteria used in evaluating a request for changing these working hours include, but are not limited to, the following:
   1. The employee will be attending an accredited education course which is offered only during the normal work day. District assistance for such a program will be covered according to the personnel policy;
   2. The absence of the employee during that portion of the normal work day will not affect operation of the respective department within the District;
   3. The District is required to provide each employee time for lunch and break periods which are to be used when scheduled. Therefore, the normally scheduled lunch and break periods are not to be worked in order to revise an employee’s working hours;
   4. Revised hours must be agreed upon between the District and the union;
   5. Any administrative clarification or issues in utilizing this program will be reviewed and resolved through the joint labor/management process. If unresolved differences related to the program remain after a good faith effort by both parties has been made to resolve the same, either party reserves the right to terminate this agreement with 30 days’ written notice. In the event of such termination, it is agreed that neither party’s rights shall have been prejudiced by having entered into this agreement, and that the parties will be regarded as having all the rights and obligations they had prior to entering into this agreement.
C. Under apprentice programs, employees will be 100 percent reimbursed for books and tuition. (Res. 1404 § 6(R), 2018; Res. 1373 § 6(R), 2016)

3.24.080 Employee check cashing.
Employees of the PUD are not allowed to cash personal checks at the PUD. (Res. 1404 § 6(T), 2018; Res. 1373 § 6(T), 2016)
3.24.090 Employee fitness program.

A. Purpose. To encourage employees to participate in a fitness program that would be beneficial to their overall physical and mental well-being. The objective of the District is to encourage and motivate employees to become fit and maintain their good health.

B. General Guidelines.

1. For fitness program assistance, the program must be pre-approved by the general manager.

2. Employees must participate in the fitness program a minimum of three times a month to qualify for assistance.

3. The District will reimburse the employee 50 percent to a maximum of $20.00 per month of the monthly membership fee or tuition cost. Reimbursement request must be submitted for each quarter ending March, June, September, and December by the fifteenth day of each of these months. Reimbursement will be included on the first pay period following the end of the quarter.

4. The District will reimburse employees for participation in only one type of fitness program. (Res. 1404 § 6(U), 2018; Res. 1373 § 6(U), 2016)

Chapter 3.28

PERSONAL LEAVE PROGRAM

Sections:
3.28.010 Personal leave.
3.28.020 Maximum accrual of personal leave.
3.28.030 Payment of personal leave upon death.
3.28.040 Short-term disability.
3.28.050 Supplemental leave bank.
3.28.060 Conversion of leave to cash.
3.28.070 Holidays.
3.28.080 Return to work/light-duty program.
3.28.090 Long-term disability.
3.28.100 Military leave.
3.28.110 Leave of absence without pay.
3.28.115 Family Medical Leave Act.
3.28.120 Maternity leave.
3.28.130 Subpoenas and jury duty.
3.28.140 Donation of leave.

3.28.010 Personal leave.

A. In recognition of the need for paid time off for rest and recreation, illness, injury, child care, bereavement, personal business and any other approved absence from work on a paid leave status except to the extent workers’ compensation, occupational disability allowance, short-term disability plan or long-term disability plan provisions of the CBA provide otherwise, the following personal leave program is established for all regular, full-time employees of the District. Regular, part-time employees shall accrue personal leave at the rate of one-half of the full-time employees.

B. The District’s personal leave program exceeds the requirements of the Washington State Sick Leave Law (Chapter 49.46 RCW). All accrued personal leave may be used for the purposes outlined under the law.

C. Except while receiving occupational disability allowance or in a leave without pay status, each eligible employee shall accrue personal leave as follows:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Accrual Rate in Days*</th>
</tr>
</thead>
<tbody>
<tr>
<td>During the 1st year</td>
<td>20</td>
</tr>
<tr>
<td>During the 2nd year</td>
<td>20</td>
</tr>
<tr>
<td>During the 3rd year</td>
<td>20</td>
</tr>
<tr>
<td>During the 4th year</td>
<td>20</td>
</tr>
<tr>
<td>During the 5th year</td>
<td>20</td>
</tr>
</tbody>
</table>

1. Prior legislation: Resos. 223, 500, 928 and 979.
D. Use of personal leave shall be conditioned upon completion of six months of continuous employment, operational needs of the District and approval of the general manager or designee. Personal leave must be requested in either full day, hour, or one-half hour increments. Approval of unplanned use of personal leave shall be sought as early as practicable. All other use of personal leave shall be scheduled such that advance approval is sought at least twice as early as the length of the requested leave (e.g., one week’s leave would require at least two weeks’ notice). The District shall respond to the request within five working days. It is the intention that leave be granted upon shorter notice of emergencies, death, illness or serious accident in the immediate family. Unplanned use of personal leave so frequent as to interfere with job performance or District operations shall subject the employee to possible disciplinary action, regardless of the cause for such unplanned use.

E. Personal leave accrual for each regular employee shall commence from the first date of his/her most recent employment with the District. After the first year of employment, each employee must use a minimum of 10 days personal leave per year. Failure to use such 10 days personal leave shall result in forfeiture of any unused portion each year unless such failure is the result of occupational disability or extended illness. (Res. 1404 § 6(B), 2018; Res. 1373 § 6(B), 2016; Res. 1178, 2001)

3.28.020 Maximum accrual of personal leave.

The maximum accumulation (carryover) of personal leave for any regular employee by the end of each posting on or near January 1st and July 1st of each year shall be 63 days (504 hours) and any personal leave in excess of the 63 days (504 hours) shall be forfeited. (Res. 1404 § 6(B), 2018; Res. 1373 § 6(B), 2016; Res. 1178, 2001)

3.28.030 Payment of personal leave upon death.

In case of the death of any employee, all accumulated earned personal leave will be paid to the employee’s designated beneficiary. (Res. 1404 § 6(B), 2018; Res. 1373 § 6(B), 2016; Res. 1178, 2001)

3.28.040 Short-term disability.

In recognition of the fact of extended illness or injury, a short-term disability (STD) benefit is set forth as below:

A. Employees who are unable to work for 40 consecutive regularly scheduled hours because of their illness or injury, as certified by a licensed, competent medical authority, shall receive 70 percent of their regular straight-time base pay from the forty-first regularly scheduled hour of their inability to work until they either recover and return to work or complete the waiting period required for the District’s long-term disability insurance eligibility, whichever is earlier. Accrued personal leave may be used to make up the difference between the STD benefit payment and 100 percent of gross, straight-time pay.

B. Return to work from coverage by the short-term disability benefit is conditioned upon certification by a licensed, competent medical authority that the employee is able to fully perform the duties of the job and is otherwise fit to return to work.

C. An employee who returns to work from coverage under the short-term disability benefit as described above and works less than 30 calendar days because of a relapse, as certified by a licensed, competent medical authority, may return to cover-
age under the short-term disability benefit immediately upon such relapse.

D. An employee receiving the short-term disability benefit may also use any supplemental leave bank hours they may have to make up the difference between the STD benefit payment and 100 percent of gross straight-time base pay.

E. Any employee who returns to work, full-time with no restrictions, from coverage under the short-term disability benefit and is required to attend recovery or follow-up doctor appointments related to the same illness or injury within 90 calendar days of return may include those appointments under coverage by the short-term disability benefit without having to revisit the 40-hour waiting period. (Res. 1404 § 6(E), 2018; Res. 1373 § 6(E), 2016; Res. 1178, 2001)

3.28.050 Supplemental leave bank.

Employees on the payroll on July 1, 1994, who have accrued unused sick leave balances, shall have such balances frozen effective July 1, 1994, and converted to a supplemental leave bank (SLB). This supplemental leave bank may be used for the following purposes:

A. An employee receiving the short-term disability benefit provided in Section 3.28.040 may use SLB hours to make up the difference between the STD benefit payment and 100 percent of gross straight-time base pay.

B. When an employee dies while on the active full-time District payroll, the District shall pay 50 percent of the cash value of the employee’s SLB balance at the time of death to the employee’s designated beneficiary or estate as described by IRS regulations.

C. At the end of the STD coverage period of 180 days, any time remaining in the supplemental leave bank will be exhausted at the rate of eight hours per workday prior to receipt of the long-term disability (LTD) benefit. (Res. 1337, 2013; Res. 1178, 2001)

3.28.060 Conversion of leave to cash.

Regular, full-time employees of the District shall be allowed to convert a portion of their personal leave to cash at the end of June and/or December of each calendar year, provided:

A. The employee has used a minimum of 10 days of scheduled personal leave since the first of the calendar year prior to any conversion;

B. After use or conversion, a minimum of 63 days (504 hours) of accrued personal leave must remain in the employee’s accrual account at the end of June and/or December of each calendar year; and

C. A maximum of 10 days of accrued personal leave may be converted to cash annually less statutory deductions. This conversion may take place at the end of June and/or December up to the maximum combined total of 10 days. (Res. 1404 § 6(C), 2018; Res. 1373 § 6(C), 2016; Res. 1178, 2001)

3.28.070 Holidays.

A. The District recognizes the following paid holidays each year:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year’s Day</td>
<td>January 1st</td>
</tr>
<tr>
<td>Martin Luther King, Jr. Day</td>
<td>Third Monday in January</td>
</tr>
<tr>
<td>Presidents’ Day</td>
<td>Third Monday in February</td>
</tr>
<tr>
<td>Memorial Day</td>
<td>Fourth Monday in May</td>
</tr>
<tr>
<td>Independence Day</td>
<td>July 4th</td>
</tr>
<tr>
<td>Labor Day</td>
<td>First Monday in September</td>
</tr>
<tr>
<td>Veterans Day</td>
<td>November 11th</td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td>Fourth Thursday in November</td>
</tr>
<tr>
<td>Day after Thanksgiving Day</td>
<td>Fourth Friday in November</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>December 25th</td>
</tr>
<tr>
<td>Floating holiday</td>
<td>As scheduled with supervisor</td>
</tr>
</tbody>
</table>

B. When one of the above holidays falls on a Saturday, the preceding work day is considered to be the holiday; when one of the above holidays falls on a Sunday, the following work day shall be considered the holiday.

C. Effective the first day of January of each calendar year, each employee is entitled to an additional paid holiday to be designated as a floating holiday. However, new employees must complete six months of service before they are entitled to the floating holiday which must be taken during the calendar year in which the floating holiday is earned.

D. Employees who fail to use their floating holiday during the year it is applicable shall forfeit their floating holiday, unless on leave of absence covered by short-term disability (STD) or occupational disability. After a full release and return to work, the missed floating holiday must be used within 30 days or forfeited. (Res. 1404 § 6(A), 2018; Res. 1373 § 6(A), 2016)
3.28.080 Return to work/light-duty program.
A. The District recognizes the need to return to work as soon as possible after an injury or illness and as such has a light-duty program. The details of this program vary depending on the extent of the injury and normal job duties of the employee and will be developed with input from the employee, employee’s physician, and employee’s supervisor or representative.

B. The District may offer this temporary light-duty program under the following conditions:
1. The employee is temporarily unable, with or without accommodation, to perform the essential functions of his or her job due to an illness or injury;
2. The employee is expected to recover from the illness or injury to the extent that the employee will be able to return to his or her normal duties;
3. The assignment to light-duty tasks will only be considered within the District-sponsored short-term disability period of 180 calendar days or within 260 working days for a job-related injury or illness;
4. The District, in its sole discretion, determines that suitable alternative work is available and that the employee is qualified and able, based on a physician’s assessment, to perform this work.

C. In all cases, assignment to light duty is a temporary assignment. The District may terminate a light-duty assignment at any time, at its discretion. If an employee’s period of incapacity lasts longer than was originally anticipated, the District, in its sole discretion, may extend the light-duty assignment. The extension will only be offered if the attending physician documents that the employee is expected to be able to return to his or her normal duties.

D. An employee whose period of incapacity is expected to last longer than six months, or actually lasts longer than six months, may not be eligible for light-duty placement.

E. This program is not designed to be a “make work” program, but rather a means for assigning individuals to departments which have work that the restricted employee is capable of performing.

F. Before being considered for an occupational light-duty placement, an employee must submit certification from his or her attending physician stating that the employee can safely return to work and specifying any restrictions that apply.

G. If it is determined that an employee is eligible for temporary light-duty placement under this program, the employee’s supervisor will determine whether suitable light duty is available within his or her department. In making a determination of whether suitable light duty is available, the following factors, among others, should be considered:
1. Physical and mental demands of the job;
2. Physical and mental limitations of the employee;
3. Health and safety issues;
4. Required job skills;
5. Employee qualifications;
6. Amount of training/orientation required;
7. Anticipated length of assignment; and
8. Type of position.

H. Light-duty assignments may be made in a department other than the employee’s regular department and under the supervision of another individual. (Res. 1404 § 6(D), 2018; Res. 1373 § 6(D), 2016)

3.28.090 Long-term disability.
At the end of the short-term disability benefit coverage period of 180 days, an employee still recovering from an extended illness or injury moves into a long-term disability (LTD) benefit plan under the following conditions:
A. Any time remaining in a supplemental leave bank must be exhausted at the rate of eight hours per work day prior to moving into the LTD plan.
B. Any personal leave accrual remaining at the time an employee begins to receive the LTD benefit shall be paid in full less statutory deductions.
C. Employees shall receive 60 percent of the first $10,000 of base pay, reduced by any deductible income, from the first regularly scheduled hour under the LTD benefit until they either recover and return to work or the maximum benefit period has been exhausted, whichever comes first. The maximum benefit period depends on type of disability and the age of the enrollee to the plan. (Res. 1404 § 6(F), 2018; Res. 1373 § 6(F), 2016)

3.28.100 Military leave.
A. Every employee who becomes a member of the Washington National Guard, the Army, Navy, Air Force, Coast Guard, or Marine Corps Reserves of the United States, or of any organized reserve or armed forces of the United States, shall be entitled to and shall be granted military leave of absence for a period not to exceed 16 calendar days during each calendar year.

B. Such leave of absence shall be in addition to any personal leave to which the employee might otherwise be entitled. Such leave shall not involve any loss of efficiency rating, privileges, or pay. During the period of military leave, the employee
shall receive normal pay. The employee’s anniversary (seniority) date will also remain unchanged.

C. The above policies apply to military leave for active training duty only. They do not apply to other calls to active military service for purposes other than training. (See USERRA Act 1994 for additional military leave of absence and re-employment rights.) (Res. 1404 § 6(H), 2018; Res. 1373 § 6(H), 2016)

3.28.110 Leave of absence without pay.

A. Leave of absence without pay is strongly discouraged by the District. A leave of absence without pay may be granted by the general manager. Such requests may be honored provided the following conditions are met:

1. Reasonable advance written notice of such leave must be provided to the supervisor and general manager;
2. Such absence must not unreasonably disrupt District operations;
3. All applicable accrued leave has been exhausted; and
4. A Family Medical Leave Act (FMLA) event.

B. The following benefits of active employment, after the conclusion of a new employee’s probationary period, are modified as shown for the period:

1. A normally paid holiday that falls within a leave of absence without pay is not paid, except when employee is on authorized leave without pay due to illness for one week or less;
2. Seniority does not accrue if the period of leave exceeds 10 working days in any calendar month;
3. Personal leave does not accrue if the period of leave exceeds 10 working days in any calendar month;
4. For a non-FMLA event, the employee will pay the monthly insurance coverage premium pro-rated for the time off. Normal coverage will resume upon returning to work; and
5. Personal leave accrual during the first 10 working days while on leave without pay status shall occur at a rate of 60 percent of that allowed a regular employee. (Res. 1404 § 6(I), 2018; Res. 1373 § 6(I), 2016)

3.28.115 Family Medical Leave Act.

A. The District is required to comply with the federal Family Medical Leave Act (FMLA) of 1993 and as amended.

B. The FMLA entitles eligible employees to take up to 12 weeks of paid or unpaid, job-protected leave in a 12-month period (26 weeks if caring for a covered service member in the Armed Forces with a serious injury or illness).

C. The District reserves the right to designate FMLA leave as needed to any eligible employee and to require employees to first use all available paid time off (personal leave, short-term disability, and L&I time loss) as qualifying FMLA time towards the 12-week limit.

D. The District will track FMLA leave based on a 12-month rolling period measured backwards from the first date of the designated leave.

E. Designated FMLA leave will run concurrently with other types of paid and unpaid leave as described in the current CBA with IBEW Local 77 and as required by other federal, State, and local laws.

F. FMLA may be taken in increments as small as one-half hour. Certification from a health care provider is required to receive FMLA benefits and employees are required to present a medical certification of their fitness for duty upon returning to work.

G. Employees returning from FMLA within the 12-week period will be restored to their original job or to an equivalent job with equivalent pay and benefits (26 weeks if military leave). (Res. 1404 § 6(J), 2018)

3.28.120 Maternity leave.

A. Employees are eligible for maternity leave based on existing federal and State laws. Under current law, certain maternity leave is classified as a disability and will be covered by the District’s short-term disability program. The District will require that all approved pregnancy disability leave run concurrently with the leave allowed by the federal Family Medical Leave Act (FMLA) when appropriate.

B. Pregnant employees will be permitted to work as long as they are able to perform their regular job duties. Employees with pregnancy-related conditions that prevent them from completing their regular job duties must provide certification from a licensed, competent medical authority of their inability to perform their essential job functions.

C. The District does offer return to work/light duty and will work with the employee, their physician and the employee’s supervisor to accommodate the needs of the employee when reasonable. The District will require periodic updates on the
employee’s medical status and intention of returning to work.

D. Return from pregnancy-related conditions and/or maternity leave is conditioned upon certification by a licensed, competent medical authority that the individual can perform their regular job duties. Employees will return to work in the same, or an equivalent job, after the pregnancy-related disability leave is concluded.

E. Employees may extend their maternity leave by requesting additional personal leave to the maximum leave allowed by law. Leave of absence without pay will begin after all personal leave has been exhausted as described by Section 5.6 in the current CBA.

F. An employee should communicate with their supervisor as early as possible their need to schedule maternity leave. In the event an extended leave is desired, the employee shall notify the supervisor early in the pregnancy of their request to allow the District time to plan for operational needs (refer to Section 5.2 in the current CBA). If foreseeable, an employee must give at least 30 days’ notice to take leave for the birth of a child.

G. Employees must continue to pay employee premium contributions during maternity leave to maintain their eligibility for these plans. (Res. 1404 § 6(K), 2018; Res. 1373 § 6(K), 2016)

3.28.130 Subpoenas and jury duty.

A. In the event an employee receives a subpoena to appear as a witness in any judicial or administrative proceeding concerning matters related to the business of the District or resulting in some manner from the employee’s job at the District, the supervisor and general manager should be notified. The employee will receive normal wages for the time required to testify in both these cases. However, if the employee is subpoenaed to appear before a judicial proceeding which is not related to District business or the employee’s job, time off must be charged to personal leave.

B. Should an employee be called for jury duty, an administrative leave of absence will be granted and the employee will be paid normal wages. However, the employee must turn over to the District any compensation, except mileage reimbursement, received from the court in order to receive the normal wage. (Res. 1404 § 6(S), 2018; Res. 1373 § 6(S), 2016)

3.28.140 Donation of leave.

The District is not responsible for managing each employee’s personal leave. However, an employee should use their personal leave such that a sufficient amount remains to use for an extended unexpected illness or accident recovery for the employee, significant other, or family member. Leave of absence without pay is strongly discouraged by the District so it is imperative that employees maintain an adequate number of personal leave hours.

The District will, in certain exceptional accident or illness cases, allow an employee with adequate personal leave, to donate a maximum of eight hours of their personal leave to a particular employee with an emergency situation. This situation could involve a new employee with little or no personal leave accrued, or an employee that needs to take care of a family member with a serious, prolonged illness or accident recovery period. Personal leave that is donated is prorated to the receiving employee on a dollar-for-dollar basis. The employee donating the one-time eight hours of their personal leave to a specific person must review the donation with their supervisor before any transfer can be made. The supervisor will discuss the request with the general manager before making a recommendation to approve or deny. (Res. 1404 § 6(V), 2018; Res. 1373 § 6(V), 2016)
Chapter 3.32

INSURANCE

Sections:
3.32.010 Continuance of coverage for dependents of deceased employees.
3.32.020 Industrial insurance and medical aid.
3.32.030 Insurance coverages.
3.32.040 Consolidated Omnibus Budget Reconciliation Act (COBRA).

3.32.010 Continuance of coverage for dependents of deceased employees.

It shall be the policy of the District to permit the dependents of deceased employees to continue medical insurance if the dependents of such deceased employees desire to continue such coverages under the following terms. The insurance shall be carried as long as such dependent remains unmarried and so long as the dependent or dependents make payment of the premium after the death of the employee.

For those employees retiring after April 1, 2009, surviving eligible dependents, either a spouse, or a spouse and child under certain circumstances, will be able to continue coverage under the District’s medical insurance program that is in effect from time to time assuming the following criteria are followed:

A. The surviving spouse requests continued coverage from the Board of Commissioners.

B. The surviving spouse is not covered by another medical program other than Medicare.

C. The surviving spouse does not become employed by an employer who offers a full or partially funded medical program.

D. The surviving spouse continues to make monthly payments as described in Section 3.40.060(B).

E. The surviving spouse does not remarry. (Res. 1337, 2013; Res. 668, 1970)

3.32.020 Industrial insurance and medical aid.

All employees are covered by the industrial insurance and medical aid provisions for on-the-job accidents. (Res. 1404 § 6(L), 2018; Res. 1373 § 6(L), 2016)

3.32.030 Insurance coverages.

A. Employees are provided medical, dental, vision, short-term disability, long-term disability, and term life insurance coverages under policies in effect at the time of employment. Employees may request additional information of such coverages if desired.

B. The following insurance coverages are available for all employees, but the premiums are entirely paid by the employee:

1. Cancer insurance.
2. Intensive care.
3. Accidental death insurance.
4. Optional life insurance.
5. Other carrier provided insurance.

These are handled by payroll deduction. (Res. 1404 § 6(N), 2018; Res. 1373 § 6(N), 2016)

3.32.040 Consolidated Omnibus Budget Reconciliation Act (COBRA).

All employees will be given written notice of their continuation coverage rights under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

The continuation coverage provision of COBRA becomes effective for plan years beginning on or after July 1, 1986. For collectively bargained agreements, the provisions become effective either on the last day when the last of the agreements relating to the plan expires, or January 1, 1987, whichever is later. (Res. 1404 § 6(O), 2018; Res. 1373 § 6(O), 2016)
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Chapter 3.34

RISK MANAGEMENT

Sections:
3.34.010 Policy.
3.34.020 Administration.
3.34.030 Employees’ responsibilities.
3.34.040 Risk avoidance/safety program.
3.34.050 Implementation.
3.34.060 Insurance/risk retention.
3.34.070 Inquiries.

3.34.010 Policy.
Public Utility District No. 2 of Pacific County is adopting this policy of risk management to protect its assets against risks of liability arising from accidental loss of injury to life and property and to provide funds for appropriate investigation and adjustment of losses and, where appropriate, to make restitution. This comprehensive approach to loss reductions and avoidance is achieved through effective risk management. (Res. 1265, 2008)

3.34.020 Administration.
The general manager is responsible for administering the risk management program. The auditor is responsible for developing risk management policies and procedures in coordination with the general manager and District management staff. The auditor will serve as the District’s manager of all reports of injury or loss, coordinate the handling of claims, and investigate, with the departments involved, all reports of loss. The auditor will work with and assist all departments to identify and implement cost effective measures which will minimize exposure to such risks as fire, personal injury, automobile accidents, injury to the property of others, theft, and other exposures of loss of life and property. (Res. 1265, 2008)

3.34.030 Employees’ responsibilities.
An effective risk management program requires the support and participation of all District personnel in the implementation of the program. The auditor is responsible for overall direction and coordination of the risk management program and will provide educational support to employees on the policy and procedures of risk management. (Res. 1265, 2008)

3.34.040 Risk avoidance/safety program.
In order to reduce the risk and magnitude of loss, the District’s auditor will institute a risk management assessment consisting of the systematic and continuous identification of potential and actual loss exposures, the analysis of these exposures in terms of frequency and severity, the application of risk control procedures, and risk financing.
The District’s auditor will also work with the safety coordinators in establishing, reviewing and updating as necessary, District safety standards, safe job practices, OSHA/DOSH compliance, employee accident records, worker’s compensation administration, and other aspects of safety to employees. (Res. 1337, 2013; Res. 1265, 2008)

3.34.050 Implementation.
An effective risk management program requires the support and participation of all District personnel in its implementation. The auditor is responsible for providing District-wide educational support to employees on policies and procedures. (Res. 1265, 2008)

3.34.060 Insurance/risk retention.
The District’s auditor will maintain records of all insured and noninsured losses. The auditor will make recommendations to the District management regarding:
A. The availability and expense of insurance against potential loss.
B. The risk of uninsured exposures.
C. Risk financing alternatives.
D. The type, coverage, and underwriter of all proposed District insurance coverage. (Res. 1265, 2008)

3.34.070 Inquiries.
Direct all inquiries about this policy to the auditor or general manager. (Res. 1265, 2008)
Chapter 3.36

WORKMAN’S COMPENSATION

Sections:
3.36.010 Coverage provided.

**3.36.010 Coverage provided.**

All employees and commissioners of the District shall be provided coverage under the Workman’s Compensation Law of the State. (Res. 459, 1956)

Chapter 3.40

RETIREMENT

Sections:
3.40.010 System participation approval and authorization.
3.40.020 Federal Old Age Survivors Insurance – Adoption of plan.
3.40.040 Federal Old Age Survivors Insurance – Effective date.
3.40.050 Payment of medical and life insurance policies after retirement – Generally.
3.40.060 Payment of medical and life insurance policies after retirement.
3.40.070 Mandatory retirement age.
3.40.080 Retirement plan.
3.40.090 Employee retirement.

**3.40.010 System participation approval and authorization.**

Public Utility District No. 2 of Pacific County, Washington, a municipal corporation of the State and having at least five eligible employees, authorizes and approves their membership and participation in the Washington Public Employees’ Retirement System, pursuant to Chapter 274 of the Session Laws of 1947, as amended, and authorizes the expenditure of the necessary funds to cover its proportional share for participation in the system. (Res. 979, 1986; Res. 303, 1950)

**3.40.020 Federal Old Age Survivors Insurance – Adoption of plan.**

The plan of the Washington State Retirement Board which has been approved by the Governor of the State is accepted and approved in its entirety and incorporated herein by reference as if fully set forth, a copy of which is on file in the office of the District manager. (Res. 455, 1956)

**3.40.030 Federal Old Age Survivors Insurance – Designation of administering officer.**

The auditor of the District is designated as the officer to administer such accounting, reporting and other functions as will be required for the effective operation of the plan under the supervision of the Commissioner of Employment Security, or such other officer as the Governor may designate. (Res. 455, 1956)
3.40.040 Federal Old Age Survivors Insurance – Effective date.

Subject to approval of the majority of the employees of the District, at a referendum held and conducted in the manner provided by law, the date of April 1, 1956, shall be the effective date of Federal Old Age Survivors Insurance for employees of the District. (Res. 455, 1956)

3.40.050 Payment of medical and life insurance policies after retirement – Generally.

A. It shall be the policy of the District to make payments, after retirement from employment with the District of any of its employees retiring under the Washington State Public Employees’ Retirement System, for the medical and life insurance programs that are in effect from time to time.

B. The resolution codified in this section shall be administered in accordance with the provisions of Chapter 149, Laws of 1965, Extraordinary Session, State of Washington. (Res. 1337, 2013; Res. 979, 1986; Res. 599, 1966)

3.40.060 Payment of medical and life insurance policies after retirement.

A. It shall be the policy of the District to offer medical and life insurance programs if the retired employee desires to continue such insurance coverages. The insurance shall be carried in the prescribed manner, as long as the retired employee shall pay his/her portion of the insurance premium in advance through the portion of the insurance portion as specified in subsection B of this section. Each retired employee shall first apply to and obtain the approval of the commission for permission to do so.

B. The percentage of payment by the District shall be that percentage paid by the District for coverage of active employees under the program. The percentage of payment by an employee that has retired and surviving eligible dependents of deceased employees for retirees shall be that percentage paid by active employees for coverage under the program.

C. The term “employee” shall be construed and interpreted to include the term “commissioner.” (Res. 1337, 2013; Res. 612, 1967)

3.40.070 Mandatory retirement age.

The mandatory retirement age for all full-time employees of the District is established as the age of 70 years. (Res. 1337, 2013; Res. 809, 1978)

3.40.080 Retirement plan.

All employees are members of the Washington Public Employees Retirement System (PERS) which provides for retirement and disability benefits based on compensation and length of service. This is a mandatory procedure and is handled by payroll deduction. (Res. 1404 § 6(P), 2018; Res. 1373 § 6(P), 2016)

3.40.090 Employee retirement.

A. The District recognizes the value of honoring retiring employees. Dinners, parties, or other events scheduled to recognize an employee’s retirement should take place at times other than regular work hours, except during coffee breaks or lunches.

B. A retirement plaque honoring the employee will be funded by the District. (Res. 1404 § 6(Q), 2018; Res. 1373 § 6(Q), 2016)
Chapter 3.44

SUBSTANCE ABUSE RECOVERY PROGRAM

Sections:
3.44.010 Policy.
3.44.020 Purpose.
3.44.030 Generally.
3.44.040 Procedure.
3.44.050 Responsibilities.

3.44.010 Policy.
An employee’s decision to drink alcoholic beverages or to consume drugs or other controlled substances during nonworking hours is a personal matter. However, when the use of alcohol, drugs or such substances affects the employee’s job performance and/or attendance, the matter becomes a justifiable concern to the District. (Res. 1404 § 3(A), 2018; Res. 1373 § 3(A), 2016)

3.44.020 Purpose.
The purpose of this policy is to provide a guideline such that an affected employee may receive early assistance for a substance abuse problem. The objective of the District is to retain valuable employees, restore their productivity and to motivate such employees to seek professional help. (Res. 1404 § 3(B), 2018; Res. 1373 § 3(B), 2016)

3.44.030 Generally.
A. The District recognizes substance abuse as an illness which can be treated. The affected employee will receive the same consideration under the District’s medical program as employees with other illnesses. Coverage for medically supervised treatment is included in the current group insurance plan.

B. The District is concerned only when job performance and/or attendance is affected. There is no intent or desire to intrude upon an individual’s private life.

C. The individual employee bears primary responsibility for his/her own job performance and for taking any action or treatment necessary to maintain satisfactory performance.

D. Referral for diagnosis or acceptance of treatment will not jeopardize an employee’s job security. Participation in a recovery program will be kept strictly confidential and all records will be maintained in the same confidential manner as all other medical records.

E. One of the basic functions of a supervisor is to identify poor job performance and/or attendance and to take corrective action in accordance with the District’s policies. However, it is recognized that the supervisor does not have the professional qualifications to render judgment as to whether or not an employee is suffering from substance abuse. Diagnosis and treatment will be accomplished by professional outside sources. On the other hand, certain PUD supervisors have been educated to recognize the signs of alcohol and substance abuse as it relates to the District’s “Controlled Substance Use and Alcohol Misuse Program.”

F. Use of alcohol, drugs, or other controlled substances on the job constitutes a serious safety hazard to the involved individual and to fellow employees. Employees who engage in such use are in violation of the rules of conduct and are subject to disciplinary action which may include discharge. (Res. 1404 § 3(C), 2018; Res. 1373 § 3(C), 2016)

3.44.040 Procedure.
A. When an employee who is demonstrating poor job performance and/or tardiness does not respond to supervisory action, and the supervisor believes such performance is not a result of lack of knowledge of what is expected or inadequate skills to perform the work, then an unknown problem should be considered to exist. The supervisor should then relate to the employee that there appears to be some personal problem which needs professional attention beyond that which the District can offer.

B. The supervisor must make it clear to the employee that failure to seek help and correct the job performance problem will lead to disciplinary action which could result in discharge from District employment. (Res. 1404 § 3(D), 2018; Res. 1373 § 3(D), 2016)

3.44.050 Responsibilities.
It is the supervisor’s responsibility to:

A. Make sure each employee is properly informed and understands what is expected in terms of work performance and attendance;

B. Bring to the employee’s attention any deterioration in work performance and/or attendance, and make it clear that the District is concerned with such substandard performance and that failure to improve will jeopardize the employee’s job;

C. Document all unacceptable behavior, attendance and job performance that fails to meet
acceptable standards or violates the rules of conduct or personnel policies;

D. Where it is suspected that substance abuse or other personal problems exist, advise the employee to seek outside professional help for diagnosis and treatment; and

E. Monitor the progress of the affected employee to determine if improvements are being accomplished through treatment, or if other action is necessary due to failure to respond. (Res. 1404 § 3(E), 2018; Res. 1373 § 3(E), 2016)
Chapter 3.48
REPORTING IMPROPER GOVERNMENTAL ACTION

Sections:
3.48.010 Policy statement.
3.48.020 Definitions.
3.48.030 Procedures for reporting.
3.48.040 Protection against retaliatory actions.
3.48.050 Responsibilities.
3.48.060 List of agencies.

3.48.010 Policy statement.
It is the policy of Public Utility District No. 2 of Pacific County (District) to:
A. Encourage reporting by its employees of improper governmental action by District officers or employees; and
B. Protect District employees who have reported improper governmental actions in accordance with District policies and procedure(s). (Res. 1076, 1993)

3.48.020 Definitions.
As used in this policy, the following terms shall have the meanings indicated:
A. “Improper governmental action” means any action by a Public Utility District No. 2 of Pacific County officer or employee:
1. That is undertaken in the performance of the officer’s or employee’s official duties, whether or not the action is within the scope of the employee’s employment; and
2. That is (a) in violation of any federal, State, or local law or rule, (b) an abuse of authority, (c) of substantial and specific danger to the public health or safety, or (d) a gross waste of public funds.
“Improper governmental action” does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.
B. “Retaliatory action” means any adverse change in the terms and conditions of a District employee’s employment.
C. “Emergency” means a circumstance that if not immediately changed may cause damage to persons or property. (Res. 1076, 1993)

3.48.030 Procedures for reporting.
A. District employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee’s belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the general manager or such other person as may be designated by the general manager to receive reports of improper governmental action.
B. In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate governmental agency with responsibility for investigating the improper action.
C. The supervisor, the general manager or the general manager’s designee, as the case may be, shall take prompt action to assist the District in properly investigating the report of improper governmental action. District officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.
D. District employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the District employee reasonably believes that an adequate investigation was not undertaken by the District to determine whether an improper governmental action occurred, or that insufficient action has been taken by the District to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.
E. Public Utility District No. 2 of Pacific County employees who fail to make a good-faith attempt to follow the District’s procedures in reporting improper governmental action shall not receive the protections provided by the District in these procedures. (Res. 1076, 1993)
3.48.040 Protection against retaliatory actions.

A. District officials and employees are prohibited from taking retaliatory action against a District employee because he or she has in good faith reported an improper governmental action in accordance with these policies and procedures.

B. Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the general manager or the general manager’s designee. District officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

C. If the employee’s supervisor, the general manager, or the general manager’s designee, as the case may be, does not satisfactorily resolve a District employee’s complaint that he or she has been retaliated against in violation of this policy, the District employee may obtain protection under this policy and pursuant to State law by providing a written notice to the Board of Commissioners that:

1. Specifies the alleged retaliatory action; and

2. Specifies the relief requested.

D. Public Utility District No. 2 of Pacific County employees shall provide a copy of their written charge to the general manager no later than 30 days after the occurrence of the alleged retaliatory action. The District shall respond within 30 days to the charge of retaliatory action.

E. After receiving either the response of the District or 30 days after the delivery of the charge to the District, the District employee may request a hearing before a State administrative law judge to establish that a retaliatory action occurred and to obtain relief provided by law. An employee seeking a hearing should deliver the request for hearing to the general manager within the earlier of either 15 days of delivery of the District’s response to the charge of retaliatory action, or 45 days of delivery of the charge of retaliation to the District for response.

F. Upon receipt of request for hearing, the District shall apply within five working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
P.O. Box 42488, 4224 Sixth S.E.
Rowe Six, Bldg. 1
Lacey, WA 98504-2488
(206) 459-6353

(Revised 3/05)
G. The District will consider any recommendation provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed. (Res. 1076, 1993)

3.48.050 Responsibilities.
The general manager is responsible for implementing the District’s policies and procedures for (A) reporting improper governmental action and for (B) protecting employees against retaliatory actions. This includes ensuring that this policy and these procedures are provided to all existing employees and newly-hired employees. Officers, managers and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal. (Res. 1076, 1993)

3.48.060 List of agencies.
Following is a list of agencies responsible for enforcing federal, State and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the general manager.

**PACIFIC COUNTY**

Pacific County Sheriff’s Department  
Pacific County Courthouse  
South Bend, WA 98586  
(360) 875-9395 or 642-9403

Pacific County Health Department  
Pacific County Courthouse  
South Bend, WA 98586  
(360) 875-9343 or 642-9349

Pacific County Prosecuting Attorney  
Pacific County Courthouse  
South Bend, WA 98586  
(360) 875-9338 or 642-9367

**STATE OF WASHINGTON**

Attorney General’s Office  
Fair Practices Division  
2000 Bank of California Center  
900 Fourth Avenue  
Seattle, WA  
(206) 464-6684

State Auditor’s Office  
Legislative Building  
P.O. Box 40021  
Olympia, WA 98504-0021  
(360) 753-5280

State Department of Ecology  
3190 160th S.E.  
Bellevue, WA 98008-5852  
(425) 649-7000

Human Rights Commission  
402 Evergreen Plaza Bldg., FJ-41  
711 South Capitol Way  
Olympia, WA 98504-2490

State Department of Health  
Health Consumer Assistance  
P.O. Box 4789  
Olympia, WA 98504-7891  
800-525-0127

Department of Labor and Industries  
300 West Harrison, Room 201  
Seattle, WA  
(206) 281-5400

State Liquor Control Board  
Enforcement Office  
2101 Sixth Avenue  
Seattle, WA  
(206) 464-6094

Department of Natural Resources  
P.O. Box 68  
Enumclaw, WA 98022  
(360) 825-1631

Puget Sound Water Quality Authority  
P.O. Box 40900  
Olympia, WA 98504  
(360) 493-9300

Department of Social and Health Services  
Special Investigation Office  
5200 Southcenter Blvd., Suite 23  
Tukwila, WA  
(206) 764-4048

Fraud Complaints  
800-562-6025
UNITED STATES
Department of Agriculture
Office of Inspector General
915 Second Avenue
Seattle, WA
   Supervisor Auditor
   (206) 553-8290
   Supervisor Special Agent Investigation
   (206) 553-8286

Alcohol, Tobacco and Firearms
Criminal Enforcement
915 Second Avenue
Seattle, WA
(206) 553-4485

U.S. Attorney
800 Fifth Avenue
Seattle, WA
(206) 553-7970

Department of Commerce
Office of Inspector General
   Office of Audits
   915 Second Avenue
   Seattle, WA
   (206) 553-0801

Government Accounting Office
Fraud Hot Line 800-424-5454

Consumer Product Safety Commission Hot Line
800-638-2772

U.S. Customs Service
Office of Enforcement
909 First Avenue
Seattle, WA
(206) 553-7531

U.S. Department of Education
Office of Inspector General
915 Second Avenue
Seattle, WA
Audits Investigations
(206) 553-0657 (206) 553-1482

Environmental Protection Agency
Criminal Investigations
1200 Sixth Avenue
Seattle, WA
(206) 553-8306

Equal Employment Opportunity Commission
2815 Second, Suite 500
Seattle, WA
(206) 553-0968

Federal Emergency Management Agency
130 228th Street, S.W.
Bothell, WA
(206) 487-4600

Federal Trade Commission
915 Second Avenue
Seattle, WA
(206) 553-4656

General Services Administration
915 Second Avenue
Seattle, WA

Office of Inspector General
Audits Investigations
(206) 931-7650 (206) 931-7654
   Law Enforcement
   (206) 553-0290

Department of Health and Human Services
Food and Drug Administration
22201 23rd Drive S.E.
Bothell, WA
   Trade Complaints
   (360) 483-4949

Office of the Regional Secretary
General Counsel’s Office, Inspector General
Audits Investigations
(206) 553-0452 (206) 553-0229

Department of Housing and Urban Development
Office of Counsel
1321 Second Avenue
Seattle, WA
(206) 553-4976

Office of Inspector General
Audits Investigations
(206) 553-0270 (206) 553-0272

Interstate Commerce Commission
915 Second Avenue, Room 1894
Seattle, WA 98174
(206) 553-5421
Department of Interior  
U.S. Fish and Wildlife Services  
Division of Law Enforcement  
121 107th N.E.  
Bellevue, WA  
(425) 553-5543

Department of Justice  
Drug Enforcement Administration  
220 West Mercer, Suite 300  
Seattle, WA  
(206) 553-5443

Department of Labor  
Occupational Safety and Health  
1111 Third Avenue, Suite 715  
Seattle, WA 98101-3212  
(206) 553-5930

Office of Inspector General  
Audits  
1111 Third Avenue, Suite 780  
Seattle, WA 98101-3212  
(206) 553-4880  
Investigations  
1111 Third Avenue, Suite 785  
Seattle, WA 98101-3212

Office of Women’s Bureau  
1111 Third Avenue, Suite 885  
Seattle, WA 98101-3212

Mine Safety and Health Administration  
117 107th N.E.  
Bellevue, WA  
(425) 553-7037

National Transportation Safety Board  
19518 Pacific Highway South  
Seattle, WA  
(206) 764-3782

Nuclear Regulatory Commission  
510-975-0200

Securities and Exchange Commission  
915 Second Avenue  
Seattle, WA 98174  
(206) 553-7990

Department of Transportation  
Office of Inspector General  
915 Second Avenue  
Seattle, WA 98178  
(206) 553-5720

Department of Treasury  
Bureau of Alcohol, Tobacco and Firearms  
Law Enforcement Division  
915 Second Avenue, Room 806  
Seattle, WA 98174

Department of Veterans Affairs  
Office of Inspector General  
915 Second Avenue  
Seattle, WA 98174  
Fraud/Waste/Abuse Hot Line  
800-488-8244

Office of Inspector General  
Audits  
1111 Third Avenue, Suite 780  
Seattle, WA 98101-3212  
(206) 553-4880  
Investigations  
1111 Third Avenue, Suite 785  
Seattle, WA 98101-3212

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Securities and Exchange Commission  
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Seattle, WA 98174  
(206) 553-7990

Department of Transportation  
Office of Inspector General  
915 Second Avenue  
Seattle, WA 98178  
(206) 553-5720

Department of Treasury  
Bureau of Alcohol, Tobacco and Firearms  
Law Enforcement Division  
915 Second Avenue, Room 806  
Seattle, WA 98174
Chapter 3.52

HEALTH REIMBURSEMENT ARRANGEMENT/VOLUNTARY EMPLOYEES’ BENEFICIARY ASSOCIATION (HRA VEBA) PLAN

Sections:
3.52.010 District participation.
3.52.020 Plan funding.
3.52.030 Authorization to proceed.

3.52.010 District participation.
Effective November 1, 2006, the District hereby elects to participate in the Voluntary Employees’ Beneficiary Association Medical Expense Plan for Public Employees in the Northwest as Amended and Restated January 1, 2005 (“plan”) and Voluntary Employees’ Beneficiary Association for Public Employees in the Northwest Trust (“trust”) as presently constituted or hereafter amended using the trust as its plan administrator for the benefit of eligible employees as defined by District policies or collective bargaining agreements. (Res. 1248 § 1, 2006)

3.52.020 Plan funding.
The plan will be funded with District contributions in amounts determined from time to time pursuant to District policies and collective bargaining agreements. (Res. 1248 § 2, 2006)

3.52.030 Authorization to proceed.
The general manager is authorized to execute documents and establish procedures consistent with plan and trust provisions and applicable District policies and collective bargaining agreements necessary to effect the adoption and administration of the plan. (Res. 1248 § 3, 2006)
Chapter 4.04

DEPOSITORIES

(Repealed by Res. 1337)

Chapter 4.08

BUDGET PROCEDURES

Sections:
4.08.010 General policy.
4.08.020 Preparation and submittal.
4.08.030 Notice.
4.08.040 Hearing.
4.08.050 Adoption.

4.08.010 General policy.
The general policy set out in Sections 4.08.020 through 4.08.050 governing budgets is approved. (Res. 720, 1973)

4.08.020 Preparation and submittal.
The manager shall prepare and submit to the commission a proposed budget in preliminary form of the contemplated financial transactions for the ensuing year and the same shall be filed in the records of the commission on or before the first day in September. (Res. 1337, 2013; Res. 720 § 1, 1973)

4.08.030 Notice.
The manager shall publish a notice of the filing of such proposed budget and the date and place of hearing on same for at least two consecutive weeks in a newspaper printed and of general circulation in the county. (Res. 720 § 2, 1973)

4.08.040 Hearing.
The manager shall hold public hearings during regularly scheduled Board of Commissioner meetings in November on the proposed budget. (Res. 1337, 2013; Res. 720 § 3, 1973)

4.08.050 Adoption.
The proposed budget, prepared in the form prescribed by the District’s Board of Commissioners which is the same form as the current budget, shall be adopted by resolution not later than the first Board of Commissioners meeting in December, which fixes the final amount of expenditures for the ensuing year. (Res. 1337, 2013; Res. 720 § 4, 1973)
Chapter 4.12

PURCHASING AND FORMAL BID POLICY

Sections:
4.12.010 Purpose.
4.12.020 General requirements.
4.12.040 Daily purchasing activities.
4.12.050 Purchasing credit card.
4.12.060 In-store credit accounts.
4.12.080 Formal bidding process.
4.12.090 Materials, equipment or supplies.
4.12.100 Public works projects.
4.12.110 Exceptions to daily purchasing activity and formal bidding process.
4.12.120 Services.
4.12.130 Request for qualifications (RFQ) or request for proposals (RFP).

4.12.010 Purpose.
It shall be the policy of the District to use a procurement system which provides access to available and affordable goods and services, provides for efficiency and ease of business transactions, gives reasonable assurance that transactions are necessary and true expenses of the District, and promotes the protection of public resources against misappropriation and misuse. This policy outlines District requirements for purchases and the approval process by establishing procurement procedures, authority limits and ensures adherence to bid laws. This policy meets or exceeds RCW requirements, with references throughout. Purchases related to wholesale power and transmission are excluded from this policy. (Res. 1390, 2017)

4.12.020 General requirements.
A. The purchase of any and all materials, goods and services shall be procured using a District-issued purchase order or the District purchasing credit card.
B. All purchases will be made:
   1. In the conduct of District business.
   2. In accordance with District policies.
   3. To meet District standards and specifications at the lowest cost.
C. It is the responsibility of the general manager, the purchasing agent (or creator of the purchase requisition) and the District personnel requesting the purchase that the following standards are met:
   1. The goods and services have been received and are satisfactory.
   2. The amount of the invoice meets the agreed-upon price.
   3. The expenditure has been charged to the proper general ledger account.
   4. The transaction is processed in a timely fashion.
   5. The transaction was in accordance with this policy. (Res. 1390, 2017)

A. The chief of engineering and operations will work closely with the general manager to ensure these procurement and bidding requirements are adhered to. The auditor is responsible for internal controls and financial procedures and the finance manager is responsible for legal and regulatory compliance regarding all financial functions.
B. Pursuant to Chapter 42.52 RCW, any District employee involved in the procurement process must not accept or receive, directly or indirectly, a personal financial benefit, or accept any gift, token, membership, or service, as a result of a purchase entered into by the District from a vendor, supplier, or contractor. Purchase of any goods or services from a member of the commission, employee, entity or immediate family belonging to the commission or employee in which they may benefit from such purchase is prohibited.
C. District employees cannot accept any gifts, cash or donations from vendors, potential vendors, contractors, potential contractors, customers or potential customers unless they are of nominal value and allowed as described by RCW 42.52.150(2) and (5). (Res. 1390, 2017)

4.12.040 Daily purchasing activities.
A. Materials, goods and public works projects procured according to the procedures listed below are under the formal bid thresholds:
   1. Purchases of materials of the same kind of items (as defined in Section 4.12.090) not exceeding $15,000 in any calendar month as described in (RCW 54.04.070);
   2. Purchases of materials of the same kind of items (as defined in Section 4.12.090) exceeding $15,000 but not exceeding $60,000 using the alternative bid procedure (RCW 54.04.082); and

3. Purchases not exceeding $25,000 for public works projects.

   B. Items bought via the Internet, telephone, in-store or through regular vendors must follow the procedures listed herein. These products are used in the daily activities of the District and are held to the guidelines in this policy for materials, equipment and supplies, public works contracts, and services, respectively. These purchases are intended to be used for tangible purchases, construction costs, maintenance and repair expenses, services, and most costs incurred during the normal course of business.

   C. The District’s purchasing agent shall facilitate purchasing functions for District staff and oversee all purchasing duties, including review of purchase requests, approval recommendations, development of purchase requisitions, creation of purchase orders, and attainment of material/service pricing and material receipts.

   1. Purchase Requests. A purchase request shall inform the purchasing agent of items needed for District use. It is the basis for preparing the purchase requisition and should include information necessary to complete the purchase. Purchase requests should include description of the item(s), including model number or specifications, quantity and unit pricing.

   2. Quote Comparison Requirement. It is the responsibility of the District personnel creating the requisition to obtain written or electronic quotations from a minimum of three vendors or contractors before a vendor is selected. If there are not three vendors or contractors available, the District will do its due diligence in accepting quotes from those available to complete the work or provide the materials as requested.

   3. Selection of a Vendor. Vendor selection will be based on the vendor best able to meet the needs of the District with a competitive or best price emphasis. If the vendor does not accept purchase orders, the District’s purchasing credit card may be used with the below listed guidelines or an in-store credit application will be requested (in Pacific and neighboring counties only).

   4. Purchase Requisitions. Requisitions shall be created by the purchasing agent except in these cases:

      a. Accountant – Shall create requisitions and purchase orders for payments related to payroll expenses and deductions, payments to federal, State and local taxing agencies, and other payments as required to perform any other function of the accounting department.

      b. Head Storekeeper/Assistant Storekeeper – Shall create requisitions for purchase of inventory items (except formal bid items) kept in District warehouses.

      c. Auditor – Shall create requisitions related to insurance and risk management needs of the District.

      d. Chief of Engineering and Operations – Shall create, or delegate the creation of, requisitions for formal bid items such as equipment, services, inventory and other bid items as they arise.

   Requisition Approval Authorities:

<table>
<thead>
<tr>
<th>Requisition Amount</th>
<th>Department</th>
<th>Approving Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>$100,000</td>
<td>All</td>
<td>Purchasing Agent</td>
</tr>
<tr>
<td>$100,000</td>
<td>Accounting</td>
<td>Finance Manager</td>
</tr>
<tr>
<td>$100,000</td>
<td>Engineering</td>
<td>Chief of Engineering and Operations</td>
</tr>
<tr>
<td>$25,000,000</td>
<td>All/Other</td>
<td>General Manager</td>
</tr>
</tbody>
</table>

   5. Authorization of Purchase. Purchase requests will be entered into the purchase order system and become purchase requisitions. Requisitions are submitted to assigned approval authorities for review and approval. Management staff shall consider the District needs, available budget funds, applicable federal, State and local regulations, cash required, and other issues before reviewing the purchase requisition for possible approval. If the purchase is approved it will be assigned a general ledger account number as part of the requisition process.

   6. Preparation and Approval of Purchase Orders. Approved purchase requisitions become authorized purchase orders. Purchase orders are reviewed and approved by the appropriate management staff member after all requirements have been met. The authorized and approved (signed) purchase order serves as the District’s commitment to complete a transaction with a vendor. Purchase orders are retained in the purchase order system and are used for creating a receiving record of the item(s) purchased and for verifying the accuracy of delivered items.

   Purchase Order Approval Authorities:

<table>
<thead>
<tr>
<th>Purchase Order Amount</th>
<th>Department</th>
<th>Approving Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500</td>
<td>All</td>
<td>Purchasing Agent</td>
</tr>
<tr>
<td>$500</td>
<td>Accounting</td>
<td>Finance Manager</td>
</tr>
</tbody>
</table>
7. Inspection of Deliveries. The inspecting and testing of materials and equipment usually occurs at the time of delivery. The person inspecting the delivered item(s) needs to be familiar with the product. If there are problems with the delivery, the purchasing agent should be notified immediately. The shipping invoice or packing slip should be used to verify the shipment and to note any problems with the shipment.

8. Receipt and Payment of Invoices. After the shipment has been inspected, the shipping invoice or packing slip will go to the purchasing agent (or head storekeeper) to be received through the purchase order system. The employee receiving the materials or equipment should ensure that the quantity and quality of the delivered goods are as ordered and match the invoice/packing slip, as well as the purchase order. The purchasing agent (or a member of the stores department) will then print a “material receipt” matched with the invoice/packing slip for the accountant, who will then use this information for payment processing.

9. Invoice/Purchase Order Discrepancies. When goods or services have been accepted by a District representative and the invoice total exceeds the purchase order amount, the payment shall require approval as follows:

a. The general manager may authorize payment of invoices that exceed the approved purchase amount, up to 10 percent; however, any variance over 110 percent of the agreed price must be approved by the commissioners.

b. While not a normal practice, any purchase where an invoice is received and a purchase order was required but not approved in advance, the District may pay the invoice provided it is approved for payment by the appropriate manager.

D. In the absence of the general manager, the finance manager and/or the chief of engineering and operations may be delegated some authorization responsibilities. If the finance manager and/or the chief of engineering are not available, their duties will be fulfilled by the general manager. In the absence of any other member of staff, a member of the management team authorized for purchasing may be delegated to their purchasing duties. (Res. 1390, 2017)

4.12.050 Purchasing credit card.

The District retains a credit card to be used for purchasing or acquiring of District material only when the purchase order process will not work or is not practical. The card will be held and issued by the administrative secretary/treasurer. Use of this credit card for purchase or acquisition of material is to be made by the purchasing agent only. In cases where the credit card is not accepted via telephone or payment cannot be made using an in-store account or chain specific credit card (e.g., Home Depot), the purchasing credit card may be issued to the purchasing agent who will authorize temporary use of the physical card by District employees, after approval has been received from the General manager. Purchases made using the purchasing credit card are limited to a maximum amount of $1,500 per transaction, not including tax and freight, before general manager approval is required. The respective department supervisor will first approve purchases with this card. Charges to this credit card will be reconciled with the monthly billing from the financial agency holding rights to the card. The purchasing agent will attach a quote sheet to the reconciliation. The monthly billing, once reconciled, will be processed by the accounting department. The credit limit established for the purchasing credit card is $7,500. This card is not to be used for travel, personal or other District expenditures. (Res. 1390, 2017)

4.12.060 In-store credit accounts.

The District has established credit with several local vendors for small purchases. The purpose of these credit arrangements is to eliminate the need to write numerous purchase orders during the month, and therefore save the District time, supplies, and money. Whenever goods and services to be purchased can be found within Pacific County (or neighboring counties) at a cost and quality that is competitive with outside vendors, the particular item(s) shall be purchased from suppliers in which the District holds an account, as allowed under RCW Title 54. Those wishing to purchase District material at a location in which the District has an account need to receive permission prior to making the purchase. Any exceptions to this section must be authorized by the general manager. (Res. 1390, 2017)


The District has a petty cash fund to be used for small purchases made by employees. This process is intended for purchases with a value of less than
$50.00. The District petty cash fund may be used to purchase low cost items which are needed immediately and where no credit has been established with a vendor. Items to be purchased through the petty cash fund must be approved by a supervisor prior to the purchase. Purchasers will complete an approved petty cash form and provide a receipt to document the purchase. The petty cash fund is replenished from time to time as necessary. (Res. 1390, 2017)

4.12.080 Formal bidding process.
A. The District must use the formal bidding process when the dollar amount of the materials, equipment, supplies, or project(s) exceeds the allowable limits for purchasing or performing work in house. For clarification when a formal bid is required, please see the thresholds listed under daily purchasing activities.

B. In preparation for a formal sealed bid, the contract administrator (management staff facilitating the bid), shall look over his/her pre-qualified bidders list. Those vendors or contractors on the list that are able to provide the materials or perform the work needed shall be sent a bid packet for the formal bid. It is the contract administrator’s duty to maintain a pre-qualified bidders list. When a new vendor or contractor requests to be added to this list, a pre-qualified bidder questionnaire will be sent at that time. It is the responsibility of all vendors or contractors to return a pre-qualified bidders questionnaire with their bid packet if one has not been received by the District in the last year.

C. In order to solicit formal bids from those who are not already on the pre-qualified bidders list, the District will post an invitation to bid in the local legal newspaper, and may post notices on other public bidding sites, as well as the District website. The invitation will be posted at least 13 days prior to the bid acceptance deadline. This advertisement will explain the bid invitation, acceptance deadline, and date and time for bid opening. Bids are accepted via USPS, UPS or FedEx by 10:00 a.m. on the day of the bid opening, or by hand no later than 1:00 p.m. on the date and at the location of the bid opening. Formal sealed bids are opened during the public Board of Commissioners meeting, as advertised, and will only be accepted if the bidder has provided a responsive bid, with all of the required material, on time at the correct location. Nonresponsive bids will be rejected. Bidders are required to return the bid packet with all completed forms as well as a bid bond (or other form of bid deposit) of five percent of the bid amount.

D. After sealed bids are opened at the District’s public Board of Commissioners meeting, the District will evaluate and determine if the bidder can be deemed a responsible bidder. These criteria will be used in the review process at the time of bid submittal (RCW 39.04.350). The contractor must have:

1. A certificate of registration in compliance with Chapter 18.27 RCW;
2. A current State Unified Business Identifier (UBI) number;
3. Industrial insurance coverage for the bidder’s employees working in Washington as required in RCW Title 51, an Employment Security Department number as required in RCW Title 50 and a State excise tax registration number as required in RCW Title 82, if applicable;
4. Not been disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3); and
5. Not been found out of compliance by the Washington State Apprenticeship and Training Council for working apprentices out of ratio, without appropriate supervision, or outside their approved work processes as outlined in their standards of apprenticeship under Chapter 49.04 RCW for the one-year period immediately preceding the date of the bid solicitation, if bidding on a public works project subject to the apprenticeship utilization requirements in RCW 39.04.320.

E. In addition, the District requires supplemental criteria to determine bidder responsibility by use of the pre-qualified bidder packet. In order for the District to award a contract, a person, firm or corporation must have the following requirements:

1. Adequate financial resources or the ability to secure such resources;
2. The necessary experience, organization, and technical qualifications to perform the proposed contract;
3. The ability to comply with the required performance schedule taking into consideration all of its existing business commitments;
4. A satisfactory record of performance, integrity, judgment and skills;
5. Be otherwise qualified and eligible to receive an award under applicable laws and regulations; and
6. Certify that, within a three-year period immediately preceding the bid, they have not been a “willful” violator of any provision of Chapter 49.46, 49.48 or 49.52 RCW.
F. If the District is not satisfied with the sufficiency of the information contained in the bid packet and determines that such a person, firm or corporation does not meet all of the requirements, the bid received must be disregarded. The District will also verify that the contractor is not on any applicable debarred contractors list. This verification will be documented.

G. After review of the opened bids by the contract administrator and general manager, the District will award the bid to the lowest responsible pre-qualified bidder as long as the bid meets the District’s needs regarding standards and specifications. The District will reject all bids if the lowest bidder exceeds the estimated cost by more than 15 percent (RCW 54.04.080). The bid will be awarded at a public Board of Commissioners meeting, to be announced at the time of opening. Most commonly the bids are awarded at the next Board of Commissioners meeting following the opening of the bids.

H. A five percent bid deposit of the total contract amount that could be awarded, including additions and alternate bids, is required. The payment may be in the form of a cashier’s check, money order, surety bond or certified check (RCW 54.04.080). The District holds the deposit of the awarded bidder and returns those who have not been awarded the bid. The District will accept a surety bond unless it can demonstrate a good reason for refusing the bond.

I. A performance bond is to be returned to the District with the contract packet within 10 days of notification that they are the winning bidder (RCW 54.04.080). Performance bonds are required to ensure that the winning bidder will complete the project and pay all subcontractors, workers and suppliers. The District requires a performance bond for all projects. The minimum amount will be 25 percent but may be up to 100 percent as specified by the District.

J. Public works contracts require that each contractor on the project file a statement of intent to pay prevailing wages (intent). The contractor must submit the intent to Labor and Industries. The District will verify this has been done. The contracted work may begin before the submittal to the District but no payments can be made until the intent has been filed.

K. Any contracted public works construction project where the contractor believes there are items outside the scope of the original contract shall be brought to the District’s attention immediately. The contractor or vendor and the District are authorized to negotiate an adjustment to a bid price. These change orders will be evaluated by District representatives for absolute need as part of the project, options if needed, reasonableness of the contractor or vendor quote and whether there are funds available for the extra cost, before making a recommendation to approve of modifications to the contract plans and specifications. The general manager approves change orders totaling less than 25 percent of the original contract price, not to exceed $50,000. The commission will approve change orders exceeding these limits.

L. The District is responsible for obtaining the completed affidavit of wages paid (affidavit) form after the contracted project is complete. The affidavit is found on the Labor and Industries website. The final retainage payment cannot be released until all the contractors have submitted an approved affidavit.

M. Upon acceptance of the construction work over $35,000 (per Labor and Industries) done under a contract, the general manager will submit a notice of completion of public works contract to the Department of Revenue Public Works Section, the Department of Labor and Industries Standards and Coordination Unit and the Employment Security Department Registration, Inquiry, Standards and Coordination Unit. No payment of retainage shall be released until receipt of all release certificates from these agencies.

N. All bid documents shall be on file with the administrative secretary as a public document which will be made available to all interested parties. After bids are opened a completed bid tabulation sheet with vendors/contractors and bid amounts will be made available upon request. (Res. 1390, 2017)
bids where purchases are in excess of $15,000 in any one calendar month. For guidance in determining whether the District is able to purchase the materials, equipment or supplies as a daily purchasing activity or through the formal bid process, the following factors will be used (but not limited to):

1. Insulation.
3. Capacity.
4. Size.
5. Voltage.
6. Physical design.
7. Function.
8. Phases.
10. Interrupting rating.
11. Voltage rating.
12. Strength.
13. Length.
14. Weight.
15. Height.

C. Whenever there is a question which arises as to whether an item is the same kind of material, equipment or supplies, such matter shall be immediately called to the attention of the general manager who shall determine the specific facts as to whether or not such item or items to be purchased fall within the terms defined in this section. The commission reserves the right hereafter to interpret, construe or rule with regard to this section upon any such items in making a determination as to whether or not they are of the same kinds of materials, equipment or supplies. (Res. 1390, 2017)

4.12.100 Public works projects.

A. Any public works project with an estimate greater than $25,000 requires a formal competitive bid process, in accordance with RCW 54.04.080. The bids will be opened at a specified date and time and open to the public. The bids shall be thoroughly reviewed for accuracy. The estimate, bids, bid tabulation sheet and recommendation shall be provided to the general manager for review and then presented to the commission for award.

B. The contract administrator who requested the bid and is overseeing the construction project shall be responsible for monitoring and reporting phases and progress for all contract work. That manager shall validate work progress, pay estimates and prepare and recommend change orders for approval. (Res. 1390, 2017)

4.12.110 Exceptions to daily purchasing activity and formal bidding process.

A. Washington State Contract. The District may purchase from the Washington State Contract without a bidding process, provided the item is included in the adopted budget and the District is an active member. The District may also use any nationally or State recognized bidding organizations, provided all State laws and general requirements of this policy are followed.

B. Purchases of Single Source Supply. In accordance with RCW 39.04.280, competitive bidding requirements may be waived for single source supply in cases where there may only be a single vendor able to meet the specifications and standards of the District’s needs.

C. Declaration of Emergency. The District is authorized to make emergency purchases in response to unforeseen circumstances beyond District control which present a real, immediate, and extreme threat to the proper performance of essential District operations or which may reasonably be expected to result in excessive loss or damage to property, bodily injury, or loss of life.

When the commissioners declare an emergency, the language as stated in this chapter for purchasing and bid procedures will not be required, per RCW 39.04.280. The spending authority levels will remain in accordance with this policy with the exception of commissioner approval for items over $100,000.

The declaration of emergency will be in force until normal maintenance practices return, at which time the purchasing and formal bidding requirements will be reinstated.

D. Interlocal Agreements or Piggybacking. The District may utilize another local government entity bid if the following conditions are met:

1. The contract is determined to have been awarded in compliance with all bidding requirements of the District.
2. The contract was awarded with terms indicating that it would be available for use by other public entities.
3. There is no statutory provision prohibiting such a purchase.
4. The District has performed due diligence to confirm the contract is the lowest competitive price available.

The commission shall approve through motion an interlocal agreement for the intergovernmental purchase as described in RCW 39.34.030(2).

E. Real Estate Transactions. All real estate transactions shall be approved through action by
the Board of Commissioners, granting signing authority to the general manager. (Res. 1390, 2017)

4.12.120 Services.
A. Services are non-public-works activities requiring labor, equipment, supplies and/or materials for which the District contracts, on a period and/or routine basis. There are two basic tasks when seeking these services:
1. Identifying and selecting the professional best qualified to meet the District’s needs.
2. Ensuring the selected professional understands and provides for District’s needs in the most cost-effective manner.

A request for qualifications (RFQ) or request for proposals (RFP) will be published for these services.

B. Typical Services.
1. Architectural and Engineering Services (RFQ). In accordance with Chapter 39.80 RCW these professional services include, but are not limited to:
   a. Architectural design.
   b. Engineering study and design.
   c. Land surveying.
   d. Landscape architecture.
   e. Structural design.

2. Professional Services (RFQ). Professional services are defined as a vocation, calling or occupation involving labor, skill, education, special knowledge and is predominantly mental or intellectual, rather than physical or manual. These professional services include, but are not limited to:
   a. Accountants.
   b. Actuaries.
   c. Attorneys.
   d. Computer programmers/consultants.
   e. Insurance brokers.
   f. Financial analysts.
   g. Planners.
   h. Real estate appraisers.
   i. Telecom.

3. Maintenance and Miscellaneous Services (RFP). Ordinary maintenance is work performed by District employees and not contracted. Maintenance is defined as work performed by contract, keeping existing facilities in good, usable operational condition. When maintenance is contracted out, it is subject to public works bidding and prevailing wage requirements. Miscellaneous services are nonmaintenance activities performed by contract. Typically these services are physical or manual labor as opposed to intellectual. The general manager should be consulted prior to advertising for these services to confirm if prevailing wages apply. Maintenance and miscellaneous service examples:
   1. Snowplowing (service).
   2. Tree trimming and removal (maintenance).
   3. Janitorial (service).
   5. Landscaping (maintenance).

4.12.130 Request for qualifications (RFQ) or request for proposals (RFP).
A. When soliciting either an RFQ (for architectural, engineering or professional services) or an RFP (for maintenance and miscellaneous services) the District will adhere to RCW 39.80.030. The District will publish an announcement when an RFQ or RFP is needed in the local legal newspaper. These announcements may also be published on the District’s website as well as in other local newspapers. The announcement will define what services the District is requesting, the requirements and criteria needed, and the District manager (address and phone) to contact in regards to the request. As per RCW 39.80.040, the District shall encourage minority, veteran and women owned firms to submit their statement of qualifications and performance data, as the District is an equal opportunity and affirmative action employer.

B. In the case of an RFP, the District will evaluate submittals and make a decision based on the contractor who can provide the service or maintenance at the lowest cost to the District while meeting the standards and specifications needed, within the District’s budgeted estimate. If no response is received meeting these requirements, the RFP shall be cancelled.

C. RFQs will be evaluated and the District will choose the most qualified firm with which to begin negotiations. The District will contact said firm, outline the scope, requirements, standards and specifications of the work needed. If the firm provides a fair and reasonable price meeting the District’s needs within the budgeted amount, this firm will be selected. If the District and the firm are unable to negotiate a price, that firm will be bypassed and the District shall select another firm in accordance with RCW 39.80.040 and continue as stated above until an agreement is reached or the process is terminated. The bidder chosen shall not assign the contract or any part thereof without the approval of the District.
D. All proposed contracts awarded to RFQ and RFP applicants will be approved through the District’s purchase order procedures before work is started. Any work performed or materials ordered before such approval shall be entirely at the firm or contractor’s risk. The District shall pay the contractor or firm for the performance of the contract, subject to additions and/or deductions provided herein. Where the quantities originally contemplated are changed so that the application of the agreed unit price to the quantity of work performed is shown to create a hardship to the District or contractor/firm, there shall be an equitable adjustment of the contract to prevent such hardship.

E. Final payment shall be due 30 days after substantial completion of work, provided the work is fully completed and the contract fully performed. Partial payments may be made if the contract is continual or lengthy, as determined by the District. In the case of a request for proposal bids:

1. Upon receipt of written notice that the work is ready for final inspection and acceptance, the District shall promptly make such inspection and shall determine that all work provided for in the contract has been performed and that all materials and equipment specified have been provided.

2. Before issuance of final payment to the contractor, the contractor shall submit satisfactory evidence that all payrolls, material bills, and other indebtedness connected with the work have been paid in compliance with federal, State and local laws.

3. The District, upon determination that the contract has been satisfactorily fulfilled and there are no claims outstanding, shall make payment of the balance due.

4. Such final payment shall not constitute a waiver of claims against the contractor.

5. In accepting the contract, the contractor, his successors and assigns, agree to protect and save harmless the District from all claims, actions or damages of every kind and description which may accrue or be suffered by any person or persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by improper occupancy of rights-of-way or public place or public structure, and in case any suit or action is brought against the District for damages arising out of or by reason of any of the above causes, the contractor, his successors or assigns will, upon notice to him or them or commencement of such action, defend the same at his or their sole cost and expense and will fully satisfy any judgment after said suit or action shall have finally been determined if adversely to the District. (Res. 1390, 2017)
Chapter 4.16
PAYMENT PROCEDURES

Sections:
4.16.005 Treasurer – Duties.
4.16.010 Finance department – Duties.
4.16.015 Auditor – Duties.
4.16.020 Procedure for filing damage claims.
4.16.025 Procedure for payment of damage claims.
4.16.030 Procedure for payment of bills.
4.16.040 Procedure for issuance of replacement checks.

4.16.005 Treasurer – Duties.
It shall be the duty of the treasurer to monitor the bank accounts of the District, and to keep the Board of Commissioners fully advised as to the financial condition thereof. (Res. 1337, 2013)

4.16.010 Finance department – Duties.
It shall be the duty of the accounting department to process all duly approved bills and damage claims received by the District. These bills shall be compiled and entered into the accounts payable system. An itemized report of pending payments will be provided to the auditor for inspection prior to each board meeting. Upon approval from the Board of Commissioners, this department will print checks and provide the treasurer with a system generated check register which shall include the name of the payee, the date of the issue, the check number and the check amount. This department shall retain the original bills, a copy of the check register, a duplicate copy of the check, and the original commission authorization document. (Res. 1337, 2013)

4.16.015 Auditor – Duties.
It shall be the duty of the auditor to audit all claims, demands, and charges against the District. The auditor shall present the claims so audited to the Board of Commissioners for examination and allowance in the manner prescribed by the State Auditor’s Office. Upon approval from the commission, the auditor shall sign the checks. Checks in excess of $20,000 shall require an additional signature by another authorized signer on the account. (Res. 1337, 2013; Res. 979, 1986; Res. 10 § 7, 1937. Formerly 4.16.010.)

4.16.020 Procedure for filing damage claims.
No claim for damages shall be considered by the District unless a standard tort claim form has been submitted to the District. This form may be obtained by visiting the District web site, District offices, or may be mailed upon request. The District will comply in all respects with the provisions of Chapter 4.96 RCW. (Res. 1337, 2013; Res. 10 § 8, 1937)

4.16.025 Procedure for payment of damage claims.
No damage claim of any kind against the District shall be paid until it has been investigated by District personnel and/or the District’s insurance agents and deemed to be valid. Payments for claims which have been settled may be issued by the District’s insurance agency. (Res. 1337, 2013)

4.16.030 Procedure for payment of bills.
A. Check Payments. Check payments are the customary method of payment for District obligations.

B. Electronic Funds Transfer (EFT) Payments. Electronic funds transfer payments represent any transfer of funds, other than a transaction originated or accomplished by conventional check, draft, or similar paper instrument which is initiated through an electronic device so as to order, instruct, or authorize a financial institution to debit or credit a checking account or other deposit account. The Board of Commissioners recognizes the necessity to use this method of payment for certain vendors and authorizes the District treasurer to initiate these payments when needed.

C. The board of commissioners shall be presented the audited bills and claims incurred by the District for examination and allowance at the next scheduled board meeting. Check payments will be processed following the meeting for each bill or claim approved by at least two of the three commissioners.

D. The District is authorized to issue payments for recurring bills prior to the approval process. Examples may include payroll checks and their related deductions and expenses, payment of bills to federal and State agencies, and other EFT payments that occur on a monthly, quarterly, or yearly basis.

E. The board of commissioners shall grant discretion to the general manager to authorize payment of bills or claims prior to the approval process by the board when, in his/her judgment, such payment will prevent the District from incurring addi-
tional fees, allow the District to receive a discount or when such payment must be made prior to the next regularly scheduled meeting of the commission. (Res. 1337, 2013; Res. 979, 1986; Res. 10 § 10, 1937)

4.16.040 Procedure for issuance of replacement checks.

A. The commissioners of the District have deemed it advisable to establish a uniform procedure to be followed in any case where it is claimed that a check issued by the District has been lost or destroyed, and the issuance of a replacement check is requested.

B. Before any such replacement check shall be issued, the District auditor shall require the person asking application for the issue of such replacement check, to file in the District office a written affidavit specifically alleging on oath that he/she is the proper owner, payee, or legal representative of such owner or payee of the original check for which a replacement is required, giving the date of issue, the number, amount, and for what services or claim such original was issued, and that the same has been lost or destroyed, and has not been paid or received by him/her.

C. On or before the time of issuing such replacement check, the treasurer of the District shall place a stop payment on the original check. If the stop payment is required due to negligence of the payee, the payee cannot produce the original check, and the District incurs a cost, the District reserves the right to charge the payee for the fee(s) incurred. (Res. 1337, 2013; Res. 979, 1986; Res. 115, 1941)
In the event that there is no accident report, the District will work with local law enforcement to determine a responsible party.

Vehicular damage that occurs on private property, where no police accident report exists, shall be billed to the property owner unless the property owner can provide the responsible party and said party agrees to accept responsibility. (Res. 1267, 2008)

4.18.040 After hours customer call outs.

As stated in District policy (Section 6.12.050(C) of this code), “If, at the customer’s request, a serviceman is dispatched after regular working hours, and the trouble is found to be in the customer’s equipment, the customer shall be responsible for payment to the District for the labor overtime cost incurred by the District.”

In the case of an after hours trouble call, the engineer fielding the call will work with the customer, over the phone, to assist the customer in troubleshooting the issue. If no solution is found, the engineer will notify the customer that they will be billed, in accordance with District policy, if the trouble is found to be in the customer’s equipment. The customer will also be informed that they have the option of waiting until the next business day to address the issue. (Res. 1267, 2008)

4.18.050 Other damage.

In accordance with District policy (Sections 6.12.020 and 6.12.030 of this code), the property owner will generally be held financially responsible for damage to District-owned equipment that occurs on the customer’s premises. If there are extenuating circumstances, the District may work with the property owner to investigate such damage and attempt to determine the responsible party.

The property owner shall be responsible for damage caused by the owner, contractors or any third party working for or with the owner. It will be up to the property owner to work out terms of reimbursement from the contractor or any third parties involved in the damage. (Res. 1267, 2008)

4.18.060 Payment terms.

Billing terms are net 30 days. (Res. 1337, 2013; Res. 1267, 2008)

4.18.070 Payment arrangements.

If the customer contacts the finance manager to make payment arrangements, the following terms shall be followed:

<table>
<thead>
<tr>
<th>Amount Owed</th>
<th>Term in Months</th>
<th>Note Required?</th>
<th>Interest Applied?</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 – $500</td>
<td>Up to 6</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>$501 – $1,000</td>
<td>Up to 12</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>$1,001 – $3,000</td>
<td>Up to 18</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>$3,001 – $4,000</td>
<td>Up to 24</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>$4,000+</td>
<td>Negotiated – Up to 60</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Interest will be applied at the current rate the District is earning on funds in the Washington State Government Investment Pool. (Res. 1267, 2008)

4.18.080 Collection on past due accounts.

An accounts receivable aging report is run on or about the twenty-fifth of each month. Unless an account has been paid in full or payment arrangements have been made, an account is considered past due 30 days after the date of the invoice. For such past due accounts, the following actions are taken:

Accounts that are 30 days past due, with no customer contact for payment arrangements, are mailed a 30-day warning letter in addition to a reminder statement. This letter includes a reminder that the account is past due and if payment arrangements are needed they can be arranged with the finance manager.

Accounts that are 60 days past due, with no customer contact for payment arrangements, are mailed a letter with the reminder statement informing the customer that their account will be turned over to the District’s collection agency if we don’t hear from them within the next 30 days. The letter also informs the customer that Washington State Law gives the District the right to add fees of up to 50 percent of the unpaid debt to cover collections costs.

Accounts that are 90 days past due, with no customer contact for payment arrangements, are assigned to the District’s collection agency. In accordance with Washington State Law, the amount due is increased by the percentage charged.
by the collection agency. (Res. 1337, 2013; Res. 1267, 2008)

4.18.090  Assigned accounts.
   Accounts that are assigned for collections are moved to a separate GL account for tracking purposes. These accounts will remain on the books until they are either paid in full or pass the six-year statute of limitations on initiating legal action to collect. Accounts that go beyond six years will be written off against the provision for bad debts account. (Res. 1267, 2008)

Chapter 4.20
MISCELLANEOUS FINANCIAL PROCEDURES

Sections:
4.20.010 Disposition of moneys derived from utility operation.

4.20.010 Disposition of moneys derived from utility operation.
Until the further order of the commission, it shall be the duty of all customer service representatives employed by the Public Utility District to deposit in the name and to the credit of the revenue fund of the District all revenues or moneys derived from or received in connection with the operation of the District. Each office shall immediately forward to the treasurer at the Willapa Operations Center, duplicate deposit slips covering any and all such deposits. The customer service representatives at the Peninsula Operations Center or the Willapa Operations Center shall deposit all moneys received at their respective office of the Public Utility District in the name and to the credit of such fund in accounts as established by the treasurer and approved by the board of commissioners. (Res. 1337, 2013; Res. 1178, 2001; Res. 1069, 1992; Res. 979, 1986; Res. 340 § 1, 1951)
Chapter 4.24

CONTINGENCY FUND

Sections:
4.24.010 Generally.
4.24.020 Custodian.
4.24.030 Disbursements.
4.24.040 Contingency fund.

4.24.010 Generally.
The rules and regulations governing the District’s contingency fund shall be as set out in Sections 4.24.020 through 4.24.040. (Res. 900, 1983)

4.24.020 Custodian.
The auditor of the District shall be the custodian of such account and shall be responsible for all expenditures made from the account before the auditing and regular allowance thereof by the commission. (Res. 1069, 1992; Res. 900 § 1, 1983)

4.24.030 Disbursements.
Disbursements from the account shall be made upon check drawn by the auditor of the District. Disbursements may be made from such account for the following purposes: making change, payment of postage, payment of freight, refunding of customer’s deposits, and for such other expenses incurred in the usual and ordinary course of business for which payment must be made prior to the next ensuing meeting of the commission. All disbursements from the contingency fund shall be drawn in favor of the payee thereof, and authenticated by a voucher or receipt, showing the person by whom the money is expended and the purpose of such expenditure. (Res. 1337, 2013; Res. 1069, 1992; Res. 900 § 2, 1983)

4.24.040 Contingency fund.
The auditor is authorized and directed to facilitate the distribution of the District’s contingency fund as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Checking account</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>Raymond Office – Cash</td>
<td>450.00</td>
</tr>
<tr>
<td>Long Beach Office – Cash</td>
<td>650.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,500.00</strong></td>
</tr>
</tbody>
</table>

The auditor will receive receipts therefor from each respective customer service representative. Such funds are to be left with each of such respective cashiers for the purpose of making change, and

(Revised 12/13)
Chapter 4.28

MISCELLANEOUS FUNDS
AND ACCOUNTS

Sections:
4.28.010 Repealed.
4.28.020 Building fund.
4.28.030 General reserve fund.

4.28.010 Advance travel fund.
Repealed by Res. 1337. (Res. 1069, 1992; Res. 910, 1984)

4.28.020 Building fund.
Insurance proceeds received by the District as a result of MDL 551 litigation arising from insurance policies benefiting the District and any additional insurance moneys received and the interest earned thereon shall be placed in a fund for future building construction, such fund to be called the “building fund.” (Res. 1337, 2013; Res. 1101, 1994)

4.28.030 General reserve fund.
The District will create a general reserve fund through the Local Government Investment Pool (LGIP) set at no less than $1,500,000 and no more than $2,000,000 for future unexpected or emergency use, to be approved by the commission, and that the previous other funds be dissolved. (Res. 1397, 2018; Res. 977, 1986)

Chapter 4.32

LOCAL GOVERNMENT INVESTMENT POOL

Sections:
4.32.010 Deposit and withdrawal authorized.
4.32.020 Officers authorized.

4.32.010 Deposit and withdrawal authorized.
A. The Board of Commissioners of Public Utility District No. 2 of Pacific County, Washington, does hereby authorize the contribution and withdrawal of governmental entity monies in the Local Government Investment Pool (LGIP) in the manner prescribed by law, rule, and prospectus.

B. The District has approved the Local Government Investment Pool Transaction Authorization Form (form) as completed by the treasurer and incorporates said form into this chapter by reference and does hereby attest to its accuracy. (Res. 1349, 2014; Res. 1074, 1992; Res. 1067, 1992)

4.32.020 Officers authorized.
A. The District designates its treasurer the “authorized individual” to authorize all amendments, changes, or alterations to the form or any other documentation, including the designation of other individuals to make contributions and withdrawals on behalf of the District; and

B. This delegation ends upon the written notice, by any method set forth in the prospectus, of the District that the authorized individual has been terminated or that his or her delegation has been revoked. The Office of the State Treasurer will rely solely on the District to provide notice of such revocation and is entitled to rely on the authorized individual’s instructions until such time as said notice has been provided; and

C. The form as incorporated into the resolution codified in this chapter or hereafter amended by delegated authority, or any other documentation signed or otherwise approved by the authorized individual, shall remain in effect after revocation of the authorized individual’s delegated authority, except to the extent that the authorized individual whose delegation has been terminated shall not be permitted to make further withdrawals or contributions to the LGIP on behalf of the District. No amendments, changes, or alterations shall be made to the form or any other documentation until the entity passes a new resolution naming a new authorized individual; and
D. The District acknowledges that it has received, read, and understood the prospectus as provided by the Office of the State Treasurer. In addition, the District agrees that a copy of the prospectus will be provided to any person delegated or otherwise authorized to make contributions or withdrawals into or out of the LGIP and that said individuals will be required to read the prospectus prior to making any withdrawals or contributions or any further withdrawals or contributions if authorizations are already in place. (Res. 1349, 2014; Res. 1074, 1992; Res. 1067, 1992)

Chapter 4.36

INVESTMENT POLICY

Sections:

Article I. Investment Policy

4.36.010 Policy.
4.36.020 Scope.
4.36.030 Prudence.
4.36.040 Objectives.
4.36.050 Delegation of authority.
4.36.060 Authorized financial dealers and institutions.
4.36.070 Authorized and suitable investment.
4.36.080 Diversification.
4.36.090 Maximum maturities.
4.36.100 Internal controls.

Article II. Operating Procedures

4.36.110 Investment operating procedures.
4.36.120 Safekeeping.
4.36.130 Transfer of funds.
4.36.140 Investments.
4.36.150 New accounts.

Article I. Investment Policy

4.36.010 Policy.

It is the policy of Public Utility District No. 2 of Pacific County to deposit and invest all funds received in a manner which will provide maximum security with the highest investment return while meeting the cash flow requirements of the District. The District's investment policy will conform to all State and local statutes governing the investment of public funds including those enumerated in Chapter 39.59 RCW. (Res. 1230, 2005)

4.36.020 Scope.

This investment policy applies to all funds controlled by and all investment transactions made by the District treasurer. Examples of such funds include:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Account Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997 Bond Reserve</td>
<td>125.160</td>
</tr>
<tr>
<td>2001 Construction</td>
<td>126.050</td>
</tr>
<tr>
<td>1997 Construction</td>
<td>126.150</td>
</tr>
<tr>
<td>General Reserves</td>
<td>128.000</td>
</tr>
</tbody>
</table>
4.36.030  Prudence.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. (Res. 1230, 2005)

4.36.040  Objectives.

The primary objectives, in priority order, of the District treasurer investment activities shall be:

A. Safety. Safety of the principal is the foremost objective of the investment program. Investment of funds by the treasurer shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
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B. Liquidity. The District treasurer’s investment portfolio will remain sufficiently liquid to enable the District to meet all operating requirements that might be reasonably anticipated. (Res. 1230, 2005)

4.36.050 Delegation of authority.

According the Chapter 39.59 RCW, the District treasurer is authorized to execute investment transactions dealing with funds under the control of the treasurer. Authority to manage the investment program is derived from this investment policy as adopted by resolutions adopted by the District, the State, and the federal government.

The District treasurer shall establish written procedures for the operations of the investment program consistent with this investment policy. These procedures shall include safekeeping, transfer of funds, investment, and establishing new accounts. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the treasurer. (Res. 1230, 2005)

4.36.060 Authorized financial dealers and institutions.

The following guidelines are an integral part of this policy:

A. Deposit and investment of District funds shall be made only in those institutions and in those securities in which the District treasurer is statutorily authorized and approved to invest including Chapter 39.59 RCW.

B. All investments within the portfolio of the District treasurer, shall be classified as “investments” for purpose of annual interim financial statements of the District; except for any instrument (e.g., Washington Local Government Pool Investment) which pursuant to GASB Statement No. 9 meets the criteria to be classified as “cash equivalents.” Consistent with the cash flow requirements of the District an adequate cash balance will be maintained with District funds to satisfy current operating and claims payment expenditures. (Res. 1230, 2005)

4.36.070 Authorized and suitable investment.

Among the authorized investment are U.S. Treasury and agency securities (i.e., obligations of any government sponsored corporation eligible for collateral purposes at the Federal Reserve), certificates of deposit with qualified public depositories within statutory limits as promulgated by the Washington Public Deposit Protection Commis-
surer due to the position being vacant or an extended illness. However, either the deputy treasurer, finance manager, auditor, or general manager can verify an investment transaction made by the treasurer as described within this document. It is the District treasurer’s ultimate responsibility to ensure that the investment funds of the PUD are secure.

As allowed by resolution, the District has investment or funds located in the Washington State Local Government Investment Pool, and certificates of deposit, market rate savings funds, and checking accounts in local financial institutions. The treasurer manages the revenue fund and any other special funds as determined by the Board of Commissioners. (Res. 1230, 2005)

4.36.130 Transfer of funds.

The District’s treasurer is responsible for the transfer of funds from one account to another either by wire or check to ensure that the District’s investments make the highest interest and yet enough is kept aside for day-to-day operations.

A. Wire Transfer. The treasurer initiates a transfer of funds by wire between local financial entities, a financial entity and the State pool, or from the revenue fund at a local financial entity to a firm to make a payment. The treasurer will need a personal I.D. number, a repetitive code number, amount to be transferred, and specific fund account numbers. In some instances, the Treasurer will make the transfer, while in other cases, the initial agency contacted will make the actual transfer. Where transfers at a level of $500,000 or greater will require a contact by the financial institution with a second employee at the PUD. Confirmation of any wire transfer will be mailed or faxed to the PUD. Transfer of funds from one account to another or in order to make payment on an invoice requires an authorization form presented to the treasurer from the enabling department or individual. The treasurer will enter into a wire transfer agreement with a financial entity when required. Wire transfers could include a transfer of cash from the revenue fund to the State pool, payment of a power sales bill out of the revenue fund, or debt service payment.

B. Transfer by Check. When a certificate of deposit (CD) comes due and the funds are to be transferred to another account such as the revenue fund checking account or the State pool, the financial entity issues a check made out to the PUD. The District’s treasurer next deposits this check into the revenue fund and if desired, the treasurer will then wire these funds to the State pool.

If needed, the District’s treasurer can write checks against the revenue fund to transfer to another account or for a CD. Where this check is written in an amount that is at a level of $250,000 or higher, the treasurer will need to have a second signature from another employee authorized to sign. (Res. 1230, 2005)

4.36.140 Investments.

The treasurer will survey the local market and the State pool and invest excess funds where they will be at the least risk and collect the highest interest. Adequate funds will be left in the revenue fund and other savings and checking accounts to cover daily operating expenses. Excess funds will be invested in certificates of deposit at levels beginning at $5,000 up to a maximum $500,000. CD’s can be in even denominations or include interest for a particular account. The treasurer will work, when needed, with the management employee involved in the use of the funds to determine what amount to invest in a certificate versus leaving the currency in a market savings or checking account or the State pool. (Res. 1230, 2005)

4.36.150 New accounts.

It will be the responsibility of the District’s treasurer to establish any new accounts under which funds will be invested. An authorized District employee, other than the treasurer, will be contacted by the financial institution to verify this new account. All accounts will be noted in the treasurer’s report and District financial statements. When setting up new accounts, the treasurer will collect signatures from employees authorized to sign for the checks or provide approval for any transfers. A listing of the accounts and authorized employee positions are shown on the resolution codified in this section. (Res. 1230, 2005)
Chapter 4.40

SMALL AND ATTRACTIVE ASSETS POLICY

Sections:
4.40.010 Intent.
4.40.020 Policy.
4.40.030 General.

4.40.010 Intent.
The following documents a small and attractive assets policy and procedures system designed to ensure controls over items that might not be noticed immediately after their disappearance. The intent of this policy is to obtain accountability over items that do not meet the criteria of a fixed asset and would not be noticed immediately upon disappearance or replacement. (Res. 1401, 2018)

4.40.020 Policy.
It is the policy of the PUD to maintain accountability over all tangible items that may have the likelihood of disappearing without being noticed. Each department head shall review and update records to be verified by a physical inventory at least once a year and provide such list to the District auditor for monitoring difference between years. (Res. 1401, 2018)

4.40.030 General.
A. An attractive asset has the following characteristics:
   1. The asset is priced under the dollar value set by the capitalization policy for a fixed asset and has a life expectancy of more than one year.
   2. The asset is used for work, but has uses that make it easily converted for personal use and a target for theft.
   3. Attractive assets are often lightweight and portable and can be carried away by a person.
   4. The value is typically above $100.00.
   5. This does not include more permanent fixtures such as desks, tables, and shelving.
B. Examples of attractive assets include:
   1. Communications and media equipment.
   2. Desktops, laptops, tablets, printers, small electronics, and the like.
   3. Cameras and other photographic equipment.
   4. Tools; hand/power (chainsaws, drills, etc.)
   C. Each department head is responsible for working with the District auditor and purchasing agent on the following:
      1. Designating a key contact for their department for maintaining a log and annual inventory.
      2. Identifying attractive assets and maintaining a control list by adding purchases and removing disposals/other dispositions.
      3. Tagging each asset, recording the tag number and serial number on the control log.
      4. Ensuring that the assets are properly repaired/maintained or replaced.
      5. Conducting an inventory at least once a year, in December, of attractive assets.
      6. Deletions. Items will eventually be disposed of and will need to be deleted from the department’s list. Deletion may be required due to sale, scrapping, mysterious disappearance, or involuntary conversion. The department head is the one in position to trigger removal from their list. Items disappearing mysteriously will require additional reports to the police, general manager, and insurance company.
      The District auditor will request an inventory update at least once a year each January. (Res. 1401, 2018)
Chapter 4.44

RESERVE POLICY

Sections:
4.44.010 Objective.
4.44.020 Assumptions and factors.
4.44.030 Savings fund.
4.44.040 General reserve fund.
4.44.050 Long-term average balances.

4.44.010 Objective.
The objective of this policy is to ensure that the District is adequately positioned to meet the financial requirements created by large unexpected expenditures and/or revenue shortfalls. This policy establishes the reserve levels currently needed and sets minimum and maximum targets for cash reserves. This policy describes the steps to be taken to attain the needed reserve levels as established in this policy.

When establishing or adjusting minimum cash reserves for each of the reserve accounts identified in this policy, due consideration will be given generally to the following: operation and maintenance expenses, power cost, debt service, and health and welfare costs. (Res. 1402, 2018)

4.44.020 Assumptions and factors.
For each reserve account specific assumptions and factors will influence the amount of the reserve, as described in Sections 4.44.030 through 4.44.050. (Res. 1402, 2018)

4.44.030 Savings fund.
A. This fund is established to address short-term financial variability resulting from unexpected operating results and from unanticipated events. Because there are timing differences between when expenses are incurred and revenues are received from customers, a minimum savings fund helps ensure that the utility will have adequate liquidity to pay expenses in a timely manner.

B. Potential sources of cash flow variability addressed by the savings fund include, but are not limited to, the following:
   1. Reductions in overall customer demand.
   2. Changes in total system load resulting from the actions of large customers.
   3. Extensive health and welfare costs.
   4. Unexpected legal fees.
   5. Failure to achieve the budgeted net income.
   6. Changes in the cost of purchased power.

C. The general manager and District treasurer will identify the need for access to the savings fund and confirm that the use is consistent with the purpose of reserves as described in this policy.

D. The target savings fund level is set at no less than 60 days of total annual budgeted operating expenses (excluding depreciation and OPEB). Since this figure changes annually, this policy does not address the specific amount dedicated to this fund. At budget time, the general manager will recommend and approve the minimum fund level, based on guidance found in this policy. If funds are available, the minimum shall only increase or stay the same with each annual assessment.

E. If the savings fund falls below target and funds are not available to replenish it during the current year, the following year's budget shall include provisions for restoring the fund to target levels. In extreme cases, up to five years may be taken to restore this fund. If necessary, short- or long-term financing options may be considered.

F. When target minimums are met on an annual basis, investment opportunities may be considered using excess cash on hand following the investment policy and directive from the treasurer and general manager. (Res. 1402, 2018)

4.44.040 General reserve fund.
A. The purpose of the general reserve fund is to ensure sufficient financial reserve levels for emergency and unforeseen events. Bond proceeds may be used to reimburse budgeted capital projects from the previous 18 months to establish and maintain this fund. This fund is set at $1,500,000 to $2,000,000 per Section 4.28.040. This fund requires board approval before transfers may be made.

B. Upon approval by the board for a transfer in or out of the general reserve fund, the finance manager will create a transfer order and provide a copy to the treasurer for fund transfer. The transfer order should provide documentation of the analysis that determined that the fund transfer is necessary and is consistent with this policy. Ordinarily, the general reserve fund will be fully funded before cash is transferred to the savings fund. (Res. 1402, 2018)

4.44.050 Long-term average balances.
The reserve levels described in this policy are meant to be long-term average balances. It is understood that achieving the recommended
reserve level may not occur immediately, which could jeopardize the overall financial well-being of
the utility. There will be times when the reserve balances will fall below the established minimum
levels. The general manager will advise the Board on various matters related to the reserves, such as
whether a current deviation from the established acceptable levels is expected to be short-term or
whether any action needs to be taken. (Res. 1402, 2018)

Chapter 4.48
CAPITALIZATION POLICY

Sections:
4.48.010 Scope and purpose.
4.48.020 Definitions.
4.48.030 Capitalization threshold.
4.48.040 Asset additions.
4.48.050 Inventory and periodic assessment of
  condition.
4.48.060 Junk/disposal.
4.48.070 Lost or stolen assets.
4.48.080 Destroyed assets.
4.48.090 District employees role in the capital
  asset management system.

4.48.010 Scope and purpose.
The intent of this capitalization policy is to
establish a capital asset management system for
identifying, recording, maintaining, tracking, and
disposing of the District’s assets. The basic reasons
to account for assets are:
A. The District has a responsibility to safeguard
its assets and to develop a system of asset manage-
ment for the capital assets that it owns.
B. A considerable amount of public money can
be lost or wasted if there is no accountability of
capital assets.
C. Publicly held assets should be maintained in
proper working condition.
D. A management system monitors the use of a
public asset and protects the asset over its lifetime.
   1. It produces adequate records of historical
cost, date of purchase and other important informa-
tion.
   2. It provides a basis for adequate insurance
coverage.
   3. It provides inventory lists to departments
for conducting a physical inventory.
   4. It provides a basis for depreciation.
E. To assist in accountability and theft preven-
tion, each department manager is ultimately
responsible for all property purchased for their
department. The District may pursue any or all
remedies or relief deemed appropriate for loss or
misuse of assets. (Res. 1403, 2018)

4.48.020 Definitions.
“Attractive assets” are items that do not meet the
minimum capitalization threshold but require spe-
cial tracking. Managers have discretion in deter-
mining what is operationally appropriate for
designation as an attractive asset.
“Capital asset class” is determined by the designated numbering system for plant accounting as prescribed by the Federal Energy Regulatory Commission (300-399).

“Capital assets” are tangible and intangible assets which are intended for long-term use. Examples of capital assets are land, buildings, improvements, vehicles, infrastructure, construction-work-in-progress, machinery and equipment. The term as used herein refers only to operating facilities and equipment.

“Depreciation” is a method of allocating the cost of a tangible asset over its useful life. The District uses the straight-line method of depreciation.

“Group-life depreciation” has two different applications. The first type is applied to a set of very similar assets acquired at about the same time, such as a suite of office furniture. For this type of group-life depreciation, the group of assets should be treated as a single asset; any gain or loss on disposal is deferred until the entire group has been retired. The original cost and accumulated depreciation must be reduced for each individual item when it is retired.

The second type of group-life depreciation is applied to dissimilar assets which are related to the mode of operation in which they are used, such as poles, wire, and transformers. These represent the District’s infrastructure assets and are depreciated at the weighted average of the rates applicable to the individual assets which comprise the group.

“Infrastructure assets” refers to the basic physical and organizational structures and facilities needed for the operation of the District’s electrical transmission and distribution system.

“Intangible asset” is a capital asset which has no physical substance but whose value comes from the long-term rights or advantages it offers to the owner.

“Land” is a class of capital assets which includes all land and land rights acquired by the District for its own use. Acquisition could be by purchase, donation, trade and/or condemnation. Land costs are not depreciated.

“Obsolescence” refers to assets which have become unserviceable, inadequate, obsolete, worn out or unfit to be used in the operations of the District and which are no longer necessary, material to, and useful in such operations, to any person or public body.

“Useful life” is the estimated average life (in years) over which a depreciable capital asset is expected to provide service. (Res. 1403, 2018)

4.48.030 Capitalization threshold.

The capitalization threshold for general assets is the minimum unit cost at which an asset must be valued to be considered a capital asset. Assets purchased with grant funds may have a different threshold amount and usage and disposal of assets acquired by a grant are subject to the grant agreement which supersedes this policy.

It is crucial that all expenditures which fall within the scope of capital assets be coded to the appropriate capital asset class. This includes purchases that have a unit cost of $3,000 or more and have a useful life greater than two years. Infrastructure assets do not have to meet the capitalization threshold set for general assets to be included in capital assets.

If/when the District increases the capitalization threshold, it requires a reporting change in the assets below the new dollar value. These items shall be deleted from the capital asset list and may qualify for transfer to the attractive assets list. Notes to the financial statements must reflect this change as an adjustment to plant. (Res. 1403, 2018)

4.48.040 Asset additions.

Capital asset value shall be determined by original cost, historical cost or estimated historical cost if actual historical cost is not available. The cost is based on the actual price paid, including related taxes, installation cost and any other cost incurred acquiring the asset or preparing the asset for use. The actual cost should approximate fair market value. Donated assets should be capitalized at the fair market value on the date of donation.

The asset number is a number uniquely assigned to each capital asset. It is used for identification in the asset database. For movable property, the asset number will also have an associated tag number which is affixed to the asset. If the tag cannot be physically attached to an asset, a number will still be assigned, recorded and if possible the asset number will be engraved on the item.

Construction work in progress represents the District’s work order process. Costs associated with the purchase of land and buildings, equipment, vehicles, grant-funded projects, and infrastructure improvements or additions are captured in a work order. When the project is completed or the asset is placed in service the total of the purchases, labor and overheads is transferred and recorded as a capital asset using the appropriate capital asset class.

Any capital asset agreement entered into by the District involving the lease of property and grant-
ing the District rights to the property similar to those rights which would have existed if the agreement had been that of an outright purchase will be considered an asset. Capital leases are recorded at an amount equal to the present value of the minimum lease payments but not to exceed the fair market value of the property.

Operating leases are agreements that do not qualify as a capital lease. Periodic lease payments are purely rental payments and no ownership can be inferred. These leases are never capitalized.

The District will evaluate major improvement, repair and maintenance projects to general assets to determine if they qualify as a capital expenditure. Projects that are routine repair and maintenance should be expensed as they are incurred. Major repairs should be capitalized if they result in betterments or improvements that extend the asset’s life. If a project replaces an old part of a capital asset it should not be capitalized. If a project is to make better or improve the asset the cost should be capitalized. When the distinction between replacement and betterment/improvement is not easily determinable, the District should expense the entire cost of the project. When the cost of an improvement is substantial or where there is a change in the estimated useful life of an asset, depreciation charges for future periods should be revised based on the new book value and the new estimated remaining useful life. No adjustment should be made to depreciation in prior periods. (Res. 1403, 2018)

4.48.050 Inventory and periodic assessment of condition.

The District has an obligation to demonstrate good management of or control over its assets. The District will ensure that periodic physical verification of the existence, location and status of attractive and capital assets is completed. The purpose of this inventory is to provide assurance that all District property is actually in the possession of the District and properly accounted for. As part of the inventory process the department heads will evaluate assets for usefulness or obsolescence. Each department will verify the existence of the assets, make corrections and additions as necessary to maintain the accuracy and completeness of the inventory process. (Res. 1403, 2018)

4.48.060 Junk/disposal.

Items meeting the criteria for obsolescence will be removed from service and included in periodic surplus sales. Before an asset is surplused or traded in, the department must first determine if the asset had originally been purchased with grant monies. If it is determined that grant monies were used, the department must refer to the grant agreement and follow prescribed procedures for disposition. All surplus sales must be approved by the Board of Commissioners. Capital assets will be removed from plant records upon completion of the sale.

Accounting for a replacement or disposal of an asset will reflect gains or losses in the accounting period of the transaction. (Res. 1403, 2018)

4.48.070 Lost or stolen assets.

Lost or stolen assets must be reported to the general manager and the police department as soon as it is discovered the asset is missing. A police report must be filed. If the asset is not found within 90 days after a police report has been filed it shall be removed from the asset database. It is the responsibility of the department head to notify the general manager and the auditor if an item has been lost or stolen and again after 90 days if it has not been recovered. (Res. 1403, 2018)

4.48.080 Destroyed assets.

Assets which have been destroyed or damaged beyond repair must be reported to the general manager and the District auditor. The department head must proceed to handle the asset as outlined in the junk/disposal process in Section 4.48.060. The auditor will note the status of the item in the asset inventory database and will remove it from the capital/attractive asset database when disposed of. (Res. 1403, 2018)

4.48.090 District employees role in the capital asset management system.

A. The Purchasing Agent.

1. Coordinate with department heads when purchasing assets to determine if asset is considered as an attractive and/or capital asset.

2. Coordinate with the auditor and department heads to make sure assets are numbered prior to being placed in service.

3. Complete paperwork or provide invoice copies of purchased items to the auditor.

B. The Department Heads.

1. Oversee the inventory of assets purchased for use in their respective department.

2. Evaluate with the purchasing agent the designation of an attractive and/or capital asset.

3. Recommend assets to be deemed no longer useful or obsolete.
C. The Auditor.
   1. Maintain the physical custody of District’s tag numbers.
   2. Assign asset numbers to purchased capital and attractive assets.
   3. Review the work order process to record and process entries to be capitalized, and retire capital assets.
   4. Maintain a perpetual asset list and file of capital and attractive assets owned by the District.
   5. Process monthly depreciation reports.
   6. Reconcile periodic physical inventory for all assets.
   7. Coordinate the surplus sale of District assets.
   8. Insure District assets as needed. (Res. 1403, 2018)
Title 5

(RESERVED)
Title 6
ELECTRICITY

Chapters:

**Division I. General Regulations**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.04</td>
<td>General Provisions</td>
</tr>
<tr>
<td>6.08</td>
<td>Customer Service Accounts</td>
</tr>
<tr>
<td>6.12</td>
<td>Customer Responsibilities</td>
</tr>
<tr>
<td>6.14</td>
<td>Conservation Policy</td>
</tr>
<tr>
<td>6.16</td>
<td>District Responsibilities</td>
</tr>
<tr>
<td>6.20</td>
<td>General Conditions of Service</td>
</tr>
<tr>
<td>6.22</td>
<td>Power Diversion Policy</td>
</tr>
<tr>
<td>6.24</td>
<td>Extension of Facilities</td>
</tr>
<tr>
<td>6.28</td>
<td>Service Extension Policies</td>
</tr>
<tr>
<td>6.32</td>
<td>Fee Schedule</td>
</tr>
<tr>
<td>6.34</td>
<td>Rate Schedules</td>
</tr>
<tr>
<td>6.35</td>
<td>Electric Discount Program</td>
</tr>
</tbody>
</table>

**Division II. Small-Scale Power Production Facilities**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.36</td>
<td>Cogeneration</td>
</tr>
<tr>
<td>6.37</td>
<td>Pole Attachment Rates</td>
</tr>
<tr>
<td>6.40</td>
<td>Customer-Generator Systems Incentives Program for Renewable Energy Development</td>
</tr>
</tbody>
</table>

**Division III. Risk Policies**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.50</td>
<td>Risk Assessment Procedures</td>
</tr>
<tr>
<td>6.54</td>
<td>Wholesale Power and Transmission Risk Management Policy</td>
</tr>
</tbody>
</table>
Division I. General Regulations

Chapter 6.04

GENERAL PROVISIONS

Sections:
6.04.010 Definitions.
6.04.020 Scope.
6.04.030 Schedules, service policies, service extension policies, and conditions.
6.04.040 Conflicts.
6.04.050 Supply and use of electric service.
6.04.060 Employees – Personal compensation prohibited.
6.04.070 Employees – Promise, agreement, or representation to be in writing.
6.04.080 Violation – Penalty.

6.04.010 Definitions.

The following terms wherever used in this division, in any District rate schedule, or in any application or agreement for electric service, shall have the meanings given below unless otherwise clearly stated:

2. “Applicant” means any individual, partnership, corporation, organization, municipality, governmental agency, political subdivision or other entity, who or which is applying for electric service from the District.
3. “Billing indicator points (BIP)” means a system by which the utility tracks and rates a customer’s credit rating. Refer to Section 6.08.190 for the description and point value for each type of BIP (billing indicator point).
4. “Billing period” means an interval of one or two months between successive meter reading dates as established by the District.
5. “Class of service” means service supplied for different purposes of usage and classified accordingly.
6. “Commercial service” means electric service used primarily in the operation of any business, agency, association, partnership, corporation, group, entity, public or private, for the purpose of service and/or profit.
7. “Commission” means the three-member elected governing body of the District.
8. “Consumer-customer” means any individual, partnership, corporation, organization, municipality, governmental agency, political subdivision, or other entity, who or which is receiving electric service from the District.
9. “Demand” means the rate of delivery of electric energy, measured in whole kilowatts, occurring instantaneously or registered over a fixed time period (normally 30 minutes unless otherwise specified).
10. “Developer” means any individual, family, company, association, corporation, partnership, or group engaged in the subdivision and/or development of land or the speculative sale of land.
11. “Development” means the subdivision of land and/or improvement of land, including clearing, grading, roadways, utilities, etc., for the purpose of sale.
13. “Dwelling” means the place of residence of an individual or single family.
14. “Electric service” means the availability of electric energy at the point of delivery for use by the customer, irrespective of whether electric energy is actually used.
15. “Energy” means electric energy, measured in kilowatt hours (kWH).
16. “Industrial service” means electric energy used primarily to change raw or semifinished materials by manufacturing or processing into a finished product, or any intermediate manufacturing or processing step in the development of a finished product.
17. “Living unit” means the place of residence of an individual or single family.
18. “Load” means the electrical apparatus of the customer which, when connected to the District’s distribution system, causes the consumption of electric energy.
19. “Manager” means the duly appointed manager or general manager of the District.
20. “Mobile home” means any living unit which is constructed such that it may be transported from site to site on regular highways and roadways utilizing attached wheels and axles.
21. “Month” means an interval of approximately 30 days between successive designated meter reading dates.
22. “Multiple dwelling” means two or more living units constructed together under a common roof.
23. “New large load” means a large commercial, small or large industrial customer requiring a three-phase, 300 kVA padmount transformer or larger installed after October 7, 2014, or any existing customer increasing load that requires the addi-
tion of 300 kVA or more of cumulative transformer capacity after October 7, 2014.

24. “Power factor” means the ratio of kilowatt hours to reactive kilovolt ampere hours expressed in percentage.

25. “Point of delivery” means that point, as defined or detailed in the District’s individual service policies, conditions of service, or rate schedules, where the District-owned and maintained conductors connect to a customer’s owned and maintained conductors.

26. “Premises” means all of the real property of a single geographic location utilized by an applicant or customer for a residence, business, or other activity.

27. “Primary” means service or facilities constructed to operate at a voltage greater than 600 volts.

28. “Purchase power agreement” means a retail agreement between the District and a new large load customer.

29. “Recreation vehicle” means any vehicle constructed to travel on regular highways and roadways, and containing minimal living facilities. “Recreation vehicle” includes campers and travel trailers.

30. “Schedule” means the rate schedule determining the cost per unit of energy for the various classes of service available from the District.

31. “Seasonal” means the occasional, periodic, or intermittent occupation or use of a dwelling, premises, or facility.

32. “Secondary” means service or facilities constructed to operate at a voltage less than 600 volts.

33. “Service” or “service lines” means facilities of the District, excluding transformers and meters, between the District’s distribution system and the point of delivery to the customer.

34. “Service extension” means the construction, addition, or extension of electric lines and facilities to provide electric service.

35. “Speculative” means development and/or construction for the purpose of future sale.

36. “Subdivision” means the division of a parcel of land into contiguous subparcels.

37. “Tiered rate structure” means a retail rate methodology in a block structure where the rate of electricity varies with each consecutive block. The first block reflects existing aggregate wholesale power costs and the second block reflects new non-federal wholesale power costs. (Res. 1354, 2014; Res. 1337, 2013; Res. 1223, 2004; Res. 795 § 1, 1978)

6.04.020 Scope.

A. The service policies, service extension policies, and conditions set out in this division regulating the use and sale of electric service have been adopted by the District in the interest of efficiency, economy, appearance, safety and good operating practices in the distribution of electric energy to its customers. The service policies and conditions set out in this division are instituted to direct and guide the employees and representatives of the District in their contracts with the customers.

Construction details and specifications are written to conform with the present national, State, county, and city laws governing the electrical industry, and are not intended to violate such laws.

B. No employee or representative of the District has any authority to waive, alter, or amend in any respect the schedules, service policies, or conditions set out in this division, or any part thereof, or make any agreement inconsistent therewith.

C. The schedules, service policies, and conditions set out in this division may be revised, amended, supplemented, or otherwise changed from time to time as conditions require.

D. Copies of the schedules, service policies, and conditions set out in this division shall be available for inspection in the offices of the District. (Res. 795 § 2, 1978)

6.04.030 Schedules, service policies, service extension policies, and conditions.

A. All rate schedules, service policies, service extension policies, and conditions apply to all customers located within the District’s serving area and connected to the District’s electrical distribution system, and are part of all contracts, whether oral or written, for the delivery of electric energy.

B. The District reserves the right to discontinue service in the event the customer shall fail to comply with the schedules, service policies, service extension policies, and conditions set out in this division. Service may be disconnected by the District at any time to prevent fraudulent use or to protect its property.

C. The schedules, service policies, service extension policies, and conditions may be revised, amended, supplemented, or otherwise changed from time to time as conditions require by resolution of the commission. (Res. 795 § 3, 1978)

6.04.040 Conflicts.

In case of conflict between any provision of a rate schedule or special contract, and the provisions of the service policies, the rate schedule or
special contract provisions shall apply. (Res. 795 § 4, 1978)

6.04.050 Supply and use of electric service.
A. Electric service shall be supplied only under and pursuant to this division and any modifications thereto made, and under such applicable rate schedule or schedules as may from time to time be adopted by the District.
B. Electric service shall be used by the customer only for the purposes specified in the service agreement or contract and applicable rate schedule or schedules.
C. Electric energy purchased by the customer shall not be directly or indirectly sold, sublet, assigned, or otherwise disposed of.
D. All purchased electric energy used on the premises of the customer shall be supplied exclusively by the District unless otherwise provided under special contract.
E. A customer shall not connect his electric service with another party through his meter unless covered by the terms of a written contract with the District.
F. If one single commercial or industrial class customer occupies several buildings in his activity, the District may furnish electric service for the entire group of buildings through one service connection at one point of delivery, provided all such buildings are located on continuous property and not divided by other ownerships, streets, roads, alleys, or other public thoroughfares.
G. When electric service is provided through one meter which serves multiple classes of service (i.e., residential and commercial), the higher rate schedule shall prevail.
H. Where it is determined that the energy consumption for a portion of a residence used for occasional commercial activity, such as bookkeeping, day care, etc., does not exceed 300 kWh per month and/or 2.0 KW demand, such residence may remain on the residential rate.
I. When optional rate schedules are available for a single class of service, the customer may not change from one rate to another more frequently than once in any 12-month period unless specifically authorized in the applicable rate schedule, except that for commercial and industrial customers whose load requirements are significantly increased or decreased, the applicable rate schedule may be changed at the option of the District.
J. Rooming and boarding houses which provide living and/or sleeping space for three or more paying guests and which are recognized and licensed by the appropriate governmental authority to provide such living and/or sleeping space, shall be billed under the District’s commercial rate schedule.
K. Service for domestic farm use shall be classed under the residential rate schedule for the following farm facilities:
   1. Single-family residences;
   2. Occasional hired help quarters;
   3. Barns and/or sheds;
   4. Domestic water systems;
   5. Maintenance shops and/or garages;
   6. Milking equipment;
   7. Farm material and/or product handling equipment.
L. Farm facilities used for the retailing, processing, or production of foodstuffs under the regulation of the appropriate governmental agency, shall be classed under the commercial rate schedule.
M. Pumping facilities used for the irrigation or spraying of farmlands and crops shall be classed under the pumping and irrigation rate schedule.
N. A customer will be classified as a new large load beginning October 7, 2014, if new or increasing load such that the padmount transformer to be installed is 300 kVA or larger. (Res. 1354, 2014; Res. 1337, 2013; Res. 795 § 5, 1978)

6.04.060 Employees – Personal compensation prohibited.
No employee of the District may ask, demand, receive, or accept any personal compensation for any service rendered to applicants or customers of the District. (Res. 795 § 7, 1978)

6.04.070 Employees – Promise, agreement, or representation to be in writing.
No promise, agreement, or representation of any District employee with reference to the furnishing of electric service, energy, services, materials or equipment shall be binding on the District unless the same shall be in writing, signed by the manager or his authorized representative. (Res. 795 § 7, 1978)

6.04.080 Violation – Penalty.
Any person violating any of the provisions of the service policies, service extension policies, and conditions will be subject to prosecution in accordance with the law. In addition, if found guilty of such violations such person may be disconnected and liable for all damage and expenses incurred by the District, including but not limited to payment of all electric energy used by reason of such violation. (Res. 795 § 8, 1978)
Chapter 6.08

CUSTOMER SERVICE ACCOUNTS

Sections:
6.08.010 Application.
6.08.020 Effective date of electric service and service contracts.
6.08.030 Rental property.
6.08.040 Change of occupancy.
6.08.050 Account service charge – Payment.
6.08.060 Account service charge – Applicability.
6.08.070 Account service charge – Nonpayment – Payment extension.
6.08.075 New service capacity charge.
6.08.080 New service charge.
6.08.085 Waiver of connection charges.
6.08.090 Reconnection charge.
6.08.100 NSF charge.
6.08.110 Deposit – New residential customer.
6.08.120 Deposit – New commercial, industrial, and new large load customers.
6.08.130 Deposit – Existing or previous customer.
6.08.140 Amount of security deposit.
6.08.150 Refund of security deposit.
6.08.160 Transfer of security deposit.
6.08.170 Special deposits.
6.08.180 Disconnection for nonpayment of security deposit.
6.08.190 Billing indicator points.
6.08.200 Deposit – Guarantor agreement.
6.08.210 Meter reading.
6.08.220 Billing – Generally.
6.08.230 Billing of legal taxes.
6.08.240 Payment of bills – Generally.
6.08.242 Payment arrangement.
6.08.245 Payment methods.
6.08.250 Notice of disconnect to customers.
6.08.260 Customer’s rights.
6.08.270 Disconnection.
6.08.280 Payment of less than total amount of bill.
6.08.290 Customer insolvency – District action.
6.08.300 Means of collection.
6.08.310 Transfer of accounts.
6.08.320 Discontinuance of electric service – Request by customer.
6.08.330 Discontinuance of electric service – Right of District.
6.08.340 Seasonal service.

6.08.010 Application.

A. Each applicant for electric service will be required to complete and sign the District’s standard form of electric service application or other evidence of agreement before electric service is supplied by the District.

B. Each applicant for electric service shall provide the District with complete electrical load characteristics, voltage required, and the purpose for which the service is to be used.

C. The District may require that the applicant or customer present identification satisfactory to the District before receiving electric service. The District may also require information establishing acceptable credit status.

D. In the absence of a signed agreement or application for service, the delivery of electric service by the District and the acceptance thereof by the customer shall be considered to constitute a contract between the customer and the District for electric service under the applicable rate schedule and policies of the District.

E. For electric service in large quantity or under special conditions not coming within the scope of these rate schedules or service policies and conditions, the District will require a special contract or suitable written agreement which shall contain provisions and stipulations to protect the interests of both the District and the customer. No such contract or agreement or modification thereof shall be binding upon the District until executed by its duly authorized representative. If executed, it shall be binding upon heirs, administrators, executors, and assigns of the parties thereto. Transfer or assignment of term contracts must first be approved by the District and shall be limited to owner(s), purchaser(s) or long-term lessee(s) of the premises served. All conditions of the original contract shall be applicable to successors or assignees. (Res. 795 § 10, 1978)

6.08.020 Effective date of electric service and service contracts.

A. All contracts shall be effective from the date of signing by the applicant or customer and acceptance by the District, or from the agreed date of beginning, or from the date service is first furnished, whichever is applicable.

B. No contract or agreement shall be binding upon either party until the District has acquired operating rights.

C. Except as otherwise provided in special contracts, the District’s rates shall commence the date that electric service is first made available to the
applicant or customers. Availability of electric service to the applicant or customer shall normally be the date the District’s facilities have been energized.

D. Installation of District facilities will be scheduled as near as possible to the date electric service is required by the applicant or customer and delay billing of the applicable charges so as to coincide with the applicant’s or customer’s electric service requirements.

E. In the event the applicant or customer desires to cancel or delay his service connection, he may do so at no cost, provided notice is given to the District 30 days prior to construction or installation of facilities by the District and no expense has been incurred by the District.

F. In the event an applicant or customer cancels his contract prior to installation of facilities by the District, and the District has ordered or purchased special equipment, or otherwise incurred costs to serve the applicant or customer, the applicant or customer shall be obligated to pay the District for any loss or costs incurred.

G. If, for any reason, the installation of facilities by the District is delayed by more than six months after the applicant or customer requests electric service be made available, the contract and agreements shall become null and void.

H. Disconnection for nonpayment or other violations does not terminate any contract obligation of the customer. (Res. 1069, 1992; Res. 1178, 2001; Res. 795 § 13, 1978)

6.08.030 Rental property.

A. When requested by the owner in writing, the District will provide continuous electric service to rental property between the occupancies of the tenants. However, the owner shall be responsible for any consumption prior to the transfer of the account of a new tenant.

B. All applicable minimum billings shall apply while the account is in the owner’s name.

C. The account service charge shall not apply when transferring from the renter to the owner if a tenant agreement is in effect. (Res. 1069, 1992; Res. 795 § 12, 1978)

6.08.040 Change of occupancy.

A. When a change of occupancy or other legal responsibility for electric service occurs affecting premises served by the District, notice of such change shall be given the District within a reasonable time prior to such change; otherwise, the outgoing customer will be held responsible for payment for all service supplied until such notice has been received by the District. Owners of rental premises will be responsible for usage incurred after they are vacated, as provided for under Section 6.08.030 of this division or subsequent resolutions codified in this division.

B. The acceptable notices of change of occupancy by a customer shall be as follows:

1. Mailed written notice to the District office;
2. Telephoned verbal notice to a District office during normal working hours;
3. Personal appearance at a District office during normal working hours;
4. Facsimile with signature. E-mail is not accepted at this time. (Res. 1223, 2004; Res. 1178, 2001; Res. 795 § 13, 1978)

6.08.050 Account service charge – Payment.

A. An account service charge shall be paid by each applicant for electric service requiring the establishment of a new or separate account, except as otherwise specified in Sections 6.08.060 through 6.08.090.

B. Payment shall be required at the time of application for a new service. For connections with an existing service, the account service charge will be added to the customer’s first billing in the amount specified in the District’s fee schedule. (Res. 1223, 2004; Res. 795 § 14(A)(1), 1978)

6.08.060 Account service charge – Applicability.

The account service charge shall not be applicable to applicants or customers for electric service in the following conditions:

A. A new or separate account established for the convenience of the District;
B. An additional electric service or meter to be billed on an existing account number;
C. Name changes involving conditions where a wife applies for her husband’s account or where a husband assumes his wife’s account, without change of occupancy, or where such change does not require a special reading, connection, or reconnection of the meter;
D. When an account is placed in the name of an estate, provided such change does not require a special reading, connection, or reconnection of the meter;
E. When an owner, landlord, or agent assumes temporary responsibility for service through a continuity of service agreement for electric service that may be used while the premises is vacant;
F. When an account has been disconnected for nonpayment of electric service charges or for other violations and is reconnected for the same customer after payment of the reconnection charge. (Res. 795 § 14(A)(2), 1978)

**6.08.070 Account service charge – Nonpayment – Payment extension.**

Nonpayment of the account service charge which results in the disconnection of electric service shall require payment of the account service charge and the reconnection charge. The account service charge is nonrefundable and any extension of payment of the account service charge granted by the District shall not exceed 10 days subsequent to the date of application for electric service by the applicant or customer. (Res. 795 § 14(A)(3), 1978)

**6.08.075 New service capacity charge.**

A service capacity charge, as depicted in the fee schedule under Section 6.32.010 of this code, will be collected for each new service. This fee is collected as a contribution towards the existing electrical infrastructure to which the new service facilities will be connected. (Res. 1268, 2008)

**6.08.080 New service charge.**

A. Each applicant or customer for electric service, which requires the installation of facilities other than a meter, shall pay a connection charge based on the type of service and the number of meters on the premises, as provided for in the District’s fee schedule.

B. The new service charge is based on the installation of facilities and/or meters during normal working hours of the District’s personnel. Any work performed outside normal working hours at the request of the applicant or customer shall require the additional payment of the applicable labor overtime rates in effect at the time the work is performed.

C. When the applicant for electric service requires more than one service installation at the same location, such as temporary construction service and permanent service, or installations to separate points of delivery on the same premises, each installation shall be considered a new service and the applicable new service charge shall apply to each.

D. Failure of the applicant or customer to pay the new service charge fee in addition to the reconnection charge. (Res. 795 § 14(B), 1978)

**6.08.085 Waiver of connection charges.**

A. The District is hereby authorized to waive connection charges for property purchases by low-income persons from organizations exempt from tax under Section 501(c)(3) of the federal Internal Revenue Code as amended effective July 23, 1995.

B. All District waivers of connection charges authorized herein shall be made in accordance with the procedures and requirements established in this section and shall be uniformly applied to all qualified property.

C. The size of the electrical service exempt from paying electrical connection charges shall be 200 amps.

D. The only property for which connection charges may be waived shall be a single-family residential dwelling, owner occupied.

E. For the purposes of waiver of connection charges hereunder, “low-income” persons shall be defined as a family with a maximum household gross income less than 75 percent of the median income level for Pacific County.

F. Property excused from paying electrical service connection charges must be purchased from an organization exempt from tax under Section 501(c)(3) of the Internal Revenue Code, as amended prior to July 23, 1995, the effective date of the Act.

G. Each 501(c)(3) organization desiring a waiver of connection charges hereunder shall make available to District staff its qualifying criteria for low-income persons so that said criteria can be examined and determined to be in compliance with District policy. Such information will be kept on file in the customer service department and will be made available to any interested parties upon request in accordance with the records disclosure requirements of Chapter 42.17 RCW.

H. Once a 501(c)(3) organization’s criteria for low-income persons has been determined to be in compliance with District policy, said organization shall be deemed the District’s qualifier for low-income persons requesting the waiving of electrical service connection charges.

I. The initial service connection fees for a new customer as shown in the District’s electrical department fee schedule will be waived. These fees are limited to the account service charge, account deposit pursuant to subsections J and K of this section, the new service charge, and the temporary service charge.
J. Participants in this waiver program shall be enrolled in the District’s equal payment plan at the time of connection, but may later be subject to the District’s normal service regulations.

K. Participants in this waiver program shall be exempt from paying a deposit for service at the time of connection, but may later be subject to the District’s normal service regulations. (Res. 1117 §§ 1 – 11, 1996)

6.08.090 Reconnection charge.

When electric service to a customer has been disconnected for noncompliance with the District’s service policies, or for nonpayment of electric service received, electric service will not be restored until the situation requiring such action has been corrected to the satisfaction of the District and reconnection charges, as determined by the District’s fee schedule, have been paid. (Res. 795 § 14(C), 1978)

6.08.100 NSF charge.

A. If payment of an electric service charge or payment for electric service is made by check, through an ACH transaction, or any reoccurring transaction, any of which is nullified by the bank for lack of sufficient funds (NSF), an accounting service charge as determined by the District’s fee schedule shall be added to the account.

B. If the District receives two NSF transactions in any consecutive 24-month period from a customer, that customer will be on cash or manual credit card payment only basis for a minimum of the next 12 months. (Res. 1337, 2013; Res. 1223, 2004; Res. 795 § 14(D), 1978)

6.08.110 Deposit – New residential customer.

In the absence of an approved statistical report score as computed by an independent company assisting the District with reviewing a potential customer’s ability to pay, the District will require a residential security deposit as a guarantee of performance on the customer’s part for electric service. (Res. 1340, 2013; Res. 911-A, 1984; Res. 902, 1984; Res. 890, 1983; Res. 795 § 15(A), 1978)

6.08.120 Deposit – New commercial, industrial, and new large load customers.

All commercial (except those that are a political subdivision of the State of Washington), industrial, and new large load accounts must provide a security deposit as a guarantee of performance on the customer’s part for electric service. Deposit requirements are based on Chapter 6.32, Fee Schedule, of this code. (Res. 1354, 2014; Res. 1259, 2007; Res. 1223, 2004; Res. 1069, 1992; Res. 911-A, 1984; Res. 902, 1984; Res. 890, 1983; Res. 795 § 15(B), 1978)

6.08.130 Deposit – Existing or previous customer.

The District may require an existing or previous customer to provide a security deposit or to increase an existing security deposit for the following reasons:

A. Previous Unpaid Balance. If the customer has a previous unpaid balance with the District for electric service at another location and refuses to make payment or other satisfactory payment arrangements.

B. Arrangements. If a customer continually makes arrangements for payment of various billings extending the liability of the District out over two months from billing.

C. Delinquencies. Customers who accumulate more than seven billing indicator points (minimum of four from being on the disconnect list) in a 12-month consecutive period, thereby extending the liability of the District, may be required to pay a deposit or update an existing deposit. Customers acquiring additional accounts or relocating in the District may be required to pay a deposit.

D. Assignment for Collection. If the customer has a previous unpaid balance with the District for electric service which the District has assigned to a collection agency (subject to the seven-year limit of Section 605(9)(4) of the Consumer Credit Protection Act).

E. Bankruptcy. If the customer has previously defaulted on an electric service bill with the District through bankruptcy (subject to the 14-year limit of Section 605(1)(1) of the Consumer Protection Act).

F. Refusal of Information. If the customer refuses, when requested, to provide the District with satisfactory credit information necessary to establish the customer’s present credit ratings.

G. Misrepresentation. If the District determines that the customer has misrepresented his or her identity to avoid payment of an outstanding bill. (Res. 1223, 2004; Res. 1178, 2001; Res. 914, 1984; Res. 911-A, 1984; Res. 902, 1984; Res. 890, 1983; Res. 795 § 15(C), 1978)
6.08.140 Amount of security deposit.

A. The amount of the normal residential security deposit shall be established in the District’s fee schedule, and may be changed from time to time by resolution of the commission.

B. Additional security deposit or commercial/industrial/new large load customer security deposit, when required, shall be determined at that time by the District. However, in no case shall the security deposit exceed three times the estimated or the historical maximum monthly billing within any 12-month period.

C. The security deposit shall be in cash, personal check, cashier’s check, credit card, or secured financial instrument. (Res. 1354, 2014; Res. 1337, 2013; Res. 1178, 2001; Res. 890, 1983; Res. 795 § 15(D), 1978)

6.08.150 Refund of security deposit.

A. The District normally will refund the security deposit, without interest, after a 24-month period of satisfactory credit after the receipt of the security deposit; provided, that no “special action” has been required against the customer.

B. For new large load (NLL) rate schedule deposits, the District shall retain the security deposit for the duration that the electric service is active. The deposit amount may be adjusted if there is a change in connected load and an engineering load analysis is performed.

C. Upon termination of electric service, the District will refund to the customer the amount then on deposit, without interest, after deducting all amounts owed to the District for electric service or charges. (Res. 1407, 2018; Res. 1069, 1992; Res. 890, 1983; Res. 795 § 15(E), 1978)

6.08.160 Transfer of security deposit.

A. The District may transfer the security deposit of an existing customer who takes electric service at a new location, and may also adjust the amount of the security deposit at the time of the transfer.

B. The District, at its discretion, may apply the security deposit towards past due accounts and charges. (Res. 890, 1983; Res. 795 § 15(F), 1978)

6.08.170 Special deposits.

A. The District may require a special deposit or cash advance as security for line extensions, temporary service, or special work orders, etc. All special deposits are not subject to the provisions of normal security deposits.

B. The special deposit requirements must be met prior to the installation or connection of service by the District.

C. The amount of the special deposit required shall not exceed the estimated costs of providing the service or materials.

D. Refunds, if applicable, shall be based on policies in effect at the time of service connection. (Res. 890, 1983; Res. 795 § 15(G), 1978)

6.08.180 Disconnection for nonpayment of security deposit.

If the District determines that a security deposit is necessary from an existing customer, or an additional security deposit is required due to an increase in electric service requirements, and arrangements between the District and customer for payment of the deposit have not been consummated, the customer will be subject to disconnection as provided in Section 6.08.330 of this division or any subsequent resolutions. (Res. 911-A, 1984; Res. 890, 1983; Res. 795 § 15(H), 1978)

6.08.190 Billing indicator points.

Billing indicator points will be issued as follows:

- Arrangement not kept: 1 point
- Late pay notice: 1 point
- Disconnect list: 2 points
- NSF: 2 points
- Disconnect for nonpayment: 3 points

(Res. 1223, 2004; Res. 911-A, 1984; Res. 890, 1983; Res. 795 § 15(I), 1978)

6.08.200 Deposit – Guarantor agreement.

Customers with credit problems prohibiting them from attaining or continuing service from the District may execute a guarantor agreement with another customer possessing good credit with the District. (Res. 911-A, 1984; Res. 890, 1983; Res. 795 § 15(J), 1978)

6.08.210 Meter reading.

A. Unless otherwise specified within the rate schedule, meters will be read on a monthly or bimonthly schedule, at the option of the District. Meter reading dates for each location shall be scheduled as nearly as possible on the same cycle date, but because of weekends, holidays, and the difference in calendar months, a variation in reading periods may occur.
B. If, because of inclement weather, inaccessibility, or other extenuating circumstances, an accurate meter reading cannot be obtained for any one period, the meter reading may be estimated. Such estimated meter reading will be based on historical energy consumption of a like period. If an estimated meter reading is later determined to be high or low, the energy consumption, demand, and electric service charge will be adjusted accordingly.  

C. The District may assess a meter reading charge to the customer in the case where a customer has impaired the normal access to the meter by the meter reader. (Res. 1268, 2008; Res. 795 § 16, 1978)

6.08.220 Billing – Generally.  
A. All rate schedules express the rate for one month’s electric service. Ordinarily, bills will be rendered at a monthly or bimonthly interval, at the option of the District, on as nearly as possible the same cycle date. However, because of weekends, holidays, and vacations, a variation in billing periods may occur.  

B. The District reserves the right to render bills for a lesser or longer period than the normal one or two months.  

C. Monthly accounts shall be considered as accounts billed for a period not to exceed 35 days. Bimonthly accounts shall be considered as accounts billed for a period in excess of 35 days but not to exceed 65 days.  

D. The basic service charge for accounts connected and/or disconnected during a billing period shall be prorated.  

E. Fractional billing periods of five days or less in which no more than 20 kilowatt hours of energy are consumed will not be billed. If more than 20 kilowatt hours of energy are consumed in any fractional billing period and/or if any fractional billing period is greater than five days, the normal monthly rate schedule and associated minimum charges shall apply.  

F. Bimonthly billings shall be calculated by dividing the kilowatt hour energy consumption by two, applying the monthly rate schedule, and multiplying the monthly energy consumption charge by two.  

G. Minimum charges on bimonthly accounts shall be computed at twice the charge of monthly accounts.  

H. All schedules on which a demand charge applies shall be billed on a monthly period. However, at the option of the District for convenience, such schedules may be billed bimonthly, in which case the bimonthly demand charge will be computed as twice the monthly demand charge, as provided in the applicable rate schedule.  

I. Due to abnormal or extenuating circumstances, the District may estimate the billing period energy consumption and render a bill accordingly. Estimated bills are subject to correction whenever accurate meter readings are available. Estimations shall be based as close as possible to previous historical energy consumption.  

J. Monthly charges and annual charges specified in the rate schedules of this resolution or subsequent resolutions shall be prorated monthly or bimonthly and billed accordingly unless otherwise provided by contract.  

K. The billing demand shall be the highest of metered, computed, measured, or contract demand after adjustment for low power factor if applicable. The billing demand shall be rounded off to the nearest whole kilowatt after all computations.  

L. Adjustment for power factor shall be made by increasing the measured demand one percent for each one percent or major fraction thereof that the average power factor is less than 97 percent lagging.  

M. A customer under the small commercial class is not charged a separate demand component as part of the rate structure. However, if a customer in this classification were to reach a demand reading of 50 kilowatts or greater, the customer will be notified of this event. The customer will remain as a small commercial customer until their monthly demand hits at or above the 50 kilowatts threshold two times in any 12-month period. At that point, this customer’s account will revert to the large commercial schedule. The District will review accounts from time to time at the request of a customer if they reduced their demand enough to move back into the small commercial classification. (Res. 1337, 2013; Res. 1178, 2001; Res. 1069, 1992; Res. 907, 1984; Res. 890, 1983; Res. 795 § 17, 1978)

6.08.230 Billing of legal taxes.  
A. The amounts of any revenue tax imposed by any municipality, county, State, federal or other legal taxing agency, entity or District, upon the revenues of the District shall be added to the charges for electric service sold to all customers within such legal taxing District.  

B. In addition, the amounts of any form of tax other than revenue tax imposed on the District by any such legal taxing District may be apportioned by resolution of the commission to the territory in
which such tax or taxes may be effective, and shall constitute an additional charge to any amount which may be billed to any customer among the various classes of service under any rate schedule or special contract.

C. Any such tax increases shall be in effect only for the duration of such tax assessments. (Res. 795 § 18, 1978)

6.08.240 Payment of bills – Generally.

The District shall render bills to its customers on either a monthly or bimonthly basis. Payment not received before the next monthly bill date shall be considered past due. Past due balances will be reflected on the customer’s subsequent bill along with language indicating the possibility of additional fees and disconnect for nonpayment. If payment is not received by the notice of disconnect date (no less than five days after the subsequent billing date), a notice of disconnect will be mailed to the customer. The notice will state that the customer’s electric service will be up for disconnection, if payment is not received by the disconnect date, as established on the notice of disconnect (no less than five days after the date of the notice of disconnect). The notice of disconnect will assess the late fee and will inform the customer that their service may be discontinued anytime after the disconnect date without further notice from the District. (Res. 1414, 2018; Res. 1337, 2013; Res. 1223, 2004)

6.08.242 Payment arrangement.*

Customer service staff is authorized to make arrangements for the payment of utility bills. At the customer’s request, payment may be extended up to the disconnect date. No late fees will be incurred by the customer if the request for an arrangement is made prior to the notice of disconnect date. Arrangements beyond the disconnect date, as allowed under Section 6.08.260, may be authorized by the general manager or designee. (Res. 1414, 2018)

* Code reviser’s note: Resolution 1414 adds the provisions of this section as 6.08.245. The section has been editorially renumbered to prevent duplication of numbering.

6.08.245 Payment methods.

Except as allowed for elsewhere in District policy, payment for utility service, taxes, deposit, meter reading, meter testing, new account fee, and other fees can be made either with cash, check, cashier’s check, or ACH transaction. Credit cards (VISA or Mastercard only) are acceptable for the payments listed above but are subject to a monthly limit of $1,000.

Payment for line extension, job orders, and billings through other accounts receivable can be made using cash, check, or cashier’s check only. (Res. 1414, 2018; Res. 1268, 2008; Res. 1223, 2004)

6.08.250 Notice of disconnect to customers.

In the event the customer has not paid the past due balance by the notice of disconnect date or made satisfactory payment arrangements with the District, the District shall mail and/or deliver a notice of disconnect to the account address. Such notice shall contain the following language:

A. Payment amount due to avoid discontinuance of service.

B. Date payment is due to avoid discontinuance of service. (Res. 1414, 2018; Res. 1337, 2013; Res. 1223, 2004; Res. 902, 1984; Res. 890, 1983; Res. 795 § 19(A), 1978)

6.08.260 Customer’s rights.

A. Informal Conference.

1. A customer who is unable to pay any or all of his/her electric bill due to temporary financial difficulties, or who disputes the amount of the bill, or whose service has been disconnected, shall have the right to an informal conference with a designated employee in the District’s customer service department.

2. The procedure shall be informal. During normal business hours, the customer may confer by telephone or appear in person in the District’s office. The customer may be represented by counsel of his/her own choosing and shall be entitled to present his/her position to the District’s designated employee.

3. In the case of a disputed bill, the designated customer service department employee shall have the authority to review and recommend adjustments concerning the amount of the bill. Decisions concerning final adjustment of a disputed bill shall be made by supervisory personnel designated by the manager.

4. Customers with a bona fide temporary financial difficulty making full payment of a current bill impossible shall be entitled to arrange with the customer service department employee a reasonable and feasible deferred payment program. Such deferred payment program shall be based
upon the amount of the delinquent account, duration of the delinquent account, credit history of the customer, and other extenuating circumstances. Such designated customer service department employee shall have the authority to make such deferred payment arrangements with the customer. However, the District shall not be required to enter into such arrangements with a customer who has not fully and satisfactorily complied with the terms of a previous payment arrangement.

B. Appeal and Hearing.

1. If a customer is not satisfied with the decision of the informal conference, he/she shall have the right of appeal to the District’s hearing officer.

2. The District’s hearing officer or any deputy or assistant hearing officers shall be management level employees and shall be selected by the commission for the purpose of hearing appeals. Such individuals shall normally not be associated with the customer service department.

3. Any appeal by a customer to the District’s hearing officer must be made within 48 hours following the informal conference decision, excluding weekends and holidays.

4. Notice of appeal may be made in writing, in person to the District’s office, or by telephone.

5. The hearing must take place during normal business hours at the District’s main office, and within seven days of the informal conference decision.

6. The customer shall have the right to counsel and the right to examine the District’s records relating to his/her account. The customer shall present the nature of his/her appeal and whatever evidence he/she considers relevant.

7. After the customer has presented his/her appeal, the appropriate District personnel shall present the District’s position. The hearing officer shall provide the customer with a written decision setting forth the nature of the customer’s appeal, the decision of the hearing officer, and the reasons for the decision. The written decision shall be sent to the customer by certified mail.

8. The customer shall have three days, excluding weekends or holidays, following receipt of the written decision of the hearing officer to comply with the terms and conditions of the decision. (Res. 1337, 2013; Res. 1268, 2008; Res. 904, 1984; Res. 890, 1983; Res. 795 § 19(B), 1978)

6.08.270 Disconnection.

If a customer fails to comply with the terms and conditions of the informal conference decision or the decision of the hearing officer within the prescribed time, or if the customer has not responded in any way to the District’s requests for payment, the District may disconnect the service without further notice to the customer. (Res. 890, 1983; Res. 795 § 19(C), 1978)

6.08.280 Payment of less than total amount of bill.

A. In the event a customer makes a payment of less than the total amount of the bill rendered, which bill includes any previous balance owing from present or prior premises, the District shall apply such payment first to the previous billing charges and the remainder, if any, to the current billing charges, unless otherwise agreed to by the District.

B. Payments made by mail or other means after disconnection notice has been served shall not prevent disconnection of the delinquent account unless such payments are received at the District’s office prior to the date of the scheduled disconnection as stated on the disconnection notice or the written decision of the hearing officer.

C. The District will accept advance payment for electric service by a customer, and will provide a regular statement to the customer indicating the status of the account.

D. Failure to receive a bill does not release a customer’s obligation for payment of electric service or other appropriate charges. (Res. 890, 1983; Res. 795 § 19(D), 1978)

6.08.290 Customer insolvency – District action.

If the District believes a customer is insolvent, or in other financial difficulty, or is considering bankruptcy, appropriate action may be taken to secure payment of the current balance of the account. Such action may include a security deposit, a performance bond, or intermediate collections as the District’s manager feels necessary and reasonable under the circumstances. (Res. 890, 1983; Res. 795 § 19(E), 1978)

6.08.300 Means of collection.

The District may employ any and all reasonable methods for collecting unpaid accounts, including assignment to collection agencies or direct suit against the delinquent customer. (Res. 890, 1983; Res. 795 § 19(F), 1978)

6.08.310 Transfer of accounts.

A. The District may transfer to a customer’s existing account any unpaid charges for electric
service previously rendered to such customer at any location within the District’s service area.

B. The customer’s previous transferred balance shall be considered part of the customer’s current obligation to the District, regardless of the location where the previous charges were incurred.

C. The District, upon learning of an unpaid balance, shall notify the customer in writing of such unpaid balance, including the dates and location of the electric service, the amount of the balance, the District’s policies concerning transfer of the balance, and the possibility of disconnection of electric service.

D. The District may permit the customer to arrange for payment of the unpaid balance under the guidelines and procedures as outlined under Sections 6.08.240 through 6.08.300 of this division.

E. The District may exercise the option to refuse new service connections to customers indebted to the District for previous electric service.

F. These provisions are also applicable to guarantors of other’s electric service charges. (Res. 795 § 20, 1978)

6.08.320 Discontinuance of electric service – Request by customer.

A. Notice for discontinuance of service by the customer must be given at the District’s office to an agent of the District at least 16 normal working hours prior to the time and date of such discontinuance.

B. Such notice shall be effective to terminate any obligation of the District to furnish electric service to that customer or to maintain facilities after the effective date of such discontinuance.

C. The outgoing customer shall be held responsible for all electric service supplied at the premises, up to the time of discontinuance, including other proper charges applicable by contract, agreement, or application of provisions of this division.

D. The District reserves the right to read the meter within five working days from the date of notification of discontinuance by the customer. (Res. 795 § 21(A), 1978)

6.08.330 Discontinuance of electric service – Right of District.

A. The District shall have the right, at its option, to discontinue service to the customer for any of the following reasons:

1. Failure by the customer to make formal application for electric service.

2. For nonpayment of bills, or any proper charges, fees, deposits, or service charges as provided in this division, or any special agreement or subsequent resolutions or agreements.

3. For the use of energy for purposes or properties other than specified in the service application, service contract, rate schedules, or service policies.

4. For the intentional or unintentional diversion of electrical energy by the customer. In addition, the customer shall likewise be obligated to pay for the estimated energy diverted around the meter at the appropriate rate and for the period of diversion as determined by the District.

5. For tampering with the District’s meter, metering equipment, service conductors or other property.

6. For the unauthorized connection to the District’s system by the customer, occupant, or others.

7. For the refusal of reasonable access to premises by the agents or employees of the District for the purpose of reading meters, testing, inspecting, maintaining, and installing or removal of its facilities.

8. For use of equipment which adversely affects the District’s service to other customers.

9. Where the customer’s wiring or equipment does not meet District standards or fails to comply with applicable municipal and State electrical codes.

10. Where any hazard exists endangering life, limb or property.

11. By order of the Washington State Electrical Inspection Division.

B. The option to discontinue electric service for any of the above reasons may be exercised by the District whenever and as often as such default shall occur, and neither delay nor omission on the part of the District to exercise such option as to any default shall be deemed a waiver of its right to exercise the same at any future default except as provided below.

C. Every reasonable effort shall be made to notify a responsible party in advance of discontinuance, except in the case of hazard to life, limb, or property, fraudulent use of electric service, unauthorized connection of service, theft or illegal diversion of electric energy, tampering with the District’s property, order by the Washington State Electrical Inspection Division, in which case the District may discontinue electric service without notice.
D. Discontinuance of electric service for non-payment of bills or for other penalty reason, shall not occur on a weekend, a holiday, or a day preceding a holiday.

E. The notice of disconnect (see Sections 6.08.240 through 6.08.280) shall be issued no less than five days after the billing date of any bill showing a past due balance, and shall be considered received by the customer upon personal delivery to the customer by an agent of the District or five calendar days following the mailing of the notice by first class mail to the account address.

F. Each customer receiving a notice of discontinuance of electric service shall have a right to a hearing, with or without counsel, with the manager of the District or his appointed representative. Request for hearing shall be honored by the District if received by the District at least two working days prior to the effective date of such notice.

G. If electric service is not discontinued within 10 working days of the disconnection date stated on the notice, and in the absence of other mutually acceptable arrangements, the disconnection notice shall become void. In such case, electric service shall not be disconnected until issuance of an additional disconnect notice, providing for an additional 10-working-day period, has been repeated.

H. Discontinuance of electric service does not necessarily constitute termination of any electric service agreement or contract.

I. The District shall restore electric service when the causes for discontinuance have been removed and payment for all proper charges due from the customer, including the reconnection charge, set forth in the title, or subsequent amendments to this division, has been made.

J. Termination of electric service by the District for any of the above reasons shall not obligate the District for any loss or damage incurred by the customer as a result of such termination. (Res. 1407, 2018; Res. 1223, 2004; Res. 1069, 1992; Res. 902, 1984; Res. 795 § 21(B), 1978)

6.08.340 Seasonal service.

A seasonal service is any account that has been off for more than 120 days (four months).

A. The reconnection charge, as established under the fee schedule set out in Section 6.08.090, shall apply to all seasonal or intermittent service customers requesting a disconnect and a subsequent reconnect at the same premises.

B. The disconnection of a seasonal or intermittent service customer for nonpayment of bills or for noncompliance with the service policies or conditions of this division or subsequent amendments to this division, shall not relieve the customer of any seasonal charge as established by the rate schedules.

C. Payment of the seasonal charge shall be in addition to the reconnection charge.

D. The reconnect charge for seasonal or intermittent service customers shall not apply to rental units where the owner has made arrangements to assume responsibility for payment or continuity of service.

E. Prior to reconnection of a seasonal or intermittent service account, all delinquent charges, reconnect charges and seasonal charges must be paid. (Res. 1223, 2004; Res. 795 § 22, 1978)
Chapter 6.12
CUSTOMER RESPONSIBILITIES

Sections:
6.12.010 Access to District property.
6.12.030 Request and notice of load increase.
6.12.050 Notice of trouble.
6.12.060 Electrical standards – Compliance required.
6.12.070 Refusal of service.

6.12.010 Access to District property.
A. The District, through its authorized employees, shall be granted all necessary rights-of-way and easements over the property of the customer, and have the right of access to customer’s premises as reasonably required for the purpose of reading meters, testing, inspecting, maintaining, installing or removing any District equipment located thereon.

B. The District has the right to require a documented easement over the customer’s property whenever District equipment is installed to serve the customer.

C. If any District equipment is located within a locked enclosure on a nonresidential customer’s premises, the District shall be furnished a key for access.

D. Customers are not allowed to construct or place permanent structures over, across, or under the District’s facilities after their original installation, such that such structure(s) obstruct the District’s ability to maintain its facilities. (Res. 1337, 2013; Res. 795 § 30, 1978)

A. The customer shall provide a space for and exercise due care and precaution to prevent damage to any District property located on his premises, including metering equipment, transformers, service and primary conductors, or any other equipment that may be installed and owned by the District.

B. In the event District property is damaged by a customer, the District will hold the customer financially responsible for such damages and the repair or replacement thereof. (Res. 795 § 31, 1978)

6.12.030 Request and notice of load increase.
A. In the event the customer desires to increase his load three kW or greater as recorded on the District’s records, he shall give the District sufficient notice of such increase and the amount thereof.

B. The District will analyze the customer’s proposed load increase and will install additional facilities where necessary to accommodate the increase. A commercial or industrial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be moved into the new large load classification. The customer will be responsible for any costs associated with the upgrade.

C. If damage to District’s equipment results from failure of the customer to give adequate notice of the load increase, the District will hold the customer financially responsible for such damage or any loss incurred. (Res. 1354, 2014; Res. 1337, 2013; Res. 795 § 32, 1978)

A. The customer shall be responsible for the protection of his equipment from the effects of high voltage, low voltage, overcurrent, single phasing, phase reversal, nonsequential shutdown or startup, and momentary interruption. Such protection shall be in form of relays, fuses, circuit breakers and motor starters in accordance with the latest electrical codes.

B. The customer shall not install equipment which will cause frequent or violent fluctuations in the electric current which interferes with the District’s system and other customers. If the District determines that such equipment is causing a disturbance on the system, the customer shall be notified to take corrective action to eliminate the cause of such disturbance.

C. The customer’s installed equipment shall conform to IEEE 519 for output distortion as measured by the District at the point of delivery for the electrical service. (Res. 1268, 2008; Res. 1223, 2004; Res. 795 § 33, 1978)

6.12.050 Notice of trouble.
A. It shall be the responsibility of the customer to notify the District in the event that service is interrupted, is not satisfactory, or any hazardous condition is known to exist on the premises of the customer.

B. If the customer’s electric service fails, he shall endeavor to determine if the trouble is in his own equipment, such as blown fuses, tripped circuit breakers, or other equipment failures.
C. If, at the customer’s request, a serviceman is dispatched after regular working hours, and the trouble is found to be in the customer’s equipment, the customer shall be responsible for payment to the District for the cost incurred by the District as depicted in the fee schedule under Section 6.32.010 of this code. (Res. 1268, 2008; Res. 795 § 34, 1978)

6.12.060 Electrical standards – Compliance required.

A. The customer is responsible for the compliance with the latest edition of all State, county, and municipal electrical codes for the electrical equipment and installation on his premises.

B. In addition, the customer must comply with all District electrical standards not covered by code or exceeding the present code standards.

C. The District shall have the right, but shall not be obligated, to inspect the customer’s electrical installation before service is connected, or if the District suspects a hazard exists, it may inspect the electrical installation at any time after service is connected.

D. Such inspections, or failures to inspect, shall not render the District liable or responsible for any loss or damage resulting from defects in the installation. (Res. 795 § 35, 1978)

6.12.070 Refusal of service.

The District may refuse service or disconnect existing service to an applicant or customer if he has not complied with the provisions of customer responsibilities set out in this chapter, or if he has not complied with all applicable codes and standards governing the electrical installation. (Res. 795 § 36, 1978)

Chapter 6.14

CONSERVATION POLICY

Sections:


Public Utility District No. 2 of Pacific County has established conservation programs to assist District consumers in an effort to conserve electrical energy. Any customer served by the District has an opportunity to apply for these conservation programs. A customer sign-up list has been established at the District headquarters in Raymond. A first-come, first-served approach has been determined to be the most equitable means of implementing the conservation programs. Exceptions to this rule are explained below:

A. If an owner is going to, or is in the process of remodeling, the District may at its own discretion coordinate conservation with the owner to make sure all cost effective measures are installed to prevent any lost opportunities, contingent upon conservation program funds being available. These measures would be reimbursed according to the procedures and at the same level as the existing program.

B. If an owner is planning to convert from resistant heat to a heat pump, and at the discretion of the District it is found to be beneficial, the District may proceed with conservation measures assuring correct sizing of the system to achieve maximum savings. This measure would be reimbursed according to the procedures and at the same level as the existing program contingent upon conservation program funds being available. (Res. 1088, 1993)


An owner wishing to proceed with an approved conservation project may do so using their own funds with the intention of being reimbursed, following approval of the District and under the following conditions:

A. At the beginning of the budget year the District will determine the amount of funding available.
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B. The owner will be reimbursed as per the current contract conditions at the time their name comes up on the waiting list.

C. All work must meet specifications and guidelines under which the District is operating at the time of reimbursement. In regard to health and safety issues, required corrective action must be accomplished by the owner prior to receiving reimbursement.

D. The District shall be excused from reimbursing the customer due to unavailability of funds or discontinuation of its conservation programs.

E. The owner will sign an agreement acknowledging receipt of these conditions, as per Attachment A (customer agreement).

ATTACHMENT A
CUSTOMER AGREEMENT
This agreement is entered into by Public Utility District No. 2 of Pacific County, hereinafter referred to as the "District," and ____________, hereinafter referred to as the "customer."

Be it understood that the customer wishes to expend moneys prior to being eligible for reimbursement from the District's budgeted funds. Customer knows that the final reimbursement amount will be payable when said customer's name has reached the top of a waiting list of the conservation programs; provided, that said budgeted funds are available. Furthermore, the customer agrees that the reimbursement amount will not exceed the total amount of District approved invoices provided to the conservation department. Owner acknowledges receipt of the District's conservation policy in regard to this type of project.

Signed and agreed to, this ___ day, in the month of ______, 20 ___.

Homeowner    Conservation Manager
(Res. 1337, 2013; Res. 1088, 1993)
be essential to maintaining the integrity of its system or its ability to provide a power supply.

3. Curtailment action by the District would also be implemented in accordance with any proclamation of any government authority having jurisdiction.

4. In addition, curtailment action taken by the District would be intended to effect approximate equality of curtailment among all customers after consideration of delivery of power to essential public service.

D. Restoration of Interrupted Service. The District will use reasonable diligence and promptness in restoring interrupted electrical service to its customers. In cases where large service areas are interrupted and the District has limited crew resources available for restoration, the District will determine in its best judgment which areas shall be restored first. (Res. 1337, 2013; Res. 795 § 40, 1978)

6.16.020 Abnormal service.

A. In general, the District will furnish electric service of 60 Hertz alternating current of either single-phase or three-phase voltages.

B. The District will endeavor to maintain reasonable regulation of its distribution system voltages such that the voltage at the point of delivery remains within plus or minus five percent of a 120-volt base.

C. If a customer determines he/she has abnormal voltage or is experiencing excessive voltage fluctuations, he/she may request a voltage check.

D. The District will, during regular working hours, test for abnormal voltage or excessive voltage fluctuations, at no cost to the customer, and if such tests determine there to be a problem, the District will endeavor to remedy such problem within a reasonable time.

E. If the voltage is found to be within the normal range, and the customer requests additional tests during the next 12-month period, the District may bill the cost of the additional tests to the customer.

F. Voltage tests normally will be in the form of a seven-day recording voltmeter installation at the customer’s point of delivery.

G. The District reserves the right to reduce the nominal voltage more than five percent as a form of load curtailment as specified in Section 6.16.010(C). (Res. 1337, 2013; Res. 795 § 41, 1978)

6.16.030 Radio interference.

A. The District shall endeavor to construct its system in a manner to minimize high voltage radio interference utilizing acceptable standard construction methods. The District shall not be responsible for radio interference caused by adverse climate conditions or interference transmitted on its distribution system from other sources.

B. If a customer reports excessive radio interference, the District will, during normal working hours, check its system for possible causes of such interference and if a problem is found, it will, within a reasonable period of time, correct such problem.

C. If it is found that radio interference is not emanating from the District’s system, but from another source or from the customer’s own equipment, the District’s only obligation will be to notify the owner of the source of interference.

D. The District shall not be responsible for interference caused by or to CB radio or other entertainment-type electronic equipment in areas where signal reception is normally marginal. (Res. 795 § 42, 1978)

6.16.040 Metering.

A. The District shall own, install, and maintain all meters and associated metering equipment necessary for the proper measurement of the quantity of electric energy used by the customer.

B. The District shall maintain accurate accounts of all meter readings for billing purposes and the electric energy delivered as evidenced by each such account shall, in the absence of proved error, by prima facie evidence of the use of such electric service by the customer, and shall be the basis for computing all bills.

C. The District will, at its own expense, make periodic tests and inspections of its meters to insure a high standard of accuracy. The District will make additional tests or inspections of its meters at the request of the customer. If tests made at the customer’s request determine that the meter is within an accuracy of plus or minus (fast or slow) two percent, no adjustment will be made in the customer’s bill and a meter test charge, according to the District’s fee schedule, will be made.

D. If the test determines that the meter accuracy is in excess of the plus (fast) two percent, an adjustment shall be made in the customer’s previous two billings and there will be no meter test charge.

E. Should the customer desire the installation of additional meters other than those deemed necessary by the District to adequately measure the
quantity of electric energy used by the customer, such additional meters and metering equipment shall be installed and maintained by the customer at no cost to the District. (Res. 1337, 2013; Res. 795 § 43, 1978)

Chapter 6.20

GENERAL CONDITIONS OF SERVICE

Sections:
6.20.010 Type of service.
6.20.020 Class of service.
6.20.030 Point of delivery.
6.20.040 Service conductors ownership and maintenance.
6.20.050 Service entrance requirements.
6.20.055 Revision to existing service.
6.20.060 Metering requirements.
6.20.070 Primary metering.
6.20.080 Demand metering.
6.20.090 Reactive metering.
6.20.100 Repealed.
6.20.110 Load characteristics.
6.20.120 Conversion of overhead to underground facilities.
6.20.130 Relocation of District facilities.
6.20.140 Attachment to District facilities.
6.20.150 Street and security lighting.
6.20.160 District property.
6.20.170 Temporary disconnection, removal and reconnection of District facilities.
6.20.180 Abandoned facilities.
6.20.185 Electrical inspection required.
6.20.190 District construction equipment.

6.20.010 Type of service.

A. The District will supply electric service of 60 Hertz alternating current, single- or three-phase, at a nominal voltage as follows:

1. One hundred twenty/two hundred forty volt single-phase three-wire to all classes of service and limited to a demand of 100 or less kilowatts at any one point of delivery. This type of service may be served from the District’s overhead or underground primary system.

2. One hundred twenty/two hundred forty volt three-phase four-wire delta to all classes of service and limited to a demand of 112.5 kilowatts or less at any one point of delivery. In addition, the District may restrict the use of this type of service where primary underground facilities are involved.

3. One hundred twenty/two hundred eight volt three-phase four-wire wye to all classes of service and limited to a demand of greater than 50 kilowatts but not to exceed 1,000 kilowatts at any one delivery point. This type of service shall be served from the District’s underground primary system. However, installations of up to 150 kilowatts may be served from the District’s overhead
primary system if existing facilities are sufficient. This type of service is available for individual 120/208 volt single-phase living units of a multiple unit complex meeting the demand requirement. In addition, this service is allowed for single-phase 120/208 volt accounts that are located adjacent to an existing three-phase padmount transformer of the same voltage, regardless of its demand requirement.

4. Two hundred seventy-seven/four hundred eighty volt three-phase four-wire wye to all classes of service, excluding residential, and limited to a demand of greater than 50 kilowatts but not to exceed 2,000 kilowatts at any one point of delivery. This type of service shall be served from the District’s underground primary system. However, installations of up to 150 kilowatts may be served from the District’s overhead primary system if existing facilities are sufficient.

5. Seven thousand, two hundred/twelve thousand, four hundred seventy volt three-phase four-wire wye to large industrial classes of service as provided for under applicable rate schedules or under special contract.

6. One hundred fifteen thousand, three-phase, three-wire transmission service to large industrial class of service as provided under a special contract.

B. For the purpose of this section, demand shall be taken to be the actual historical maximum kilowatt demand as recorded in the District’s records, or in lieu of such information, the expected maximum kilowatt demand as calculated from the best information available or supplied by the customer.

C. If the applicant or customer requests service of a voltage and/or phase different than that readily available, and in the opinion of the District, the presently available voltage and/or phase is adequate to serve the applicant’s or customer’s needs, the District may require the applicant or customer to pay the additional cost to provide such electric service.

D. Existing services that do not meet the standards described in subsections (A)(1) through (6) of this section will continue to be maintained according to District policy. Any modifications to such service are covered under Section 6.20.055 of this chapter, Revision to existing service. (Res. 1337, 2013; Res. 1268, 2008; Res. 1178, 2001; Res. 795 § 50, 1978)

6.20.020 Class of service.

A. When a customer desires to use electric service for purposes classified under different rate schedules, separate meters must be installed to measure the energy supplied at each rate, and the energy consumption registered by each meter will be charged for at the prices specified within the applicable rate schedule.

B. Generally, the following classes of service are available:
   1. Small commercial;
   2. Large commercial;
   3. Primary metered commercial;
   4. Small industrial;
   5. Primary metered small industrial;
   6. Large industrial;
   7. New large load;
   8. Pumping and irrigation;
   9. Residential;
   10. Street and area lighting. (Res. 1354, 2014; Res. 1337, 2013; Res. 1178, 2001; Res. 795 § 51, 1978)

6.20.030 Point of delivery.

A. All equipment on the load side of the point of delivery, as defined, shall belong to, and be the responsibility of the customer, with the exception of District-owned metering equipment.

B. It shall be the responsibility of the applicant or customer and/or his/her electrical contractor to advise the District of service requirements and to ascertain the point of delivery location acceptable to the District in advance of installation of equipment. If the District is not consulted and/or the District does not accept the point of delivery location, the service equipment shall be relocated to an acceptable location at no cost to the District, or the District shall be reimbursed the added cost of extending the service conductors to existing location.

C. In no case shall there be more than one point of delivery to any premises or building except by special permission of the District and Washington State Electrical Inspector.

D. Unless otherwise specifically stated within the service extension policies or the rate schedule provisions, the point of delivery shall be as follows:
   1. Residential Overhead Service. The point of delivery shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.
   2. Residential Underground Service. The point of delivery shall be at the designated transformer, service pedestal, or riser pole facility which serves the customer.
3. Commercial Overhead Service. The point of delivery shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.

4. Commercial Underground Service. The point of delivery shall be at the designated transformer, service pedestal, or riser pole facility which serves the customer.

5. Large Commercial, Industrial, and New Large Load Service.
   a. The point of delivery for vault-installed transformers or integral load center transformers shall be at the transformer secondary terminals where the District owns and maintains the transformers. For customer-owned transformers, the point of delivery shall be at the load side of the primary metering.
   b. For overhead service from fenced slab-mounted transformer installations, the point of delivery shall be at the attachment of the service conductors to the District’s structure. (Res. 1354, 2014; Res. 1337, 2013; Res. 795 § 52, 1978)

6.20.040 Service conductors ownership and maintenance.

   A. Overhead. The District shall own and maintain the overhead service conductors to the point of delivery on the customer’s premises or property. It is the customer’s responsibility to provide and maintain a 10-foot-wide centered clear path for the overhead conductor.
   B. Underground Residential.
      1. The District shall own and maintain the underground service conductors to the designated point of delivery on the customer’s premises or property.
      2. Should the underground service cables fail on the customer’s side of the point of delivery, the District, during normal working hours, may locate and repair the cable failure at no cost to the customer. Where the failure is the result of improper installation, backfill, dig-in damage, or in any other manner caused by the customer and/or his employee or agent, the customer will be required to pay for all costs incurred by the District, and if the customer wishes such repair outside of normal working hours, overtime as paid by the District will be charged to the customer.
      3. Should the underground service cables fail on the customer’s side of the point of delivery after normal working hours and should the customer desire repair prior to the next working day, all costs shall be at the expense of the customer.

   C. Underground Commercial.
      1. The District shall own and maintain the underground service conductors to the designated point of delivery.
      2. Should direct burial underground service cables fail on the customer’s side of the point of delivery, the District, during normal working hours, may locate the failure and assist the customer or customer’s electrical contractor in repairing the cables at no charge to the customer. Where the failure is the result of improper installation, backfill, dig-in damage, or in any other manner caused by the customer and/or his employee or agent, the customer will be required to pay for all costs incurred by the District, and if the customer wishes such repair outside of normal working hours, overtime as paid by the District will be charged to the customer.
      3. Should conduit or duct-encased service conductors fail on the customer’s side of the point of delivery, the District, during normal working hours, may assist the customer in determining the location of the trouble. However, it shall be the customer’s responsibility to repair or replace the failed service conductors.
      4. Should the underground service cables fail on the customer’s side of the point of delivery after normal working hours and should the customer desire repair prior to the next working day, all costs shall be at the expense of the customer.

   D. Large Commercial, Industrial, and New Large Load Service. The District shall own and maintain all facilities on the District’s side of the point of delivery. The District will perform maintenance and other associated work on the customer’s side of the point of delivery on a cost of labor and materials basis.

   E. Restoration. The District shall in no case be responsible for the restoration of lawn landscape, shrubbery, trees, asphalt, concrete or other hard surface when assisting the customer in the repairs of underground service cables. (Res. 1407, 2018; Res. 1354, 2014; Res. 1337, 2013; Res. 1007, 1988; Res. 795 § 53, 1978)

6.20.050 Service entrance requirements.

The applicant or customer shall provide suitable service entrance equipment to serve the premises at a point of delivery location approved by the District.

Such service entrance facilities shall meet the requirements of the Washington State Electrical Code and any other applicable county or municipal codes before the District shall provide service.
A. Overhead Service.
1. The service entrance shall be so located that the service cable installed by the District will reach the entrance by attachment at one location only on the building. The point of attachment for the service cable on the building shall be of sufficient height to provide the required ground clearance for the service cable above roadways, streets, alleys, sidewalks, open areas, or other structures.
2. Generally, the service entrance or attachment on the premises shall be no greater than 180 feet in distance from the District’s serving facility.
3. A service mast or other approved reinforcement to anchor the service cable must be provided by the customer. The District will supply anchor bolts and anchor clevis.
4. Service entrance conductors shall be installed in approved conduit or sealable metal enclosures such as bus duct.
5. Service entrance conductors shall extend a minimum of 18 inches past the entrance conduit weatherhead.
6. There shall be no junction boxes or disconnect equipment allowed on the line side of the metering point. Only approved and accessible two-port Condulet fittings will be allowed.
7. Approved integral group metering equipment does not classify as a junction box or disconnect on the line side of the metering point.
8. Only two sets of service entrance conductors will be connected to any one overhead service cable. Where the two sets of service entrance conductors are run in separate conduits, the conduit entrance heads must be within two feet of each other and mechanically connected or braced together.
9. It is the customer’s responsibility to provide and maintain a 10-foot-wide centered clear path for the overhead conductors.

B. Underground Service.
1. The route of the underground service cable from the point of delivery location to the customer’s metering point must be approved by the District.
2. Generally, the service entrance or attachment on the premises shall be no greater than 180 feet in total run distance from the District’s service facility.
3. The underground conductors must be type USE or other approved for burial, and must be placed at least two feet below the surface.
4. It is recommended that PVC-type duct be installed in areas under patios, walkways, driveways, landscape, etc., such that in event of a cable failure, complete excavation for repair or replacement will not be necessary.
5. Underground service cables, where run above ground, shall be installed in approved conduit or sealable metal enclosures. There shall be no junction boxes or disconnect equipment allowed on the line side of the metering point.
6. Approved integral group metering equipment does not classify as a junction box or disconnect on the line side of the metering point.
7. Only two sets of underground service cables will be connected to the District’s transformer or pedestal at the point of delivery. The District may approve additional sets of underground service cables for large commercial, industrial, or new large loads when adequate terminal facilities are available.

C. Service Entrance Conductors.
1. Service entrance conductors and underground service cable conductors shall be color-coded at the metering point and at the point of delivery as follows:

<table>
<thead>
<tr>
<th>Single-Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neutral conductor</td>
</tr>
<tr>
<td>Line conductors</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Three-Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neutral conductor</td>
</tr>
<tr>
<td>A Phase conductor</td>
</tr>
<tr>
<td>B Phase conductor</td>
</tr>
<tr>
<td>C Phase conductor</td>
</tr>
</tbody>
</table>

On 4-wire delta systems, the B Phase – Red is always the wild leg. (208 volts to the neutral)

D. Emergency Standby Systems. Emergency standby generator systems shall incorporate positive action transfer switches arranged such that the District’s system cannot be connected to the generator through the service entrance equipment. The installation of each emergency standby generator system must be approved by a District representative before being placed in service.

E. Customer Premises Equipment Conduit. For all new underground service entrances connected to the District’s electrical distribution system, a District-provided three-quarter-inch continuous conduit with internal tracer wire shall be buried jointly with the new underground service cables at a minimum of two feet below the surface. The ends of the conduit shall have 10-foot coils at the point of delivery by the District and at the location of the
customer service entrance to facilitate placement of a future customer premises equipment (CPE). Coils can be capped and buried.

The District shall provide the continuous conduit with internal tracer wire to the customer or their designated electrical contractor. The customer shall be responsible to make sure the continuous conduit is installed with the new underground service cables.

Installation of this conduit shall be a requirement of receiving electrical service from the District. Once installed, the District shall own and maintain the conduit. (Res. 1406, 2018; Res. 1268, 2008)

### 6.20.055 Revision to existing service.

A. Any revision to an existing electrical service such as a change in the point of contact, relocation of a meterbase, the increase in service entrance equipment size or electrical load will require the service to be upgraded to current PUD standards. This upgrade may require conversion of the service entrance equipment and service from overhead to underground, a change in the meter location/point of contact, or a revision in the metering.

B. Any repair work to existing electrical service entrance equipment will not require an upgrade to meet current PUD standards unless requested by the customer.

C. Any deviation to this section of PUD policy must be approved by the general manager.

D. Customer Premises Equipment Conduit. For all revised service entrances connected to the District’s electrical distribution system, a District-provided three-quarter-inch continuous conduit with internal tracer wire shall be buried jointly with the new underground service cables at a minimum of two feet below the surface. The ends of the conduit shall have 10-foot coils at the point of delivery by the District and at the location of the customer service entrance to facilitate placement of a future customer premises equipment (CPE). Coils can be capped and buried.

The District shall provide the continuous conduit with internal tracer wire to the customer or their designated electrical contractor. The customer shall be responsible to make sure the continuous conduit is installed with the new underground service cables.

Installation of this conduit shall be a requirement of receiving electrical service from the District. Once installed, the District shall own and maintain the conduit. (Res. 1406, 2018; Res. 1268, 2008)

### 6.20.060 Metering requirements.

The applicant or customer shall install an approved meter socket and/or instrument transformer enclosure if one is required.

The District will provide the customer or his/her contractor with a meter socket guide and wiring diagram for the various types of service available.

A. Type of Meter Socket and Wiring.

1. The size and type of meter socket shall be of a type approved for the voltage and ampere rating of the service installation.

2. Generally, self-contained meter sockets are used with service ratings of 200 amperes or less and 300 volts or less. Special self-contained meter sockets shall not employ circuit closing devices.

3. For polyphase applications above 200 amperes or 300 volts, or single-phase applications above 400 amperes, instrument transformer metering shall be used. Meter sockets used with instrument transformers shall be rated at least 50 amperes and 300 volts and shall have provisions to mount a District supplied test switch.

4. All potential taps of service entrance conductors for metering purposes shall be made within the meter socket or instrument transformer enclosure.

5. In no case shall a metered circuit run in a conduit or raceway with an unmetered service entrance circuit.

6. All commercial and instrument transformer exterior metering equipment to be stainless steel. The District highly recommends all residential exterior metering equipment to be stainless steel.

B. Location of Metering Equipment.

1. The meter socket shall be located in an accessible place on the outside of the premises. Special permission may be granted to commercial, industrial, and new large load class customers for enclosed locations, provided arrangements have been made for access by District personnel. For meter sockets located in an inaccessible place, interior to a structure, the customer will have up to one year from the date of a notification letter to relocate the meter socket to an outside location.

2. All meter sockets shall be mounted between five and one-half feet and six and one-half feet above the floor or ground as measured to their center. The exceptions are mobile home pedestal meter socket combinations, underground service meter socket pedestals, and group meter socket
equipment which may be mounted no less than four feet above the floor or ground.

3. All meter sockets shall have a clear space of three feet in front of the socket and one foot around the perimeter of the socket to any obstruction.

4. Meter sockets and metering equipment shall not be located in hazardous areas, above open pits, in hatchways, near moving machinery, in the path of open water, in locations subject to vibration, excessive temperature, steam, corrosive vapors, or in areas where access is hampered by unstable soil conditions.

C. Group Metering Equipment.

1. Group metering equipment shall be of the approved integral type and may or may not have provisions for a main disconnect, depending upon the number of units.

2. All unmetered conductors, bus bars, and circuit breakers or disconnects shall be isolated from the metered conductors, bus bars, and circuit breakers or disconnects and shall be in raceways capable of sealing by the District.

3. Group metering equipment may be mounted such that the bottom row of sockets is no less than four feet above the floor or ground and the top row of sockets is no greater than seven feet above the floor or ground. The individual sockets of group metering equipment shall have no less than three inches of clearance between adjacent flanges or sealing rings.

4. All group metering sockets shall be plainly and permanently labeled designating the premises it serves.

D. Instrument Transformers.

1. Generally, if the type of service is greater than 200 amperes and/or 300 volts, instrument transformer metering must be utilized.

2. The customer or applicant shall supply an approved stainless steel instrument transformer enclosure and meter socket. The enclosure and meter socket shall be mounted in an accessible location with at least three feet of clear space in front. All enclosures and meter sockets are to be mounted on the outside of the premises. Switchgear rated above 800 amps shall be located within the premises or a District-approved weatherproof structure.

3. A three-quarter-inch minimum trade size Sch. 40 galvanized rigid steel conduit shall be installed between the enclosure and the meter socket. Conduit installation shall meet the latest version of NEC for grounding. Such conduit shall not terminate in any junction box of any type. The maximum conduit distance shall be 30 feet and shall contain no more than the equivalent of three 90-degree bends.

4. The District will provide the applicant or customer with the necessary number of instrument transformers for mounting in the enclosure. District wiremen will install all wiring between the instrument transformers and the meter socket.

5. Where instrument transformers are installed in large panelboards with bus bars, the bus bars must have removable sections such that the instrument transformers may be readily installed or removed. Only window-type instrument transformers will be supplied by the District.

6. The District will not allow the exposed installation of instrument transformers on the surface of the premises at the point of delivery.

E. Remote Metering. The District will not install remote metering equipment on new or revised installations. Where remote metering has been installed by the District for a residential account, the customer will have up to one year from the date of a notification letter to relocate the meter socket to an outside location. (Res. 1407, 2018; Res. 1354, 2014; Res. 1337, 2013; Res. 1223, 2004; Res. 1178, 2001; Res. 795 § 55, 1978)

6.20.070 Primary metering.

A. Where the type of service requires or the District deems it necessary due to the size of the load, primary metering may be installed.

B. The District shall install all the necessary instrument transformers, meter sockets and wiring required by a primary metering installation. (Res. 1337, 2013; Res. 795 § 56, 1978)

6.20.080 Demand metering.

A. Demand meters may be installed where the class of service and rate schedule provides for demand charges.

B. In general, demand meters will not be installed for loads estimated to have a demand of less than 10 kilowatts.

C. Where the type of load is widely fluctuating, such as chippers, saws, welding equipment, hoists and elevators, etc., and the demand cannot be determined utilizing standard metering equipment, the District may determine the demand by test.

D. Unless otherwise specified under special contract provisions or rate schedules, the demand shall be determined over a 30-minute integration period. (Res. 795 § 57, 1978)
6.20.090 Reactive metering.
A. Reactive metering may be installed where, in the opinion of the District, the customer’s load characteristic is such that a power factor of less than 0.97 (97 percent) lagging exists.
B. In general, reactive metering will be installed for large commercial, industrial, and new large loads with a demand of greater than 25 kilowatts and a power factor of less than 0.97 (97 percent) lagging.
C. Where the customer’s load characteristic is such that the power factor may become leading, the District will install ratchet-type reactive metering and will not credit for leading VAR hours.
D. Penalties for low power factor will be as outlined in the applicable rate schedule for the particular class of service.
E. The District reserves the right to require a customer to correct his power factor to at least eight tenths of a percent where it is determined that such power factor is lower than eight tenths of a percent and is detrimental to the District’s distribution system. (Res. 1354, 2014; Res. 1337, 2013; Res. 795 § 58, 1978)

6.20.100 Totalizing.
Repealed by Res. 1337. (Res. 795 § 59, 1978)

6.20.110 Load characteristics.
A. Motor Starting. The District requires reduced voltage starting or variable speed drive (VSD) on all three-phase motors 40 hp and above and all single-phase motors greater than five hp. Drives shall have a minimum of 12 poles and meet the latest version of ANSI C84.1, IEEE 1159, 1250, 519 and 446 for steady state transient and total harmonic distortion (THD). If power quality issues are encountered on the District’s distribution system due to the customer’s installation, the District shall perform an engineering analysis of the installation and may impose limiting factors on the operation of the equipment or require the installation of additional equipment such as line reactors to reduce the THD. The District shall be reimbursed for all labor, material and equipment costs incurred to perform the analysis and correct any issues.
B. Sequencing. Space heating, water heating, and other process heating equipment loads shall be equipped with sequencing-type controls such that definite time delay exists between the energization of individual stages of the load. The maximum KW per stage of load that can be switched on in any instant shall be as follows:

<table>
<thead>
<tr>
<th>Type of Service</th>
<th>Maximum KW per Stage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-phase 120/240 volts</td>
<td>6 KW at 240 Volts</td>
</tr>
<tr>
<td>Three-phase 120/208 volts</td>
<td>9 KW at 208 Volts 3 Phase</td>
</tr>
<tr>
<td>Three-phase 240 volts</td>
<td>10.5 KW at 240 Volts 3 Phase</td>
</tr>
<tr>
<td>Three-phase 277/480 volts</td>
<td>20.5 KW at 480 Volts 3 Phase</td>
</tr>
</tbody>
</table>

C. Load Balance.
1. The customer’s load shall be balanced such that the current taken by each line conductor at maximum load demand shall be within plus or minus 10 percent of the average of such load current. The wild line conductor of combination three-phase 120/240 Delta types of service where the majority of the load is single-phase may be excluded.
2. The District may require the customer to rearrange his electrical load if it is determined that his load balance is outside the allowable limits. (Res. 1407, 2018; Res. 795 § 60, 1978)

6.20.120 Conversion of overhead to underground facilities.
Generally, the District will consider the feasibility of the installation of underground facilities whenever system improvements, modifications, additions, or rebuilds are to be done.
A. District Option Conversions.
1. The District may elect to convert an area of overhead primary distribution system to underground facilities for economic replacement and maintenance reasons. The basic conversion will be done at no cost to the customers.
2. The District will retain existing overhead service poles and services unless the individual customer requests a conversion to an underground service. In this case, the District may provide the underground service cable at no cost to the customer. The customer must provide the trenching and conversion of his service entrance equipment at no cost to the District.
3. The customer will be responsible for the underground service cable as per Section 6.20.040 of this division.
B. Customer Requested Conversions. Where a customer or group of customers request the conversion of existing overhead primary distribution
facilities to underground distribution facilities, and in the opinion of the District, the existing facilities are adequate and serviceable, and there is no economic justification for conversion by the District, the District will require full payment, in advance, of the estimated cost of the conversion, including full payment of the remaining life of the existing facilities.

C. Service Conversions – Overhead to Underground.
1. Where a customer requests the conversion of an existing overhead service to an underground service, the District will designate the point of delivery on the overhead system.
2. The customer shall provide the trench and service cable to that point of delivery, including enough cable to terminate on the District’s riser pole if required.
3. The District will provide the conduit on the riser pole and the connections as required.
4. The customer will be responsible for the underground service cable as per Section 6.20.040 of this division.
5. The customer will be responsible for payment of a connection fee as covered under Chapter 6.32. (Res. 1337, 2013; Res. 795 § 61, 1978)

6.20.140 Attachment to District facilities.
A. Except by contractual agreement with other agencies, the District’s facilities shall be free of attachments not owned by the District.
B. Exceptions shall be municipal street lighting fixtures, fire alarm equipment, and underground service entrance conduits for which the District has granted permission and which do not constitute a hazard to District personnel. (Res. 795 § 63, 1978)

6.20.150 Street and security lighting.
A. Rental lighting fixtures will be maintained during normal working hours after notification by the customer of a failure.
B. Customer-owned lighting fixtures will be maintained on a cost basis. (Res. 1337, 2013; Res. 795 § 64, 1978)

6.20.160 District property.
Unless specifically stated in the applicable rate schedule or in a special contract agreement with the customer, all facilities and equipment, including meters, transformers, switching apparatus, conductors, etc., installed by the District upon the customer’s premises, shall be and remain the personal property of the District, regardless of whether the customer may have contributed to the payment therefor, and such facilities and equipment may be removed by the District for maintenance, modifications, or upon discontinuance of electric service. (Res. 795 § 65, 1978)

6.20.170 Temporary disconnection, removal and reconnection of District facilities.
A. The District will, during normal working hours and at no cost to the customer, disconnect, remove, and reconnect service conductors for safety reasons such that the customer may perform normal maintenance such as painting or electrical work on his facilities.
B. Where District facilities must be disconnected, removed and reconnected for the purpose of providing clearances required by building structure relocation construction, or any other reason, prior adequate notice must be given to the District.
C. The District shall charge for all use of equipment, labor, and material costs resulting from such temporary disconnection and reconnection as requested by the person, contractor or agent desiring the work to be done.
D. The District shall require sufficient moneys to be deposited prior to the actual work being done. The amount of such moneys shall be estimated in...
advance and should the actual cost of the use of equipment, labor, and material differ from the deposited amount, the difference will be refunded or billed to the person, contractor, or agent.

E. All temporary disconnections, removals and reconnections shall be done by or under the direction of the District. (Res. 795 § 66, 1978)

6.20.180 Abandoned facilities.

The District may remove its lines, facilities, and/or service extensions where it determines that such are a liability of the District if left installed; provided, that all customers have discontinued service from such lines, facilities, and/or service extensions for a period of at least one year.

After removal or abandonment of facilities, future electrical needs on this same parcel of land will be treated as a new service. (Res. 1268, 2008; Res. 795 § 67, 1978)

6.20.185 Electrical inspection required.

Existing accounts that have been disconnected for 365 days or longer must have a Washington State electrical inspection approval and will be considered a new service prior to being reconnected. (Res. 1268, 2008)

6.20.190 District construction equipment.

A. The District will not normally rent its construction equipment to individuals, customers, contractors, or other organizations.

B. The District may be contracted on a cost basis to provide its equipment and operation labor for normal utility line-type construction. However, it will not be available for construction projects involving the building industry.

C. The District will not disrupt its normal work schedule or adjust its work priorities to accommodate the use of its equipment and labor forces for private or individual construction projects.

D. When the District is contracted to provide its labor and equipment, the charges shall include the current labor rates, the equipment rental rates, and the District’s established overhead charges.

E. The District will also require that a hold harmless agreement be signed by the responsible person requesting the work.

F. The District will allow other public agencies use of construction equipment provided a hold harmless agreement has been signed and the agency has a qualified District employee has volunteered to operate any of the front line equipment on his own time. Back-up equipment may be utilized during normal working hours by other public agencies without a District employee provided a hold harmless agreement has been signed and the agency has a qualified operator run the equipment.

G. Any exceptions to the above must be approved by the manager. (Res. 1337, 2013; Res. 1007, 1988; Res. 795 § 68, 1978)
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Chapter 6.22

POWER DIVERSION POLICY

Sections:
6.22.010 Discussion.
6.22.030 Procedures.
6.22.040 Definitions.
6.22.050 Overview.

6.22.010 Discussion.
The purpose of this power diversion policy is to provide effective methods and solutions for dealing with suspected cases of meter tampering or energy diversion around metering equipment and thereby protecting the financial integrity of the District.

Any customer, owner, or person in control of a premises receiving electric service from the District is responsible for paying the full amount of said services as metered by the District. It is a violation of State law that the customer, owner, or person using and receiving electric energy to alter, tamper with, bypass, or to cause no measurement or inaccurate measurement by using any instrument, apparatus, device, or other known methods to falsify energy usage.

The District, becoming aware that electric services have been obtained without full payment, shall bill the recipient for the full amount of said services as is reasonably determined by using the best known estimating methods. The recipient shall also be responsible and billed for payment of the costs incurred by the District due to investigation, disconnection, reconnection, service calls and expert witnesses. The District may charge treble damages if a law suit is successfully litigated under Section I of Chapter 80.28 RCW, plus the costs of suit and reasonable attorney’s fees.

It is a theft, within the meaning of the law, for anyone to knowingly obtain electric services with the intent to deprive the District of the full payment of said services by any secret or unauthorized connections, by passing or diverting around the meter, tampering, altering, replacing, or any other methods to make the meter so that it does not measure the full and true amount of electric usage supplied to the person’s premises and falsification of payment or any District records. (Res. 1231, 2005)

All plastic meter seals except demand shall be the wire/plastic type hasp. Where possible, locking rings will be installed on all employees’, commissioners’, and other customers’ meters and equipment, as necessary, to secure those meters and/or equipment. Drilling of meter bases will be done, if required, to accept the locking device.

The meter, metering ring or locking device, and meter seal are the property of the District. In the event of loss or damage arising from neglect, carelessness, or misuse by the customer, the cost of necessary repairs or replacements shall be paid by the customer. (Res. 1231, 2005)

6.22.030 Procedures.
Upon first observance or notification of a potential power diversion, such as a broken seal, unusual change in consumption, inverted meter, broken meter, jammed meter, lost or missing meter, the operations manager will investigate with the appropriate personnel. The investigation should include photos, notes, tagged evidence and track of the information and evidence to ensure proper security for future reference.

A preliminary tampering report shall be submitted to the operations manager, who in turn will make necessary investigative decisions. Further investigation, if required, will be conducted and recorded on the investigation report. This report will be submitted by the operations manager to the customer service manager for providing accounting data and coordination with the general manager and attorney, if needed.

District employees will restore service to the person’s premises when the functional status of correct electrical metering has been completed. If proper metering cannot be established, or if there is a danger to life and/or property, the electrical service will not be restored.

If a meter seal is missing or broken, a re-seal and inspection charge, as per the fee schedule, may be assessed to the person who has that customer account. Electrical contractors shall be made aware of this fee and cooperate with District personnel for disconnects.

The customer service department will contact the customer and request full restitution of appropriate costs incurred in the diversion. If payment for said costs is not rendered within 10 days upon written notification, then the service may be disconnected. (Res. 1231, 2005)

6.22.040 Definitions.
“Inverted meters” means meters turned upside down to cause negative registration.
“Lost or stolen meter” is a term for a meter where the company assigned number is not the number assigned to premises/account.

“Meter seals” means a plastic locking device with stainless steel wire hasp.

“Metering equipment” means the meter and auxiliary equipment necessary for the meter to function, for example:
1. Current transformer;
2. Potential transformer;
3. Test switches.

“Power diversion” means unmetered use of electric energy without the knowledge or consent of the District.

“Tamper” means to rearrange, injure, alter, interfere with, or otherwise prevent from performing the normal or customer function. (Res. 1231, 2005)

6.22.050 Overview.

As a matter of policy, the District will review, case by case, each power diversion occurrence to determine whether legal action will be taken.

It is the desire of this policy to provide the District with full restitution and to discourage further power diversion activities. (Res. 1231, 2005)

Chapter 6.24

EXTENSION OF FACILITIES

Sections:
6.24.010 Service extension expenditures.
6.24.030 Overhead facilities.
6.24.050 Temporary service.
6.24.060 New or revised service application fee.
6.24.070 Standby or emergency service.
6.24.080 Service poles.
6.24.090 Street and security lighting.
6.24.100 Nonmetered service.
6.24.110 Service conductors.
6.24.120 Excessive service.

6.24.010 Service extension expenditures.

A. Expenditures for service extensions will be estimated as accurately as possible by the District’s engineers. If it is determined after actual construction that the final costs differ by more than plus or minus 10 percent of the initial estimate or $120.00, whichever is the greater, the District will adjust the contract accordingly.

B. Estimates for service extensions shall include, but not be limited to, the costs of poles, fixtures, conductors, fuses, switches, transformers, cables, vaults, conduits, service conductors, meters, permits, labor, restoration, right-of-way clearing, easements, and engineering and legal costs.

C. Estimates for service extensions shall be valid for a period of 90 days after notification to applicant.

D. The District will endeavor to utilize current average or uniform costs of equipment and labor when establishing the estimate of the service extension.

E. The District, by action of the commission, may from time to time modify existing service extension policies or adopt new service extension policies. These service extension policies shall include, but not be limited to, fixed charges, temporary service charges, seasonal charges and customer contributions.

F. Such service extension policy statements shall be available to applicants or customers upon request and shall be on file in District offices. (Res. 1069, 1992; Res. 795 § 70, 1978)
A. The District shall extend its lines and facilities to provide electric service to customers within its service area in accordance with the policies of this division and subsequent resolutions.
B. Service and facility extensions must be physically and economically feasible in the opinion of the District. Service and facility extensions of excessive expense or of extreme difficulty to install and maintain will not be considered by the District.
C. Prior to construction, installation, modification, or expansion of District facilities, the following conditions, if applicable, shall be met:
  1. Contractual agreements specifying the terms and conditions for electric service shall be executed and accepted by the District.
  2. Contributions to construction payment and special conditions relating to the installation of electric facilities by the District shall be concluded and accepted by the District.
  3. Easements for right-of-way and/or clearing and trimming permits satisfactory to the District for construction and maintenance of the facilities shall be provided without cost to the District.
  4. Property descriptions, plat maps, surveys or other drawings showing lots, streets, alleys, utility easements and corridors, and/or buildings and proposed facilities shall be provided without cost to the District.
  5. The right-of-way shall be cleared along the proposed route of the service extension, and roadways shall be brought to subgrade (if necessary) to District satisfaction.
  6. Plats and developments must have all rights-of-way and lot boundaries surveyed and monumented prior to installation of facilities.
D. The District shall have the right, within the provisions of the service extension policies of this division or subsequent resolutions or within the provisions of any contractual agreements, to connect additional customers to District facilities constructed under service extension contract.
E. For primary service to a point where the District cannot obtain a permanent right-of-way or easement, the District will terminate the service extension at or near the last point at which the District can obtain such right-of-way or easement. The applicant or customer will be responsible for all facilities beyond this point which shall be considered the point of delivery.
F. Service extensions, not coming within the scope of the District’s service extension policies or rate schedules, may be provided under special contract and shall be approved by the commission. (Res. 1069, 1992; Res. 795 § 71, 1978)

6.24.030 Overhead facilities.
A. The District will give first consideration to the installation of underground facilities for all service extensions.
B. However, where in the opinion of the District, the extension would be more economical utilizing overhead construction, or where existing construction mandates overhead construction, or where it is impractical to install underground facilities, the District will install overhead constructed facilities.
C. The District will design the overhead facilities utilizing accepted methods with due consideration to the environment.
D. The routing of the service extension and the consideration for future customers shall be determined by the District when designing and estimating the service extension.
E. Generally, overhead service extensions will be constructed along public roadways, streets and rights-of-way and along private driveways to facilitate maintenance and the serving of future customers.
F. In the case of large commercial or industrial applicants or customers, the District may require the installation of underground facilities where, in its opinion, the installation of overhead facilities would constitute excessive exposure to possible damage or where the size of the load is too great for normal overhead transformer installations.
G. Overhead service shall not be provided within areas where underground distribution has been established. (Res. 1178, 2001; Res. 1069, 1992; Res. 795 § 72, 1978)

A. The District will install underground service extensions wherever practicable and feasible.
B. The District will design the underground facilities utilizing accepted methods with due consideration to the environment.
C. The routing of the service extension and the consideration for future customers shall be determined by the District when designing and estimating the service extension.
D. Generally, underground service extensions will be constructed along public roadways, streets and rights-of-way and along private driveways to facilitate maintenance and the serving of future customers.
E. The District will endeavor to install below grade underground facilities; however, transformers and switch gear, including fuses, shall be of the pad-mount type.

F. All underground primary cables will be installed in conduit.

G. The District will install underground cables in joint usage trenches where such trenches have been prepared to District specifications, and are of adequate depth with select backfill.

H. In the case where the District places communications cables along with District cables, the District will charge the communications company an agreed-upon cost per foot of placement.

I. In no case will payment to the District by any company or entity for the placement of communications or other cables be transferred to the applicant or customer, their contracts, or accounts.

J. Where the customer or applicant has provided the District with an adequate trench, the District will not include the normal trenching costs in the service extension estimate. (Res. 1337, 2013; Res. 1178, 2001; Res. 1069, 1992; Res. 795 § 73, 1978)

6.24.050 Temporary service.

A. Temporary service is service which does not meet the requirements of permanent service and which will require the removal of facilities prior to their amortization.

B. Where temporary service requires only a single- or three-phase, 100 amperes or less, service drop and meter installation, the applicant or customer shall pay a temporary service charge as provided under the fee schedule.

C. An applicant or customer requesting temporary service which requires the installation of facilities in addition to the service drop and meter hereinbefore mentioned, will be required to advance the estimated cost of installation and removal of such facilities. In the event the actual costs vary from the estimated costs by more than plus or minus 10 percent, the billing to the applicant or customer will be adjusted accordingly.

D. If unforeseen difficulties or conditions arise during construction and installation of such temporary facilities resulting in additional costs, the District will endeavor to advise the applicant or customer of the increase in charges.

E. The applicant or customer shall pay, in addition to the temporary service charges, the regular charge for electric service under the applicable rate schedule, and, if necessary in the opinion of the District, a security deposit. The security deposit, or the remaining portion of such deposit after payment of all charges associated with the installation, shall be refunded to the customer after discontinuance of service.

F. The District shall not be obligated to maintain the temporary facilities once electric service is terminated by the request of the customer. In addition, the facilities will be available only during the period the customer requires and pays for electric service on a continuing basis.

G. Upon the removal of the temporary facilities, the customer may be credited the salvage value of the materials returned to the District’s stock.

H. If the District is required to purchase non-standard stock or special items to provide temporary service to the customer, there will be no salvage credit allowed.

I. Standard stock distribution transformers which, in the opinion of the District, will be serviceable after the temporary facilities are removed, will not be included in the temporary service charges. (Res. 1337, 2013; Res. 795 § 74, 1978)

6.24.060 New or revised service application fee.

An application fee, as depicted in the fee schedule under Section 6.32.010, will be collected for a new or revised service. This fee will be credited against the cost of a new or revised service that is connected within one year of application. The fee collected for those applications not connected within one year’s time will be kept by the District to cover costs expended to date. For those applicants wishing to move ahead with a new or revised service at a date later than the first year, an additional application fee will be collected. (Res. 1223, 2004)

6.24.070 Standby or emergency service.

A. Standby service to emergency equipment, such as fire booster pumps, alarm systems, emergency lighting systems, or other applications, will be supplied by the District only under special contract.

B. The rates, terms and conditions governing such service shall be determined by the nature of the system and the necessary District facilities.

C. The District shall not be liable in any way for the interruption or failure of standby or emergency service.

D. Generally, service of this nature shall be on a cost-plus basis and the applicable rate schedule shall apply. (Res. 795 § 76, 1978)
6.24.080 Service poles.
A. Generally, the applicant or customer must supply the metering pole, yard pole, or service pole for temporary services, trailer service, mobile home services, irrigation services, central farm services, etc.
B. The District will install standard utility class service poles on a cost basis when requested by the applicant or customer.
C. Maintenance of such customer-owned service poles shall be the responsibility of the owner. The customer must transfer his service equipment to the new pole.
D. Where the District cannot reach a customer’s point of delivery location with an overhead service drop, a service pole will be set by the District, provided the customer has complied with the point of delivery requirements of Section 6.20.030, and provided the cost of setting such pole is within the allowable expenditures for that class of service. (Res. 1337, 2013; Res. 795 § 77, 1978)

6.24.090 Street and security lighting.
A. The District will install and maintain standard street and security lighting as available in the current lighting rate schedules.
B. The District will not install standard rental lighting fixtures on customer-owned poles, buildings, or other non-District structures.
C. Lighting fixtures installed on the load side of the customer’s metering shall be considered non-standard, and will be maintained, if requested, on a cost basis.
D. Standard District rental lighting fixtures shall be considered as those types available under the lighting schedule.
E. The District reserves the right to refuse the installation of rental lighting equipment in areas where excessive expenditures are required to provide electrical energy to such lighting equipment.
F. Permanent decorative lighting equipment shall be metered and billed at the applicable rate schedule.
G. The District will not allow the installation of multiple or series lighting circuits on its distribution system. (Res. 1337, 2013; Res. 795 § 78, 1978)

6.24.100 Nonmetered service.
A. The District will not extend service to new applicants or customers requesting nonmetered (flat rate) service, including but not limited to advertising signs, area lighting, traffic signals, alarm signals, CATV equipment, communications equipment, etc.
B. The District will exclude from this policy the connection of municipally or other public-owned individual street lighting fixtures which may be connected directly to the District’s system by District personnel.
C. The District will bill the individual entity for the total number of lighting fixtures in service at the applicable rate. (Res. 795 § 79, 1978)

6.24.110 Service conductors.
A. Overhead Residential and Small Commercial.
   1. The District will install all overhead service conductors from its serving facilities to the point of delivery on the applicant’s or customer’s premises. It is the customer’s responsibility to provide and maintain a 10-foot-wide centered clear path for the overhead conductors.
   2. The cost of the overhead service shall be included as part of the new service charge listed under Chapter 6.32, Fee Schedule.
   3. The District shall determine the size of the service cable necessary to accommodate the customer’s maximum load without excessive voltage drop.
B. Underground Single Residential and Small Commercial.
   1. The applicant or customer must install the underground service conductors to the point of delivery designated by the District. Such point of delivery may be a padmount transformer, secondary pedestal, or riser pole on or adjacent to the applicant’s or customer’s property.
   2. Where the point of delivery is a padmount transformer or secondary pedestal, at least eight feet of service conductor must extend above grade. Where the point of delivery is a riser pole, at least 35 feet of service conductor must extend above grade.
   3. The District will supply the required protection conduit on the riser pole for direct buried services. Special conduit requirements to be provided by the customer.
C. Multiple Residential and Large Commercial.
   1. The applicant or customer must install the underground service conductors to the point of delivery designated by the District. Such point of delivery may be a pad-mount transformer, a secondary vault or pedestal, a transformer vault, or a riser pole on or adjacent to the applicant’s or customer’s property.
2. The District will supply the riser pole protection conduit of adequate size and approved type where the point of delivery is a District riser pole.

3. For the purpose of this section, large commercial shall be considered as any nonresidential service with a capacity greater than 200 amperes.

4. Multiple residential shall be considered as any individually metered multiple-residential apartment or condominium service with a capacity greater than 200 amperes.

D. Small or Large Industrial and New Large Loads Served by Distribution Facilities.

1. The applicant or customer must install the underground service conductors to the point of delivery designated by the District. Such point of delivery may be a padmount transformer, a secondary vault or pedestal, a transformer vault, or a riser pole on or adjacent to the applicant’s or customer’s property.

2. The District will supply the riser pole protection conduit of adequate size and approved type where the point of delivery is a District riser pole.

E. Underground Temporary Service. The applicant or customer must provide the underground service conductors for all temporary services. The District will make the necessary connections in the pad transformer or secondary pedestal. (Res. 1407, 2018; Res. 1354, 2014; Res. 1337, 2013; Res. 1178, 2001; Res. 1069, 1992; Res. 795 § 80, 1978)

Chapter 6.28
SERVICE EXTENSION POLICIES

Sections:

Article I. Single Residences

6.28.005 Generally.
6.28.010 Availability.
6.28.015 Application for service.
6.28.020 Fees.
6.28.025 Point of delivery.
6.28.030 District facilities.
6.28.035 Applicant or customer facilities.
6.28.040 Compliance.
6.28.045 Subsequent customer additions.
6.28.055 Contract provisions.
6.28.060 Customer aid to construction.

Article II. Apartment Buildings, Multiple Residences and Condominiums

6.28.065 Generally.
6.28.070 Availability.
6.28.075 Application for service.
6.28.080 Fees.
6.28.085 Point of delivery.
6.28.090 District facilities.
6.28.095 Applicant or customer facilities.
6.28.100 Compliance.
6.28.105 Subsequent customer additions.
6.28.115 Contract provisions.
6.28.120 Customer aid to construction.

Article III. Mobile Home Parks

6.28.125 Generally.
6.28.130 Availability.
6.28.135 Application for service.
6.28.140 Fees.
6.28.145 Point of delivery.
6.28.150 District facilities.
6.28.155 Applicant or customer facilities.
6.28.160 Compliance.
6.28.165 Subsequent customer additions.
6.28.175 Contract provisions.
6.28.180 Customer aid to construction.

Article IV. Commercial and General Facilities

6.28.185 Generally.
6.28.190 Availability.
6.28.195 Application for service.
6.28.005 Generally.

It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extensions set out in this article. (Res. 795 § 90(A), 1978)
6.28.010 Availability.
This service extension policy applies to permanent single residential structures with a minimum of 800 square feet of livable floor space, or to mobile homes with a minimum of 480 square feet of livable floor space, or to individual travel trailer/recreational vehicle units. (Res. 795 § 90(B), 1978)

6.28.015 Application for service.
A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Proposed major electrical load, including individual item ratings;
   5. Voltage, amperage and phase of the applicant’s service entrance equipment;
   6. Name of electrical contractor;
   7. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1178, 2001; Res. 795 § 90(C), 1978)

6.28.020 Fees.
All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 90(D), 1978)

6.28.025 Point of delivery.
A. The point of delivery shall be that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.

B. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.

C. The point of delivery for overhead residential service shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.

D. The point of delivery for underground residential service shall be at the designated padmount transformer, service pedestal, or riser pole facility which serves the customer. However, in no case shall the point of delivery extend beyond the customer’s property limits. (Res. 1337, 2013; Res. 795 § 90(E), 1978)

6.28.030 District facilities.
A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.

B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.

C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division. (Res. 795 § 90(F), 1978)

6.28.035 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.

B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.

C. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 795 § 90(G), 1978)

6.28.040 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.

B. Should the applicant or customer not comply with such policies or conditions, the District may
refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 1337, 2013; Res. 795 § 90(H), 1978)

6.28.045 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article.
B. Customers receiving electric service under the service extension policy set out in this article may receive benefit by the subsequent connection
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of additional customers and/or District facilities serving additional customers.

C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.

D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1069, 1992; Res. 795 § 90(I), 1978)

6.28.055 Contract provisions.

The District will install service extension facilities according to the following terms:

A. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.

B. The District will install service extension facilities to a residence site only after the applicant has paid the estimated cost to serve less the District’s allowable expenditure, for those extensions where a transformer is to be installed, as shown below:

<table>
<thead>
<tr>
<th>Service Type</th>
<th>Permanent</th>
<th>Seasonal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Underground service with pad-mount</td>
<td>$600.00</td>
<td>$300.00</td>
</tr>
<tr>
<td>pole-mount transformer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Underground service with pole-mount</td>
<td>$300.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Overhead service with pole-mount</td>
<td>$300.00</td>
<td>$150.00</td>
</tr>
</tbody>
</table>

C. Where two or more single residences are built consecutively in a group and are served by a single service extension, the total costs may be divided equally between the residences.

D. The District will install extension facilities to an applicant’s site to be removed in less than five years provided the applicant has paid the estimated cost to serve less the District’s allowable expenditure, for those extensions where a transformer is to be installed, as shown below:

J. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1178, 2001; Res. 1069, 1992; Res. 795 § 90(I), 1978)

6.28.060 Customer aid to construction.

A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 90(L), 1978)
Article II. Apartment Buildings, Multiple Residences and Condominiums

6.28.065 Generally.
It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extensions set out in this article. (Res. 795 § 91(A), 1978)

6.28.070 Availability.
This service extension policy applies to apartment, multiple residence and condominium buildings. Each building must have two or more individual living units with a minimum of 600 square feet of livable floor space each. Each living unit must be individually metered under the policy set out in this article. (Res. 795 § 91(B), 1978)

6.28.075 Application for service.
A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.
B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Proposed major electrical load, including individual item ratings;
   5. Voltage, amperage and phase of the applicant’s service entrance equipment;
   6. Name of electrical contractor;
   7. Approximate date service is required;
   8. Plot plan drawings of the proposed site and construction;
   9. Electrical service entrance equipment drawings.
C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 91(C), 1978)

6.28.080 Fees.
All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 91(D), 1978)

6.28.085 Point of delivery.
A. The point of delivery shall be that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.
B. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.
C. The point of delivery for overhead service shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.
D. The point of delivery for underground service shall be at the designated padmount transformer, service pedestal, or riser pole facility which serves the customer. (Res. 1337, 2013; Res. 795 § 91(E), 1978)

6.28.090 District facilities.
A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.
B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division. (Res. 1069, 1992; Res. 795 § 91(F), 1978)

6.28.095 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
C. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 1069, 1992; Res. 795 § 91(G), 1978)

6.28.100 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 795 § 91(H), 1978)

6.28.105 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article.
B. Customers receiving electric service under the service extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustment, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1069, 1992; Res. 795 § 91(I), 1978)

6.28.115 Contract provisions.
The District will install service extension facilities according to the following terms:
A. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
B. Payment of the estimated service extension cost must be received by the District prior to installation of facilities.
C. Where several apartment, multiple residence, or condominium buildings covered under policy are built consecutively in a group, and are served by a single service extension facility, the total costs may be divided equally between the units.
D. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.
E. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
F. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.
G. The KVA of required transformer capacity shall be determined by the District engineering department and be to the nearest District standard transformer size. (Res. 1069, 1992; Res. 795 § 91(K), 1978)

6.28.120 Customer aid to construction.
A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.
B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 91(L), 1978)
Article III. Mobile Home Parks

6.28.125 Generally.
It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article. (Res. 795 § 92(A), 1978)

6.28.130 Availability.
This service extension policy applies to mobile home parks of two or more individually metered units. The capacity of the service entrance equipment of each unit shall be no less than 100 amperes. (Res. 795 § 93(B), 1978)

6.28.135 Application for service.
A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.
B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Proposed major electrical load, including individual item ratings;
   5. Voltage, amperage and phase of the applicant’s service entrance equipment;
   6. Name of electrical contractor;
   7. Approximate date service is required;
   8. Plot plan drawings of the proposed site.
C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 92(C), 1978)

6.28.140 Fees.
All applicants for service extension shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 92(D), 1978)

6.28.145 Point of delivery.
A. The point of delivery shall be that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.
B. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.
C. The point of delivery for overhead residential service shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.
D. The point of delivery for underground service shall be at the designated padmount transformer, service pedestal, or riser pole facility which serves the customer. (Res. 1337, 2013; Res. 795 § 92(E), 1978)

6.28.150 District facilities.
A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.
B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division. (Res. 795 § 92(F), 1978)

6.28.155 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
C. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 1069, 1992; Res. 795 § 92(G), 1978)
6.28.160 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service.
(Res. 795 § 92(H), 1978)

6.28.165 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article.
B. Customers receiving electric service under the service extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities.
(Res. 1069, 1992; Res. 795 § 92(I), 1978)

6.28.175 Contract provisions.
The District will install service extension facilities according to the following terms:
A. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
B. Payment of the estimated service extension cost must be received by the District prior to installation of facilities.
C. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
D. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.
(Res. 1069, 1992; Res. 795 § 92(K), 1978)

6.28.180 Customer aid to construction.
A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.
B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose.
(Res. 1069, 1992; Res. 795 § 92(L), 1978)

Article IV. Commercial and General Facilities

6.28.185 Generally.
It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article.
(Res. 795 § 93(A), 1978)

6.28.190 Availability.
A. Small Commercial.
1. This service extension policy applies to permanent installations of a commercial or general nature with a monthly demand of less than 50 kilowatts, including but not limited to commercial establishment facilities, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, small
industrial facilities, and singly metered multiple residential units.

2. Any installation not specifically designated in the District’s other service extension policies shall be served under the policy set out in this article.

B. Large Commercial.

1. This service extension policy applies to permanent installations of a commercial or general nature with a monthly demand of 50 kilowatts or more in any one month, including but not limited to commercial establishment facilities, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, small industrial facilities, and singly metered multiple residential units.

2. Any installation not specifically designated in the District’s other service extension policies shall be served under the policy set out in this article.

C. Primary Metered Commercial.

1. This service extension policy applies to permanent installations of a commercial or general nature with a monthly demand of 50 kilowatts or more in any one month and primary (high voltage) metering, including but not limited to commercial establishment facilities, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, small industrial facilities, and singly metered multiple residential units.

2. Any installation not specifically designated in the District’s other service extension policies shall be served under the policy set out in this article.

D. New Large Load.

1. A new commercial load requiring the installation of a three-phase, 300 kVA transformer or larger after October 7, 2014, will be classified as a new large load and fall under the requirements of Article X of this chapter, New Large Loads.

2. An existing commercial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be classified as a new large load and fall under the requirements of Article X of this chapter, New Large Loads. (Res. 1354, 2014; Res. 1084, 1993; Res. 795 § 93(B), 1978)

6.28.195 Application for service.

A. The applicant for an electric service extension must own, have a contract to purchase or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:

1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Proposed major electrical load, including individual item ratings;
5. Voltage, amperage and phase of the applicant’s service entrance equipment;
6. Name of electrical contractor;
7. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 93(C), 1978)

6.28.200 Fees.

All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 93(D), 1978)

6.28.205 Point of delivery.

A. Small and Large Commercial.

1. The point of delivery shall be that point where the District's owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.

2. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.

3. The point of delivery for overhead service shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.

4. The point of delivery for underground service shall be at the designated padmount transformer, service pedestal, or riser pole facility which serves the customer.

5. The point of delivery for vault-installed transformers or integral load center transformers shall be at the transformer secondary terminals where the District owns and maintains the trans-
formers. For customer-owned transformers, the point of delivery shall be at the primary terminals of the transformer. The District will own and maintain the primary terminations.

6. For overhead service from fenced slab-mounted transformer installations, the point of delivery shall be at the attachment of the service conductors to the District’s structure.

B. Primary Metered Commercial.

1. The point of delivery shall be that point where the District’s owned and maintained primary facilities connect to the customer’s owned
and maintained primary facilities. (Res. 1337, 2013; Res. 1084, 1993; Res. 795 § 93(E), 1978)

6.28.210 District facilities.
A. Small and Large Commercial.
   1. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.
   2. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
   3. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division.

B. Primary Metered Commercial.
   1. The District shall design, install, own and maintain all primary facilities on the District’s side of the point of delivery.
   2. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
   3. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division.

6.28.215 Applicant or customer facilities.
A. Small and Large Commercial.
   1. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
   2. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
   3. Prior to installation of electrical facilities the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 1084, 1993; Res. 1069, 1992; Res. 795 § 93(G), 1978)

6.28.220 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.

B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 795 § 93(H), 1978)

6.28.225 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article.

B. Customers receiving electric service under the service extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.

C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.

D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1069, 1992; Res. 795 § 93(I), 1978)

6.28.235 Contract provisions.
A. Small and Large Commercial. The District will install service extension facilities according to the following terms:
   1. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
2. The District will install service extension facilities to a permanent facility only after the applicant has paid the estimated cost to serve.

3. Where two or more unit installations covered under this policy are built consecutively in a group, and are served by a single service extension facility, the total costs may be divided equally between the units.

4. The District will install extension facilities to an applicant’s site to be removed in less than five years provided the applicant has paid the estimated cost of new facilities. An adjustment shall be made to reflect actual costs.

5. At the time this temporary customer requests termination of electric service and the District removes its facilities, the customer will be refunded the value of this District facility less depreciation and the cost of removing, if removable. Any refund shall be limited to five years after the installation of District facilities.

6. If within five years, the customer or another applicant requests electric service to a permanent site who will use these temporary facilities, the District may review the service extension contract.

7. If additional District facilities are limited to a service drop, underground service riser or connection of an underground service at a transformer or secondary connection point, the total costs will be as listed in Chapter 6.08 and the fee schedule of this resolution or subsequent resolutions.

8. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.

9. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

10. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.

11. The KVA of required transformer capacity shall be determined by the District engineering department and be to the nearest District standard transformer size.

B. Primary Metered Commercial. The District will install service extension facilities according to the following terms:

1. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.

2. The District will install extension facilities to an applicant’s site to be removed in less than five years provided the applicant has paid the estimated cost of new facilities. An adjustment shall be made to reflect actual costs.

3. At the time this temporary customer requests termination of electric service and the District removes its facilities, the customer will be refunded the value of this District facility less depreciation and the cost of removing, if removable. Any refund shall be limited to five years after the installation of District facilities.

4. If within five years, the customer or another applicant requests electric service to a permanent site who will use these temporary facilities, the District may review the service extension contract.

5. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.

6. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

7. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.
6.28.240 Customer aid to construction.
A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.
B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 93(L), 1978)

Article V. Industrial Facilities

6.28.245 Generally.
It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article. (Res. 795 § 94(A), 1978)

6.28.250 Availability.
A. Small Industrial.
1. This service extension policy applies to permanent industrial sites and/or complexes with an installed system capacity of greater than 1,500 kilowatts and a kilowatt demand greater than 750 kW. Service under the policy set out in this article shall be at the District’s nominal primary distribution voltage or transmission voltage, whichever is determined applicable to the load requirements.
B. Primary Metered Small Industrial.
1. This service extension policy applies to permanent industrial sites and/or complexes with an installed system capacity of greater than 1,500 kilowatts and a kilowatt demand greater than 750 kW. Service under the policy set out in this article shall be at the District’s nominal primary distribution voltage or transmission voltage, whichever is determined applicable to the load requirements. Service to this class of customer shall include primary or high voltage metering.

2. Service under this schedule is based upon the customer’s ownership of all transformers and distribution facilities beyond the metering point.
C. Large Industrial.
1. This service extension policy applies to permanent industrial sites and/or complexes with an installed system capacity of greater than 5,000 kilowatts and a kilowatt demand greater than 2,500 kW. Service under the policy set out in this article shall be at the District’s nominal primary distribution voltage or transmission voltage, whichever is determined applicable to the load requirements.
2. Service under this schedule is based upon the customer’s ownership of all transformers and distribution facilities beyond the metering point.
D. New Large Load.
1. A new industrial load requiring the installation of a three-phase, 300 kVA transformer or larger after October 7, 2014, will be classified as a new large load and fall under the requirements of Article X of this chapter, New Large Loads.
2. An existing industrial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be classified as a new large load and fall under the requirements of Article X of this chapter, New Large Loads. (Res. 1354, 2014; Res. 1337, 2013; Res. 1178, 2001; Res. 795 § 94(B), 1978)

6.28.255 Application for service.
A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.
B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Proposed major electrical load, including individual item ratings;
5. Voltage, amperage and phase of the applicant’s service entrance equipment;
6. Name of electrical contractor;
7. Approximate date service is required.
C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall
provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 94(C), 1978)

6.28.260 Fees.
All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 94(D), 1978)

6.28.265 Point of delivery.
A. Small Industrial.
1. The point of delivery shall be that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.
2. The point of delivery for primary service under the policy set out in this article shall be located at a point on the premises of the customer as agreed upon by both parties.
3. Where the District supplies one transformer facility, the point of delivery shall be at the terminals of the transformer.
4. Two points of delivery may be supplied by the District where primary loop feed is desired by the customer.
B. Primary Metered Small Industrial.
1. The point of delivery shall be that point where the District’s owned and maintained primary or transmission facilities connect to the customer’s owned and maintained primary or transmission facilities.
2. Generally, the point of delivery shall be the load side of the primary metering at the customer’s property line or at the customer’s substation or transformer facility.
3. Two points of delivery may be supplied by the District where primary or transmission loop feed is desired by the customer. Such arrangements shall be by special contract. (Res. 1337, 2013; Res. 1178, 2001; Res. 795 § 94(E), 1978)

6.28.270 District facilities.
A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.
B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division. (Res. 795 § 94(F), 1978)

6.28.275 Applicant or customer facilities.
A. Small Industrial.
1. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
2. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
3. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division.
B. Primary Metered Small Industrial.
1. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.
2. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
3. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division.
C. Large Industrial.
1. The customer shall be responsible for the design, installation, ownership and maintenance of...
all facilities on the customer’s side of the point of delivery.

2. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.

3. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical
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6.28.280 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 795 § 94(H), 1978)

6.28.285 Subsequent customer additions.
The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article. (Res. 795 § 94(I), 1978)

6.28.295 Contract provisions.
A. Small Industrial. The District will install service extension facilities according to the following terms:
1. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
2. The District will install service extension facilities to an industrial site only after the applicant has paid the estimated cost to serve.
3. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.
4. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
5. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.
6. The KVA of required transformer capacity shall be determined by the District engineering department and be to the nearest District standard transformer size.
B. Primary Metered Small Industrial. The District will install service extension facilities according to the following terms:
1. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
2. The District will install service extension facilities to an industrial site only after the applicant has paid the estimated cost to serve.
3. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.
4. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
5. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.
C. Large Industrial. The District will install service extension facilities according to the following terms:
1. The District will require a special contract agreement between the District and the applicant or customer for service under the policy set out in this article.
2. Such contract shall define the following terms of the agreement:
   a. Length of the agreement;
   b. Termination of the agreement;
c. Payment of extension costs;
d. Ownership of the facilities;
e. Maintenance of the facilities;
f. Renewal of the agreement.

3. The District will install service extension facilities to an industrial site only after the applicant has paid the estimated cost to serve.

4. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.

5. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

6. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1337, 2013; Res. 1178, 2001; Res. 1069, 1992; Res. 795 § 94(K), 1978)

6.28.300 Customer aid to construction.

A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 94(L), 1978)

Article VI. Irrigation and Pumping Facilities

6.28.305 Generally.

It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article. (Res. 795 § 95(A), 1978)

6.28.310 Availability.

A. This service extension policy applies to irrigation and pumping facilities to be used in conjunction with farming and/or crop production.

B. Municipal pump plants for sewage and domestic water systems shall be considered under Article IV of this chapter. (Res. 795 § 95(B), 1978)

6.28.315 Application for service.

A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Proposed major electrical load, including individual item ratings;
   5. Voltage, amperage and phase of the applicant’s service entrance equipment;
   6. Name of electrical contractor;
   7. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 95(C), 1978)

6.28.320 Fees.

All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 95(D), 1978)
6.28.325  **Point of delivery.**
A. The point of delivery shall be that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.
B. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.
C. The point of delivery for overhead service shall be at the weatherhead conductor of the customer’s service mast or entrance conduit.
D. The point of delivery for underground service shall be at the designated padmount transformer, service pedestal, or riser pole facility which serves the customer.
E. The point of delivery for vault-installed transformers or integral load center transformers shall be at the transformer terminals where the District owns and maintains the transformers. For customer-owned transformers, the point of delivery shall be at the primary terminals of the transformer.

6.28.330  **District facilities.**
A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.
B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division.

6.28.335  **Applicant or customer facilities.**
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
C. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 1069, 1992; Res. 795 § 95(G), 1978)

6.28.340  **Compliance.**
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 795 § 95(H), 1978)

6.28.345  **Subsequent customer additions.**
A. The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article.
B. Customers receiving electric service under the service extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1069, 1992; Res. 795 § 95(I), 1978)

6.28.355  **Contract provisions.**
The District will install service extension facilities according to the following terms:
A. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
B. Payment of the estimated service extension cost must be received by the District prior to installation of facilities.
C. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision.
based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.

D. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

E. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.

F. The KVA of required transformer capacity shall be determined by the District engineering department and be to the nearest District standard transformer size. (Res. 1337, 2013; Res. 1069, 1992; Res. 795 § 95(K), 1978)

6.28.360 Customer aid to construction.

A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 95(L), 1978)

Article VII. Camping Clubs, Campgrounds, Parks and Overnight Travel Trailer Facilities

6.28.365 Generally.

It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article. (Res. 795 § 96(A), 1978)

6.28.370 Availability.

This service extension policy applies to camping clubs, campgrounds, parks, and overnight travel trailer facilities. (Res. 795 § 96(B), 1978)

6.28.375 Application for service.

A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:

1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Proposed major electrical load, including individual ratings;
5. Voltage, amperage and phase of the applicant’s service entrance equipment;
6. Name of electrical contractor;
7. Approximate date service is required;
8. Plot plan drawings of the proposed site and construction.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 96(C), 1978)

6.28.380 Fees.

All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 96(D), 1978)

6.28.385 Point of delivery.

A. The point of delivery shall be that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.

B. In no case shall there be more than one point of delivery to any premises or building, except by

(Revised 12/13)
special permission of the District and the Washington State Electrical Inspector.
C. The point of delivery for overhead residential service shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.
D. The point of delivery for underground service shall be at the designated padmount transformer, service pedestal, or riser pole facility which serves the customer. (Res. 1337, 2013; Res. 795 § 96(E), 1978)

6.28.390 District facilities.
A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.
B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division. (Res. 795 § 96(F), 1978)

6.28.395 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
C. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 1069, 1992; Res. 795 § 96(G), 1978)

6.28.400 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 795 § 96(H), 1978)

6.28.405 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article.
B. Customers receiving electric service under the service extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1069, 1992; Res. 795 § 96(I), 1978)

6.28.415 Contract provisions.
The District will install service extension facilities according to the following terms:
A. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
B. Payment of the estimated service extension cost must be received by the District prior to installation of facilities.
C. In the case where multiple points of delivery are required within the property bounds and said points of delivery require the installation of distribution facilities within the property bounds, the applicant or customer will be responsible for such installation. The District will install primary metering, or at its option, secondary metering at the transformer locations.
D. The District will consider service extensions under Article IV of this chapter to camp headquarters, including swimming pools, laundry facilities, recreational buildings, stores or other commercial type facilities. Service extensions to permanent caretaker residences may be considered under Article I of this chapter.
E. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in
Section 6.24.010. This difference may be billed or refunded.

F. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

G. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.

H. The KVA of required transformer capacity shall be determined by the District engineering department and be to the nearest District standard transformer size. (Res. 1337, 2013; Res. 1069, 1992; Res. 795 § 96(K), 1978)

6.28.420 Customer aid to construction.
A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, building, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 96(L), 1978)

Article VIII. Moorage and Port Facilities

6.28.425 Generally.
It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article. (Res. 795 § 97(A), 1978)

6.28.430 Availability.
This service extension policy applies to boat moorage facilities, port facilities, or other waterway facilities intended for the harboring of boats, vessels or other watercraft. (Res. 795 § 97(B), 1978)

6.28.435 Application for service.
A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Proposed major electrical load, including individual item ratings;
   5. Voltage, amperage and phase of the applicant’s service entrance equipment;
   6. Name of electrical contractor;
   7. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 97(C), 1978)

6.28.440 Fees.
All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 97(D), 1978)

6.28.445 Point of delivery.
A. The point of delivery shall be that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.

B. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.
C. The point of delivery for overhead service shall be at the weatherhead conductors of the customer’s service mast or entrance conduit.

D. Such service entrance equipment and point of delivery shall be located on land at a point the District has access to without crossing any waterway.

E. The point of delivery for underground service shall be at the designated padmount transformer, service pedestal, or riser pole facility which serves the customer. (Res. 1337, 2013; Res. 795 § 97(E), 1978)

6.28.450 District facilities.

A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.

B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.

C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division.

D. The District will not locate any of its facilities on, over, or under any waterways, or in any manner which may interfere with any waterway. (Res. 795 § 97(F), 1978)

6.28.455 Applicant or customer facilities.

A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.

B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.

C. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 1069, 1992; Res. 795 § 97(G), 1978)

6.28.460 Compliance.

A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.

B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 795 § 97(H), 1978)

6.28.465 Subsequent customer additions.

A. The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article.

B. Customers receiving electric service under the service extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.

C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.

D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1069, 1992; Res. 795 § 97(I), 1978)

6.28.475 Contract provisions.

The District will install service extension facilities according to the following terms:

A. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities.

B. Payment of the estimated service extension cost must be received by the District prior to installation of facilities.

C. The District will consider service extensions under Article IV of this chapter to offices, businesses, or other commercial type facilities located within port boundaries.

D. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.

E. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the
estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

F. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.

G. The KVA of required transformer capacity shall be determined by the District engineering department and be to the nearest District standard transformer size. (Res. 1337, 2013; Res. 1069, 1992; Res. 795 § 97(K), 1978)

6.28.480 Customer aid to construction.

A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 97(L), 1978)

Article IX. Developments and Subdivisions

6.28.485 Generally.

It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article. (Res. 795 § 98(A), 1978)

6.28.490 Availability.

This service extension policy applies to all developments governed by ordinances of Pacific County or the incorporated cities regarding plats, short plats, long plats, short subdivisions, and any and all other developments where two or more contiguous lots, tracts, plots, or parcels of land have been sold or are offered for sale by any individual, family, company, association, corporation, partnership, or group. (Res. 1178, 2001; Res. 795 § 98(B), 1978)

6.28.495 Application for service.

A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:

1. Name, present mailing address, and telephone number of the applicant;
2. Physical and legal location of the development or subdivision;
3. Maps, blueprints and final plats of the proposed development;
4. Type of residences and/or businesses that the development or subdivision is intended for;
5. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 795 § 98(C), 1978)

6.28.500 Fees.

All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 795 § 98(D), 1978)

6.28.505 Point of delivery.

A. The point of delivery shall be at that point where the District’s owned and maintained service conductors or serving facilities connect to the customer’s owned and maintained service entrance conductors.

B. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.

C. The point of delivery for individual dwellings or other facilities within a development or subdivision shall be as established in Section
6.28.510 District facilities.
A. The District shall design, install, own and maintain all service conductors and facilities on the District’s side of the point of delivery.
B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.
C. Services to individual lots of the development or subdivision may be installed as required at a later date.
D. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 of this division or subsequent resolutions codified in this division. (Res. 795 § 98(F), 1978)

6.28.515 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division. (Res. 795 § 98(G), 1978)

6.28.520 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 795 § 98(H), 1978)

6.28.525 Subsequent customer additions.
The District reserves the right to connect additional customers to District facilities constructed under the service extension policy set out in this article. (Res. 1069, 1992; Res. 795 § 98(I), 1978)

A. The District will install service extension facilities according to the following terms:
   1. The developer or owner shall pay the District, prior to construction, the entire estimated cost of the distribution facilities necessary to make electric service available to all the lots, tracts, plots, or parcels of land within the development.
   2. The estimated cost of the service extension will be revised to the actual cost of the installation at the time of completion, and the developer or owner will receive an adjustment or will be billed the difference, whichever applies.
   3. The service extension estimate shall include the costs of all District facilities with the exception of transformers.
   4. The District shall engineer the service extension for the complete serving of all lots within the development, and shall not install partial facilities to serve only the immediate needs or requests.
   5. The individual lot owners shall contract with the District for the installation of transformer. Underground service conductors shall be the responsibility of the individual lot owner.
   6. The development must be platted and have final plat approval of the county or other governing agencies.
   7. The developer or owner must provide the District, at no cost, easements and rights-of-way for the installation, operation, and maintenance of the distribution facilities. The minimum lot line easement shall be 10 feet wide along the route of the service extension. The District may require a five-foot by five-foot easement at a property corner for placement of District owned facilities.
   8. The streets and/or right-of-way along the route of the service extension must be cleared and brought to within six inches of final grade prior to the installation of the distribution facilities.
   9. All property corners, boundaries, roadways, and utility easements shall be surveyed and clearly monumented prior to the installation of the distribution facilities.
   B. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
C. Payment of the estimated service extension cost must be received by the District prior to installation of facilities.

D. The developer or owner shall pay all costs for the installation of the required facilities under the service extension policy for that particular class of customer.

E. The line extension cost for each lot owner or customer within a development will be the same. This cost is the total cost for transformers and terminations for the entire development divided by the number of lots. The cost for material is projected over the anticipated number of years to install all the facilities.

F. There will be no adjustment made to a line extension contract for individual lot owners within a development. (Res. 1337, 2013; Res. 1178, 2001; Res. 1069, 1992; Res. 795 § 98(K), 1978)

6.28.540 Customer aid to construction.
A. An applicant may reduce the cost of service by providing tree trimming and clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1069, 1992; Res. 795 § 98(L), 1978)

Article X. New Large Loads

6.28.545 Generally.
It is the policy of the District to provide electric service and service extensions to all consumers within its service area, provided such service extensions are feasible and comply with the service extension conditions set out in this article. (Res. 1354, 2014)

6.28.550 Availability.
A. Service under this article is for large commercial and industrial type customers as described below that start out requiring a three-phase, 300 kVA transformer or larger to serve load.

1. This service extension policy applies to permanent installations of a commercial or general nature with a monthly demand of 50 kilowatts or more in any one month, including but not limited to commercial establishment facilities, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, small industrial facilities, and singly metered multiple residential units.

2. This service extension policy applies to permanent installations of a commercial or general nature with a monthly demand of 50 kilowatts or more in any one month and primary (high voltage) metering, including but not limited to commercial establishment facilities, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, small industrial facilities, and singly metered multiple residential units.

3. This service extension policy applies to permanent industrial sites and/or complexes with an installed system capacity of greater than 1,500 kilowatts and a kilowatt demand greater than 750 kW. Service under the policy set out in this article shall be at the District’s nominal primary distribution voltage or transmission voltage, whichever is determined applicable to the load requirements.

4. This service extension policy applies to permanent industrial sites and/or complexes with an installed system capacity of greater than 1,500 kilowatts and a kilowatt demand greater than 750 kW. Service under the policy set out in this article shall be at the District’s nominal primary distribution voltage or transmission voltage, whichever is determined applicable to the load requirements. Service to this class of customer shall include primary or high voltage metering. Service under this schedule is based upon the customer’s ownership of all transformers and distribution facilities beyond the metering point.

5. This service extension policy applies to permanent industrial sites and/or complexes with an installed system capacity of greater than 5,000 kilowatts and a kilowatt demand greater than 2,500 kW. Service under the policy set out in this article shall be at the District’s nominal primary distribution voltage or transmission voltage, whichever is determined applicable to the load requirements. Service under this schedule is based upon the customer’s ownership of all transformers and distribution facilities beyond the metering point.
B. Any existing customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will fall under the requirements of this article.

C. Where a customer develops a new site with separate meters, all to be left in the same name, on a number of buildings on the same or adjacent property and the total of the serving transformers is at 300 kVA or larger, all meters will be served under the requirements of this article. (Res. 1354, 2014)

6.28.555 Application for service.
A. The applicant for an electric service extension must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Proposed major electrical load, including individual item ratings;
5. Voltage, amperage and phase of the applicant’s service entrance equipment;
6. Name of electrical contractor;
7. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction.

D. The District will require a purchase power agreement. (Res. 1354, 2014)

6.28.560 Fees.
All applicants for service extensions shall be required to pay in advance all applicable service charges as provided for in Sections 6.08.050 through 6.08.100 and the fee schedule of this division or subsequent resolutions codified in this division. (Res. 1354, 2014)

6.28.565 Point of delivery.
A. Underground.
1. The point of delivery shall be that point where the District’s owned and maintained service entrance conductors, primary or transmission facilities.
2. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District and the Washington State Electrical Inspector.
3. Where the District supplies one transformer facility, the point of delivery shall be at the terminals of the transformer.
4. Two points of delivery may be supplied by the District where primary loop feed is desired by the customer.

B. Primary Metered.
1. The point of delivery shall be that point where the District’s owned and maintained primary or transmission facilities connect to the customer’s owned and maintained primary or transmission facilities.
2. Generally, the point of delivery shall be the load side of the primary metering at the customer’s property line or at the customer’s substation or transformer facility.
3. Two points of delivery may be supplied by the District where primary or transmission loop feed is desired by the customer. Such arrangements shall be by special contract. (Res. 1354, 2014)

6.28.570 District facilities.
A. The District shall design, install, own and maintain all primary underground and transmission facilities on the District’s side of the point of delivery.

B. The District shall also install, own and maintain the necessary watt-hour meters and/or instrument transformers as provided under Section 6.20.060 of this division or subsequent resolutions codified in this division.

C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 6.12.010 or subsequent resolutions codified in this division. (Res. 1354, 2014)

6.28.575 Applicant or customer facilities.
A. Normal Underground Service.
1. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery, with the exception of watt-hour meters and/or instrument transformers as provided under Section 6.20.060 or subsequent resolutions codified in this division.
2. The applicant or customer shall receive District approval of the point of delivery as speci-
3. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division.

B. Primary Metered Service.
1. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.
2. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
3. Prior to installation of electrical facilities, the applicant or customer shall have complied with all rules and regulations of the Washington State Department of Labor and Industries Electrical Inspection Division. (Res. 1354, 2014)

6.28.580 Compliance.
A. The applicant or customer must comply with all applicable service policies, service extension policies, and conditions of this division or subsequent resolutions codified in this division, prior to the installation of service extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the service extension facilities, or in the case where electric service is being delivered, the District may discontinue such service. (Res. 1354, 2014)

6.28.585 Subsequent customer additions.
The District shall have the right to connect additional customers to District facilities constructed under the service extension policy set out in this article. (Res. 1354, 2014)

6.28.590 Contract provisions.
A. The District will install service extension facilities according to the following terms:
1. The District’s standard service extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
2. The District will install service extension facilities to a permanent facility only after the applicant has paid the estimated cost to serve.
3. Where two or more unit installations covered under this policy are built consecutively in a group, and are served by a single service extension facility, the total costs may be divided between the units.
4. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 6.24.010. This difference may be billed or refunded.
5. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial electrical service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
6. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the electric service requirements, the applicant shall advise the District of the designated agent’s name, address, and telephone number.
7. The kVA of required transformer capacity shall be determined by the District engineering department and be to the nearest District standard transformer size. (Res. 1354, 2014)

6.28.595 Customer aid to construction.
A. An applicant may reduce the cost of service by providing trenching and/or backfilling, in accordance with the District specifications.
B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1354, 2014)
Chapter 6.32
FEE SCHEDULE

Sections:
6.32.010 Fee schedule.

6.32.010 Fee schedule.
The fee schedule for this division shall be as follows:

Account Service Charge
- Simultaneous with water service: $15.00
- Independent of water service: $25.00

Seasonal Reconnect Charge (four months)
Basic service charge x12

Account Deposit
Based on twice the highest month of the previous 24 months or the minimum fee, shown below, whichever is highest:
- Standard Residential – Minimum $150.00
- Large/Small Commercial – Minimum $250.00
- Large/Small Industrial – Minimum $700.00
- New Large Load (NLL) (more than 300 kVA of added transformer capacity) Per Engineering Analysis

New Service Charge
From Overhead System
- Single-phase overhead service: $280.00
- Three-phase overhead service: $410.00
- Single-phase underground service: $260.00
- Three-phase underground service: $410.00

From Underground System
- Single-phase underground service: $240.00
- Three-phase underground service: $280.00
- Each additional meter in excess of one at the same location as the service: $65.00

(System Upgrade)
Estimated installation cost difference between existing and new facilities.

Temporary Service Charge
From Overhead System
- Single-phase overhead, 200 amp or less: $140.00
- Three-phase overhead, 200 amp or less: $230.00

(From Underground System)
- Single-phase underground, 200 amp or less: $140.00
- Three-phase underground, 200 amp or less: $290.00

Reconnection Charges (per meter)

<table>
<thead>
<tr>
<th>Regular Time</th>
<th>Overtime</th>
</tr>
</thead>
<tbody>
<tr>
<td>One man</td>
<td>$80.00</td>
</tr>
<tr>
<td>Service crew (2)</td>
<td>160.00</td>
</tr>
</tbody>
</table>

Overtime Callout
Labor only – no material
- 2 hour minimum per hour: $80.00
- Each additional hour: $310.00

New or Revised Application Fee
New Large Load (NLL) – More than 300 kVA of Added Transformer Capacity – Per Engineering Analysis and Time Estimation – Labor Cost
- Three-phase and 3 or more lot development: $700.00
- All other applications: $140.00

Meter Tampering – Minimum Fee
RCW 80.28.240 authorizes the District to recover damages for tampering with any property owned or used by the utility to provide utility service.
The tampering fee shall be the estimated amount to recover the District’s cost to disconnect, reseal the metering device and/or inspect the District’s equipment or the minimum fee, whichever is highest.

Late Fee
$20.00 (for customers receiving a notice of disconnect)

NSF Charge (per NSF)
$25.00

Meter Testing Charge (per meter)
$150.00

Door Tag
$77.00

New Service Capacity Charge
1st 50 kVA or less: $8.75/kVA
Next 50 kVA: $4.375/kVA

(System Upgrade)
(Res. 1414, 2018; Res. 1407, 2018; Res. 1354, 2014; Res. 1337, 2013; Res. 1268, 2008; Res. 1178, 2001; Res. 1116, 1996; Res. 1096, 1994; Res. 1069, 1992; amended by motion dated 1/2/82; Res. 795 § 100, 1978)
Chapter 6.34
RATE SCHEDULES

Sections:
6.34.120 General service (small commercial) rate.
6.34.121 General service (large commercial) rate.
6.34.122 General service (primary metered commercial) rate.
6.34.123 Large industrial rate.
6.34.124 Small industrial rate.
6.34.125 Primary metered small industrial rate.
6.34.130 New large load.
6.34.160 Area lighting.
6.34.161 Street lighting.
6.34.170 Residential and farm service rate.
6.34.180 Irrigation and crop pumping service rate.
6.34.190 Renewable resource service rate.

6.34.120 General service (small commercial) rate.

A. Availability.
1. Service under this schedule shall be available to permanent establishments of a commercial and/or general nature, with a monthly demand of less than 50 kilowatts, including but not limited to commercial establishments, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, and singly metered multiple residential units.
2. Service to any customer for purposes not covered by any other rate schedule shall be covered by this schedule.
3. Service under this schedule shall not be available to large commercial loads with a kilowatt demand of 50 KW or greater in any one month, or to farm crop or irrigation pumps, or to small industrial loads with an installed system capacity of greater than 1,500 kilowatts and a kilowatt demand greater than 750 KW or to large industrial loads with an installed system capacity of greater than 5,000 kilowatts and a kilowatt demand greater than 2,500 KW. Large industrial loads greater than 2,500 KW demand shall be served under special contract with the District.

B. Type of Service. Service delivered under this schedule shall be single-phase and/or three-phase 60 Hz, alternating current at the District’s standard voltages as defined under Section 6.20.010.

C. Term of Service.
1. Service under this schedule shall be continuously available 12 months per year.
2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330.

D. Point of Delivery.
1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and metering point, and at a single class of voltage. Separate supply or separate class of voltage to the same customer on the same premises shall be separately billed and metered.
2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.

E. General Provisions.
1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.
2. A reconnect charge will be made to reconnect service to seasonal customers contracting for service under the same name at the same location within a period of one year subsequent to the date of each initial connection. The reconnect charge shall be the greater of either the reconnect charge as established under Section 6.08.340 or the reconnect charge as established under subsection H of this section.
3. Single-phase and three-phase service may be combined through one service and one combination meter when available.
4. Demand measurement shall be made by suitable instruments at the metering point as provided under Section 6.20.080.
5. When transformer capacity is provided by the District for the sole use of a single customer under this schedule, the monthly minimum charge shall be no less than that amount established under subsection H of this section.
6. The monthly bill shall be the greater of the following:
   a. The sum of the monthly basic service charge, and energy consumption charge; or
   b. The monthly minimum transformer charge as established under subsection H of this section; or
   c. The monthly minimum charge as established under subsection H of this section.
F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.

1. Basic Service Charge.
   a. Single-phase: $29.00 per meter per month.
   b. Three-phase: $40.50 per meter per month.

2. Energy Charge.
   a. All kilowatt hours: $0.0728 per kilowatt hour.
   b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).

3. Demand Charge. All KW of demand: $0.00 per kilowatt per month.

4. Minimum Charge.
   a. Single-phase per meter: $29.00 per month.
   b. Three-phase per meter: $40.50 per month.
   c. The minimum charge shall be no less than $2.00 per kVA of serving transformer capacity in excess of 50 kVA per month.

5. Seasonal reconnect charge: basic service charge times 12 per reconnect.

I. Effective Date. The effective date is October 1, 2011. (Res. 1407, 2018; Res. 1389, 2017; Res. 1337, 2013; Res. 1311, 2011; Res. 1177, 2001)

6.34.121 General service (large commercial) rate.

A. Availability.

1. Service under this schedule shall be available to permanent establishments of a commercial and/or general nature, with a monthly demand of 50 kilowatts or more in any one month, including but not limited to commercial establishments, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, and singly metered multiple residential units.

2. Service to any customer for purposes not covered by any other rate schedule shall be covered by this schedule.

3. Service under this schedule shall not be available to small commercial loads with a kilowatt demand of less than 50 KW, or to farm crop or irrigation pumps, or to small industrial loads with an installed system capacity of greater than 1,500 kilowatts and a kilowatt demand greater than 750 KW or to large industrial loads with an installed system capacity of greater than 5,000 kilowatts and a kilowatt demand greater than 2,500 KW. Large industrial loads greater than 2,500 KW demand shall be served under special contract with the District.

4. a. Service to a new large commercial load requiring the installation of a three-phase, 300 kVA transformer or larger after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

   b. An existing large commercial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

B. Type of Service. Service delivered under this schedule shall be single-phase and/or three-phase 60 Hz, alternating current at the District’s standard voltages as defined under Section 6.20.010.

C. Term of Service.

1. Service under this schedule shall be continuously available 12 months per year.

2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330.

D. Point of Delivery.

1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and metering point, and at a single class of voltage. Separate supply or separate class of voltage to the same customer on the same premises shall be separately billed and metered.

2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.
E. General Provisions.

1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.

2. A reconnect charge will be made to reconnect service to seasonal customers contracting for service under the same name at the same location within a period of one year subsequent to the date of each initial connection. The reconnect charge shall be the greater of either the reconnect charge as established under Section 6.08.340 or the reconnect charge as established under subsection H of this section.

3. Single-phase and three-phase service may be combined through one service and one combination meter when available.

4. Demand measurement shall be made by suitable instruments at the metering point as provided under Section 6.20.080.

5. Billing demand shall be the greater of either the highest measured demand adjusted for power factor, or the minimum demand as established under subsection H of this section.

6. Adjustment of measured demand for power factor shall be made by increasing the measured demand by one percent for each one percent or major fraction thereof that the average power factor is less than 97 percent lagging.

The formula for determining average power factor shall be as follows:

\[
\text{Average Power Factor} = \frac{\text{Kilowatt Hours}}{\sqrt{2(\text{Kilowatt hours})^2 + (\text{Kilovar hours})^2}}
\]

7. When transformer capacity is provided by the District for the sole use of a single customer under this schedule, the monthly minimum charge shall be no less than that amount established under subsection H of this section.

8. The monthly bill shall be the greater of the following:
   a. The sum of the monthly basic service charge, energy consumption charge, and demand charge; or
   b. The monthly minimum transformer charge as established under subsection H of this section; or
   c. The monthly minimum charge as established under subsection H of this section.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.

1. Basic Service Charge.
   a. Single-phase: $36.00 per meter per month.
   b. Three-phase: $50.00 per meter per month.

2. Energy Charge.
   a. All kilowatt hours: $0.0595 per kilowatt hour.
   b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).

3. Demand Charge. All KW of demand: $6.50 per kilowatt per month.

4. Minimum Charge.
   a. Single-phase per meter: $36.00 per month.
   b. Three-phase per meter: $50.00 per month.
   c. The minimum charge shall be no less than $2.00 per kVA of serving transformer capacity in excess of 50 kVA.

5. Seasonal reconnect charge: basic service charge times 12 per reconnect.

I. Effective Date. The effective date is October 1, 2011. (Res. 1407, 2018; Res. 1389, 2017; Res. 1354, 2014; Res. 1337, 2013; Res. 1311, 2011; Res. 1177, 2001)

6.34.122 General service (primary metered commercial) rate.

A. Availability.

1. Service under this schedule shall be available to permanent establishments of a commercial and/or general nature with a monthly demand of 50 kilowatts or more in any one month and primary (high voltage) metering, including but not limited
to commercial establishments, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, and singly metered multiple residential units.

2. Service to any customer for purposes not covered by any other rate schedule shall be covered by this schedule.

3. Service under this schedule shall not be available to small commercial loads with a kilowatt demand of less than 50 KW, or to farm crop or irrigation pumps, or to small industrial loads with a kilowatt demand greater than 2,500 KW. Large industrial loads greater than 2,500 KW demand shall be served under special contract with the District.

4. a. Service to a new primary metered commercial load with a three-phase, 300 kVA customer-owned transformer or larger after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

   b. An existing primary metered commercial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

B. Type of Service. Service delivered under this schedule shall be single-phase and/or three-phase 60 Hz, alternating current at the District’s standard voltages as defined under Section 6.20.010.

C. Term of Service.

   1. Service under this schedule shall be continuously available 12 months per year.

   2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330.

D. Point of Delivery.

   1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and metering point, and at a single class of voltage.

   2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.

E. General Provisions.

   1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.

   2. Demand measurement shall be made by suitable instruments at the metering point as provided under Section 6.20.080.

   3. Billing demand shall be the greater of either the highest measured demand adjusted for power factor, or the minimum demand as established under subsection H of this section.

   4. Adjustment of measured demand for power factor shall be made by increasing the measured demand by one percent for each one percent or major fraction thereof that the average power factor is less than 97 percent lagging.

   The formula for determining average power factor shall be as follows:

   \[
   \text{Average Power Factor} = \frac{\text{Kilowatt Hours}}{\sqrt{\text{Kilowatt hours}^2 + \text{Kilovar hours}^2}}
   \]

   5. The monthly bill shall be the greater of the following:

   a. The sum of the monthly basic service charge, energy consumption charge, and demand charge; or

   b. The monthly minimum charge as established under subsection H of this section.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.

   1. Basic Service Charge.

      a. Single-phase: $36.00 per meter per month.

      b. Three-phase: $50.00 per meter per month.

   2. Energy Charge.

      a. All kilowatt hours: $0.0588 per kilowatt hour.
b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).

3. Demand Charge. All KW of demand: $6.40 per kilowatt per month.

4. Minimum Charge.
   a. Single-phase per meter: $36.00 per month.
   b. Three-phase per meter: $50.00 per month.
   c. The minimum charge shall be no less than $2.00 per kVA of serving transformer capacity in excess of 50 kVA per month.

5. Seasonal reconnect charge: basic service charge times 12 per reconnect.

I. Effective Date. The effective date is October 1, 2011. (Res. 1407, 2018; Res. 1389, 2017; Res. 1354, 2014; Res. 1337, 2013; Res. 1311, 2011; Res. 1177, 2001)

6.34.123 Large industrial rate.

A. Availability.
   1. Service under this schedule shall be available for large industrial establishments or processing plants of 5,000 kilowatts connected load or greater and a kilowatt demand greater than 2,500 kW.

   2. Service under this schedule is based upon the customer’s ownership of all transformers and distribution system past the metering point.

   3. a. Service to a new large industrial load requiring the installation of a three-phase, 300 kVA transformer or larger after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

       b. An existing large industrial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

   4. Service to a new large industrial load requiring the installation of a three-phase, 300 kVA transformer or larger after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

   5. Service under this schedule shall require a special minimum five-year contract.

D. Point of Delivery.
   1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and metering point, and at a single class of voltage. Separate supply or separate class of voltage to the same customer on the same premises shall be separately billed and metered.

   2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.

   3. Multiple points of delivery, looped feeders, or other special service schemes requested by the customer shall be at the option of the District.

E. General Provisions.
   1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.

   2. Demand measurement shall be made by suitable instruments at the metering point as provided under Section 6.20.080.

   3. Billing demand shall be the greater of either the contract demand, the highest measured demand adjusted for power factor, or the minimum demand as established under subsection H of this section.

   4. Adjustment of measured demand for power factor shall be made by increasing the measured demand by one percent for each one percent or major fraction thereof that the average power factor is less than 97 percent lagging.

   The formula for determining average power factor shall be as follows:

   \[
   \text{Average Power Factor} = \frac{\text{Kilowatt Hours}}{\sqrt{2}\left(\text{Kilowatt hours}^2 + \text{Kilovar hours}^2\right)}
   \]

   5. The monthly bill shall be the greater of the following:

       a. The sum of the monthly basic service charge, energy consumption charge, and demand charge; or

       b. The monthly minimum charge as established under subsection H of this section.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.
G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.
   1. Basic service charge: $90.00 per meter per month.
   2. Energy Charge.
      a. All kilowatt hours: $0.0383 per kilowatt hour.
      b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).
   3. Demand Charge. All kilowatts: $6.00 per kilowatt per month.
   4. Minimum Charge. The minimum charge shall be $90.00 per month.

I. Effective Date. The effective date is October 1, 2011. (Res. 1389, 2017; Res. 1354, 2014; Res. 1337, 2013; Res. 1311, 2011; Res. 1177, 2001)

6.34.124 Small industrial rate.

A. Availability.
   1. Service under this schedule shall be available for small industrial establishments or processing plants of 1,500 or greater kilowatts connected load. Installed transformer capacity shall be 750 kVA or larger.
   2. Service under this schedule shall not be available to farm crop or irrigation pumps or to large industrial loads which have primary metering.
   3. a. Service to a new small industrial load requiring the installation of a three-phase, 300 kVA transformer or larger after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.
      b. An existing small industrial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

B. Type of Service. Service delivered under this schedule shall be three-phase 60 Hz, alternating current at the District’s standard voltages as defined under Section 6.20.010.

C. Term of Service.
   1. Service under this schedule shall be continuously available 12 months per year.
   2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330.

D. Point of Delivery.
   1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and metering point, and at a single class of voltage. Separate supply or separate class of voltage to the same customer on the same premises shall be separately billed and metered.
   2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.
   3. Multiple points of delivery, looped feeders, or other special service schemes requested by the customer shall be at the option of the District.

E. General Provisions.
   1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.
   2. Demand measurement shall be made by suitable instruments at the metering point as provided under Section 6.20.080.
   3. Billing demand shall be the greater of either the contract demand, the highest measured demand adjusted for power factor, or the minimum demand as established under subsection H of this section.
   4. Adjustment of measured demand for power factor shall be made by increasing the measured demand by one percent for each one percent or major fraction thereof that the average power factor is less than 97 percent lagging.
      The formula for determining average power factor shall be as follows:

\[
\text{Average Power Factor} = \frac{\text{Kilowatt Hours}}{\sqrt{(\text{Kilowatt hours})^2 + (\text{Kilovar hours})^2}}
\]

5. When transformer capacity is provided by the District for the sole use of a single customer under this schedule, the monthly minimum charge
shall be no less than that amount established under subsection H of this section.

6. The monthly bill shall be the greater of the following:
   a. The sum of the monthly basic service charge, energy consumption charge, and demand charge; or
   b. The monthly minimum charge as established under subsection H of this section.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.
   1. Basic service charge: $90.00 per meter per month.
   2. Energy Charge.
      a. All kilowatt hours: $0.0565 per kilowatt hour.
      b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).
   3. Demand Charge. All kilowatts: $5.20 per kilowatt per month.
   4. Minimum Charge.
      a. The minimum charge shall be $90.00 per month.
      b. The minimum charge shall be no less than $2.00 per kVA of District-serving transformer capacity in excess of 50 kVA per month.

I. Effective Date. The effective date is October 1, 2011. (Res. 1389, 2017; Res. 1354, 2014; Res. 1337, 2013; Res. 1311, 2011; Res. 1177, 2001)

6.34.125 Primary metered small industrial rate.

A. Availability.
   1. Service under this schedule shall be available for small industrial establishments or processing plants of 1,500 kilowatts or greater connected load. Installed transformer capacity shall be 750 kVA or larger.
   2. Service under this schedule shall not be available to farm crop or irrigation pumps or to large industrial loads.
   3. a. Service to a new primary metered small industrial load with a three-phase, 300 kVA customer-owned transformer or larger installed after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.
      b. An existing primary metered small industrial class customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014, will be classified as a new large load and fall under the rate schedule of Section 6.34.130, New large load.

B. Type of Service. Service delivered under this schedule shall be three-phase 60 Hz, alternating current at the District’s standard voltages as defined under Section 6.20.010.

C. Term of Service.
   1. Service under this schedule shall be continuously available 12 months per year.
   2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330.

D. Point of Delivery.
   1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and primary metering point, and at a single class of voltage. Separate supply or separate class of voltage to the same customer on the same premises shall be separately billed and metered.
   2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.
   3. Multiple points of delivery, looped feeders, or other special service schemes requested by the customer shall be at the option of the District.

E. General Provisions.
   1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.
   2. Demand measurement shall be made by suitable instruments at the metering point as provided under Section 6.20.080.
   3. Billing demand shall be the greater of either the contract demand, the highest measured
demand adjusted for power factor, or the minimum demand as established under subsection H of this section.

4. Adjustment of measured demand for power factor shall be made by increasing the measured demand by one percent for each one percent or major fraction thereof that the average power factor is less than 97 percent lagging.

The formula for determining average power factor shall be as follows:

\[
\text{Average Power Factor} = \frac{\text{Kilowatt Hours}}{\sqrt{2} \left(\text{Kilowatt hours}\right)^2 + \left(\text{Kilovar hours}\right)^2}
\]

5. The monthly bill shall be the greater of the following:
   a. The sum of the monthly basic service charge, energy consumption charge, and demand charge; or
   b. The monthly minimum charge as established under subsection H of this section.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.
   1. Basic service charge: $90.00 per meter per month.
   2. Energy Charge.
      a. All kilowatt hours: $0.0489 per kilowatt hour.
      b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).
   3. Demand Charge. All kilowatts: $5.10 per kilowatt per month.
   4. Minimum Charge.
      a. The minimum charge shall be $90.00 per month.

I. Effective Date. The effective date is October 1, 2011. (Res. 1389, 2017; Res. 1354, 2014; Res. 1337, 2013; Res. 1311, 2011)

6.34.130 New large load.

A. Availability.
   1. Service under this schedule shall be available for new large commercial, primary metered commercial, small industrial, primary metered small industrial, and large industrial customers as described elsewhere in this policy where a transformer capacity of 300 kVA or larger was installed after October 7, 2014.
   2. Service under this schedule shall be available for any existing customer increasing load that requires the addition of 300 kVA or more of cumulative transformer capacity after October 7, 2014.

B. Type of Service. Service delivered under this schedule shall be three-phase 60 Hz, alternating current at the District’s standard voltages as defined under Section 6.20.010.

C. Term of Service.
   1. Service under this schedule shall be continuously available 12 months per year.
   2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330.

D. Point of Delivery.
   1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and metering point, and at a single class of voltage. Separate supply or separate class of voltage to the same customer on the same premises shall be separately billed and metered.
   2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.
   3. Multiple points of delivery, looped feeders, or other special service schemes requested by the customer shall be subject to the provisions of Sections 6.08.320 and 6.08.330.

E. General Provisions.
   1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.
   2. Demand measurement shall be made by suitable instruments at the metering point as provided under Section 6.20.080.
3. Billing demand shall be the greater of either the contract demand, the highest measured demand adjusted for power factor, or the minimum demand as established under subsection H of this section.

4. Adjustment of measured demand for power factor shall be made by increasing the measured demand by one percent for each one percent or major fraction thereof that the average power factor is less than 97 percent lagging.

The formula for determining average power factor shall be as follows:

\[
\text{Average Power Factor} = \frac{\text{Kilowatt Hours}}{\sqrt{(\text{Kilowatt hours})^2 + (\text{Kilovar hours})^2}}
\]

5. When transformer capacity is provided by the District for the sole use of a single customer under this schedule, the monthly minimum charge shall be no less than that amount established under subsection H of this section.

6. The monthly bill shall be the greater of the following:
   a. The sum of the monthly basic service charge, energy consumption charge, and demand charge; or
   b. The monthly minimum charge as established under subsection H of this section.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.
   1. Basic Service Charge.
      a. Single-phase: $26.00 per meter per month.
      b. Three-phase: $36.00 per meter per month.
   2. Energy Charge.
      a. All kilowatt hours: $0.0550 per kilowatt hour.
      b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).
   3. Demand Charge. All KW of demand: $6.50 per kilowatt per month.
   4. Minimum Charge.
      a. Single-phase per meter: $26.00 per month.
      b. Three-phase per meter: $36.00 per month.
      c. The minimum charge shall be no less than $2.00 per KVA of serving transformer capacity in excess of 50 KVA.

I. Effective Date. The effective date is October 7, 2014.

J. A large commercial, small or large industrial account existing prior to October 7, 2014, with a serving transformer capacity of 300 kVA or greater that increases load such that they are classified as a new large load customer will have a new tiered rate structure developed.

K. Until the rates for this section are established, the new large load customer will pay retail rates based on connected load and serving transformer size, i.e., large commercial, small or large industrial. (Res. 1354, 2014)

6.34.160 Area lighting.

A. Availability. Area lighting service under this schedule shall be available to individuals, corporations, partnerships, associations, clubs, churches, and public agencies for the illumination of yards, driveways, parking areas, or other areas.

B. Type of Service. Service delivered under this schedule shall be overhead lighting from dusk to dawn as controlled by individual light-sensitive relays.

C. Term of Service.
   1. Service under this schedule shall be continuously available 12 months per year.
   2. Service under this schedule shall be for a minimum term of five years, by contract.
   3. The District, upon 30 days’ written notice, may terminate service under this schedule wherever excessive vandalism to lighting equipment is experienced by the District.
   4. The customer may elect to terminate service under this schedule prior to the contract expiration provided the District is reimbursed for the
cost of the initial installation less the accrued depreciation of the facilities.

D. Point of Delivery.

1. Service under this schedule is subject to the conditions and limitations as established under Section 6.24.090.

2. The point of delivery of lighting service under this schedule shall be contingent on the accessibility of the location to District equipment and the availability of secondary facilities.

E. General Provisions.

1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by Resolution No. 795 or subsequent resolutions.

2. The individual customer requesting service under this schedule shall be required to sign a five-year rental agreement with the District. (See Appendix A at the end of this section.)

3. The rental rates established under this schedule are based upon installations that require not more than one span of overhead secondary service conductor or not more than 100 feet of underground secondary service cable. With underground installations, the customer is responsible for all ditching, backfill and restoration.

4. In the case where secondary facilities are not available for lighting service or where excessive expenditures are required to provide electrical energy to lighting installations, the District may refuse service or may charge for the additional facilities initial cost plus annual maintenance costs.

5. Where existing poles are not available for lighting installations, the cost of setting an individual pole for lighting use shall be borne by the customer in the amount as established under subsection H of this section.

6. Lighting systems supplied by the District under this schedule shall be of the overhead type utilizing wood pole structures and standard light emitting diode (LED) fixtures. Existing standard high pressure sodium (HPS) fixtures can remain and be billed at the HPS rate for the size of the bulb until such time as the HPS fixture needs maintenance, during which the light will be removed and replaced by an LED fixture and billed accordingly.

7. Nonstandard or decorative lighting fixtures and supports may be installed but will be metered with ownership and maintenance retained by the customer.

8. The District shall maintain rental lighting equipment during normal working hours. It shall be the customer’s responsibility to notify the District if the lighting facility fails to operate.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges. A one-time upfront charge of $100.00 per light fixture will be assessed along with the monthly rates as shown below.

<table>
<thead>
<tr>
<th>Fixture</th>
<th>Monthly Rental Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>100-watt HPS</td>
<td>$9.80</td>
</tr>
<tr>
<td>40-watt LED</td>
<td>$6.90</td>
</tr>
<tr>
<td>70-watt LED</td>
<td>$10.95</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lighting Structure</th>
<th>Monthly Rental Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>35-foot wood pole</td>
<td>$14.00</td>
</tr>
</tbody>
</table>

I. Effective Date. The effective date is August 1, 2017.

APPENDIX A

LIGHTING RENTAL AGREEMENT

IT IS AGREED BY AND BETWEEN PUBLIC UTILITY DISTRICT NO. 2 of PACIFIC COUNTY, WASHINGTON, hereinafter referred to as Party of the First Part, and ___________ hereinafter referred to as Party of the Second Part,

WITNESSETH:

First Party agrees to install _____ street or _____ area _____ watt light fixture(s) at $____ each and _____ pole(s) at $____, for a total of $____, at a point(s) agreed upon between First and Second Parties.
Second Party agrees to pay a one-time up-front charge of $100.00 and a monthly rental of $____ per month to First Party for such installation(s), which monthly rental includes the energy used by said fixture(s), lamp renewal and attendance, and fixed charges. Such monthly rental shall be paid by Second Party in accordance with regular billing practices of First Party. In the event that First Party shall, during the period of this agreement, effectuate a general rate increase or adjustment to all similar lighting customers, this agreement shall be subject to a modification on the monthly rental amounts.

This Rental Agreement shall be in full force and effect for a period of five (5) years from the date of the execution thereof. This Rental Agreement shall also be in effect thereafter, provided that after the first five (5) year period, the Second Party may cancel this agreement by giving Party of the First Part no less than ten (10) days written notice before such cancellation is to take effect. It is further provided that Second Party may cancel this agreement at any time by repaying to First Party its actual investment for installing and removing such fixture(s), plus energy used, less net value of materials salvaged.

If, prior to expiration of this agreement, Second Party shall require the relocation of said fixture(s), said Second Party agrees to reimburse the First Party for the actual labor and material costs involved in such relocation.

It is further agreed that should Second Party desire, before the expiration of this agreement, to have the above lighting fixture(s) replaced by one requiring a higher monthly rental charge, the First Party will make such change at no cost to Second Party, provided Second Party signs a new five (5) year rental agreement for the new fixture(s).

All other matters in connection with this rental agreement, not herein provided for in detail, shall be handled in accordance with the District’s Rules and regulations and/or Rate Schedules as are now in force or may later be revised, amended, supplemented or otherwise changed from time to time.

EXECUTED this ____ day of __________, 20____.

PUBLIC UTILITY DISTRICT NO. 2 of Pacific County, Washington
______________________________
First Party
Owner
Address _______________
__________________________

STATE OF WASHINGTON )
COUNTY OF ___________ )

On this day personally appeared before me __________ to me known to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that ________ signed the same as _________ free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this ____ day of ____________, 20____.

_________________________________
Notary Public in and for the State of ___________, residing at _______.

My commission expires ___________.

(Res. 1387, 2017; Res. 1337, 2013; Res. 1255, 2007; Res. 1178, 2001; Res. 1177, 2001; Res. 1096, 1994; Res. 1005, 1988)

6.34.161 Street lighting.

A. Availability. Street lighting service under this schedule shall be available to municipalities, incorporated cities, towns or lighting Districts for the illumination of public streets, roadways, thoroughfares, and alleys.

B. Type of Service. Service delivered under this schedule shall be overhead lighting from dusk to dawn as controlled by individual light-sensitive relays.
C. Term of Service.
1. Service under this schedule shall be continuously available 12 months per year.
2. Service under this schedule shall be for a minimum term of five years, by contract.
3. The District, upon 30 days’ written notice, may terminate service under this schedule wherever excessive vandalism to lighting equipment is experienced by the District.
4. The customer may elect to terminate service under this schedule prior to the contract expiration, provided the District is reimbursed for the cost of the initial installation less the accrued depreciation of the facilities.

D. Point of Delivery.
1. Service under this schedule is subject to the conditions and limitations as established under Section 6.24.090.
2. The point of delivery of lighting service under this schedule shall be contingent on the accessibility of the location to District equipment and the availability of secondary facilities.

E. General Provisions.
1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by Resolution No. 795 or subsequent resolutions.
2. Municipalities, incorporated cities, towns or lighting districts shall be required to sign a term rental agreement with the District for street lighting service under this schedule.
3. The rental rates established under this schedule are based upon installations that require not more than one span of overhead secondary service conductor or not more than 100 feet of underground secondary service cable. With underground installations, the customer is responsible for all ditching, backfill and restoration.
4. In the case where secondary facilities are not available for lighting service or where excessive expenditures are required to provide electrical energy to lighting installations, the District may refuse service or may charge for the additional facilities initial cost plus annual maintenance costs.
5. Where existing poles are not available for lighting installations, the cost of setting an individual pole for lighting use shall be borne by the customer in the amount as established under subsection H of this section.
6. Lighting systems supplied by the District under this schedule shall be of the overhead type utilizing wood pole structures and standard light emitting diode (LED) fixtures. Street lighting arms shall be limited to eight feet in length.
7. Nonstandard or decorative lighting fixtures and supports may be installed but will be metered with ownership and maintenance retained by the customer.
8. In the case of municipal or city-owned lighting fixtures, the District will charge a monthly energy consumption charge based upon the wattage of the lighting fixture and an average 350 hours of operation per month. Maintenance to such lighting fixtures shall be on a cost-plus basis.
9. The District shall maintain rental lighting equipment during normal working hours. It shall be the customer’s responsibility to notify the District if the lighting facility fails to operate.

F. Additions. This schedule is subject to any tax addition as levied by a municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment.
1. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rates for energy consumption may be adjusted accordingly. Such adjustment may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges. A one-time upfront charge of $100.00 per light fixture will be assessed along with the monthly rates as shown below.

<table>
<thead>
<tr>
<th>Fixture</th>
<th>Monthly Rental Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>70-watt LED (cities)</td>
<td>$7.85</td>
</tr>
<tr>
<td>70-watt LED (city-owned)</td>
<td>$3.20</td>
</tr>
<tr>
<td>Lighting Structure</td>
<td></td>
</tr>
<tr>
<td>35-foot wood pole</td>
<td>$14.00</td>
</tr>
</tbody>
</table>

I. Effective Date. The effective date is August 1, 2017. (Res. 1387, 2017; Res. 1337, 2013; Res. 1311, 2011; Res. 1178, 2001; Res. 1177, 2001; Res. 1096, 1994; Res. 1005, 1988)
6.34.170 Residential and farm service rate.

A. Availability.
1. Service under this schedule shall be available to single-family residences, individually metered multiple single-family living units, residential mobile homes, individual travel trailer/recreational vehicle units, individual single-family swimming pools and to individual single-family domestic water pumps.
2. Service under this schedule shall be also available to noncommercial farm use, boarding houses, and to occasional commercial activities within a portion of a residence, all subject to the conditions and limitations of Section 6.04.050.
3. Service under this schedule shall also be available to temporary builders services where a single-family residence is under construction. Service to temporary builders services under this schedule shall be limited to a term of six months.
4. Service under this schedule shall not be available to singly metered multiple residential living units, to central heating, central water heating, central laundry facilities, or hall lighting all within multiple residential living unit structures, to farm or crop irrigation pumps, or to classes of usage of a commercial nature.

B. Type of Service. Service delivered under this schedule shall be single-phase and/or three-phase 60 Hz, alternating current at the District’s standard voltages as defined under Section 6.20.010.

C. Term of Service.
1. Service under this schedule shall be continuously available 12 months per year.
2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330.

D. Point of Delivery.
1. Service under this schedule is based upon the supply of service to the individual premises through a single delivery and metering point, and at a single class of voltage. Separate supply or separate class of voltage to the same customer on the same premises shall be separately billed and metered.
2. The point of delivery for service under this schedule and class of service shall be as defined under Section 6.20.030.

E. General Provisions.
1. Service under this schedule is subject to the service policies, service extension policies, and conditions regulating the use and sale of electric service within the District’s service area as established by resolution.

2. A reconnect charge will be made to reconnect service to seasonal customers contracting for service under the same name at the same location within a period of one year subsequent to the date of each initial connection. The reconnect charge shall be the greater of either the reconnect charge as established under Section 6.08.340 or the reconnect charge as established under subsection H of this section.
3. Property owners who desire to keep service connected to rental property must accept responsibility for payment of the electric service charges in accordance with Section 6.08.030.
4. When transformer capacity is provided by the District for the sole use of a single customer under this schedule, the monthly minimum charge shall be no less than that amount established under subsection H of this section.
5. The monthly bill shall be the greater of the following:
   a. The sum of the monthly basic service charge, energy consumption charges and demand charge; or
   b. The monthly minimum transformer charge as established under subsection H of this section; or
   c. The monthly minimum charge as established under subsection H of this section.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. In the event of a change in rates by the District’s wholesale power and transmission supplier, the District’s rate for energy consumption may be adjusted accordingly. Such adjustment shall be in proportion to the wholesale power and/or transmission adjustment and may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.
1. Basic Service Charge.
   a. Single-phase: $18.00 per meter per month.
   b. Three-phase: $25.00 per meter per month.
2. Energy Charge.
   a. All kilowatt hours: $0.0672 per kilo-
      watt hour.
   b. Power cost adjustment: percentage (in
      whole number) times kilowatt hour usage adder to
      energy charge (follows BPA wholesale power
      and/or transmission adjustment).
3. Demand Charge. All KW of demand:
   $0.00 per month.
4. Minimum Charge.
   a. Single-phase per meter: $18.00 per
      month.
   b. Three-phase per meter: $25.00 per
      month.
   c. The minimum charge shall be no less
      than $2.00 per kVA of serving transformer capac-
      ity in excess of 25 kVA per month.
5. Seasonal reconnect charge: basic service
   charge times 12 per reconnect.
I. Effective Date. The effective date is October
   1, 2011. (Res. 1407, 2018; Res. 1389, 2017; Res.
   1337, 2013; Res. 1311, 2011; Res. 1177, 2001)

6.34.180 Irrigation and crop pumping
service rate.
A. Availability.
   1. Service under this schedule shall be avail-
      able to irrigation and pumping facilities used in
      conjunction with farming and/or crop production.
   2. Municipal pumping and domestic water
      system facilities shall not be included under this
      schedule.
   3. Service to associated irrigation and pump-
      ing equipment under this schedule shall be limited
      to pump drives, control equipment, chemical injec-
      tion pump drives, and self-propelled sprinkler sys-
      tem drives.
B. Type of Service. Service delivered under
   this schedule shall be single-phase and/or three-
   phase 60 Hz, alternating current at the District’s
   standard voltages as defined under Section
   6.20.010.
C. Term of Service.
   1. Service under this schedule shall be con-
      tinuously available 12 months per year and shall
      require a minimum five-year contract agreement.
   2. Termination of service by the customer’s
      request or at the District’s option is subject to the
      provisions of Sections 6.08.320 and 6.08.330.
   3. For service under this schedule for a
      period of less than one year, the District may
      require advance payment of all or part of the esti-
      mated yearly revenues and/or minimum charges.
D. Point of Delivery.
   1. Service under this schedule is based upon
      the supply of service to the individual premises
      through a single delivery and metering point, and at
      a single class of voltage. Separate supply or sepa-
      rate class of voltage to the same customer on the
      same pumping facility shall be separately billed
      and metered.
   2. The point of delivery for service under this
      schedule and class of service shall be as defined
      under Section 6.20.030.
E. General Provisions.
   1. Service under this schedule is subject to
      the service policies, service extension policies, and
      conditions regulating the use and sale of electric
      service within the District’s service area as estab-
      lished by Resolution No. 795 or subsequent resolu-
      tions.
   2. Installed horsepower shall be the total
      nameplate horsepower rating served at any one
      customer location.
   3. The customer shall be obligated to notify
      the District of any change in horsepower ratings.
   4. The basic service charge and annual
      horsepower charge shall be prorated over the 12-
      month billing year and shall be billed on a monthly
      basis.
   5. Monthly minimum revenue guarantees as
      established by separate service extension or special
      contract shall apply to monthly billings. The mini-
      mum monthly bill shall be the greater of said con-
      tract minimum on a monthly basis or the prorated
      annual service charge plus annual horsepower
      charge plus energy charge, if applicable, on a
      monthly basis.
   6. Irrigation customers shall have the meter
      read twice a year in January and July. Energy con-
      sumption charges will apply at these billings.
   7. In all cases, the billing year shall be from
      January 1st through December 31st.
   8. Customers taking seasonal disconnects
      shall be required, prior to reconnect, to pay the total
      basic service charge plus annual horsepower
      charge plus the reconnect charge as established
      under subsection H of this section.
   9. In the case where the District determines
      that the customer’s equipment presents a lagging
      power factor below 97 percent, the installed horse-
      power annual charge shall be increased by one per-
      cent for each one percent or major fraction thereof
      that the average power factor is less than 97 percent
      lagging.
10. The formula for determining average power factor shall be as follows:

\[
\text{Average Power Factor} = \frac{\text{Kilowatt Hours}}{\sqrt{(\text{Kilowatt hours})^2 + (\text{Kilovar hours})^2}}
\]

11. Power factor correction shall apply to installations of 25 or more horsepower.

F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power and/or Transmission Adjustment. The rates for energy consumption as established under subsection H of this section may be subject to an adjustment related to the cost of purchased power and/or transmission by the District. Such adjustment may apply to the billing period immediately subsequent to the wholesale power and/or transmission adjustment.

H. Rates and Charges.

1. Basic service charge: $216.00 per year.
2. Horsepower charge: $15.00 per horsepower per year.
3. Energy Charge.
   a. All kilowatt hours: $0.0592 per kilowatt hour.
   b. Power cost adjustment: percentage (in whole number) times kilowatt hour usage adder to energy charge (follows BPA wholesale power and/or transmission adjustment).
4. Minimum Charge. The minimum charge shall be the basic service charge plus the horsepower charge as prorated and billed monthly.

I. Effective Date. The effective date is October 1, 2011. (Res. 1389, 2017; Res. 1337, 2013; Res. 1311, 2011; Res. 1255, 2007; Res. 1177, 2001; Res. 1005, 1988)

6.34.190 Renewable resource service rate.

A. Availability.

1. Service under this schedule shall be available to single-family residences, individually metered multiple single-family living units, residential mobile homes, and individual travel trailer/recreational vehicle units.
2. Service under this schedule shall also be available to permanent establishments of a commercial and/or general nature, including but not limited to commercial establishments, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, and singly metered multiple residential units.
3. Service under this schedule shall also be available to industrial establishments or processing plants.
4. Service under this schedule shall also be available to irrigation and pumping facilities used in conjunction with farming and/or crop production.
5. Service under this schedule shall not be available to temporary facilities, street or area lighting service.

B. Type of Service. Service offered under this schedule will not replace the current and voltage allowed for each class of customer under other sections of this policy.

C. Term of Service.

1. Service under this schedule shall be continuously available 12 months per year.
2. Termination of service by the customer’s request or at the District’s option is subject to the provisions of Sections 6.08.320 and 6.08.330. The customer is required to provide the District with a written notice of cancellation of this service. Termination will become effective on the next billing cycle after notification.

D. Point of Delivery. Service under this schedule will not affect the point of delivery as covered under corresponding sections by type of customer class.

E. General Provisions.

1. Service under this schedule will be in addition to that service provided by individual customer classification. The selection of this service is left exclusively up to the customer; it is not mandatory.
2. The monthly bill will:
   a. Be increased by the added cost as shown under subsection H of this section for number of 100-kilowatt blocks selected by the customer;
   b. Not be offset or discounted in any way due to the purchase of a renewable resource.
3. The selection of renewable resource(s) under this schedule shall be left up to the discretion of the District.
4. The customer will be able to purchase any number of 100-kilowatt hour blocks at a price as covered under subsection H of this section, subject to availability of the wholesale product.
5. Those customers that purchase an amount equal to or greater than their average monthly consumption will be presented with an award.
F. Additions. This schedule is subject to any tax addition as levied by any municipality, county, State, federal, or other legal taxing agency within its jurisdiction and in accordance with the laws of the State of Washington.

G. Purchased Power Adjustment. Purchases under this schedule are not subject to an adjustment related to the cost of purchased power by the District.

H. Rates and Charges. A customer will continue to pay the electricity charges as covered under their particular class of schedule of service and the costs below will be in addition to these regular costs:

1. Green rate: $1.05 per 100 KW block.

I. Effective Date. The effective date is October 1, 2001. (Res. 1178, 2001; Res. 1177, 2001)
6.35.015 Supporting material.
A. Supporting material shall be included with applications on odd-numbered years only, beginning in 2017, for those existing program participants.
B. New program applicants will be required to include total household income and other supporting paperwork with the initial application and then each subsequent odd-numbered calendar year for as long as they are involved in the low-income senior or disabled citizens discount program. (Res. 1362, 2015)

6.35.020 Automatic rate adjustment.
The annual total household income levels will be adjusted each year in December based on the increase or decrease applied by the United States Department of Health and Human Services to the Federal Poverty Guidelines for the ensuing year’s program. (Res. 1254, 2006)

Division II. Small-Scale Power Production Facilities

Chapter 6.36
COGENERATION1

Sections:

Article I. PURPA Resource

6.36.010 Purpose.
6.36.020 Statement of policy.
6.36.030 Applicability to qualifying facility.
6.36.040 Energy costs.
6.36.050 Interconnection costs – Metering.
6.36.060 Interconnection costs – Protection.
6.36.070 Interconnection costs – System protection.
6.36.080 Interconnection costs – Operations.

Article II. Interconnection of Electric Generators (Generating Capacity of Less Than 200 Kilowatts)

6.36.090 Purpose and scope.
6.36.100 Application of rules.
6.36.110 Definitions.
6.36.120 Application for interconnection.
6.36.130 Project tiers, related procedures and technical requirements.
6.36.140 General terms, conditions and technical requirements for all interconnections.
6.36.150 Filings.
6.36.160 Adoption by reference.

Article I. PURPA Resource

6.36.010 Purpose.
Sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978 (Pub. L. 95-617), commonly called PURPA, requires the District to address certain conditions regarding cogeneration and small power production facilities. (Res. 847, 1981)

6.36.020 Statement of policy.
It is the policy of the District to encourage any customer, individual, entity, or firm to help relieve the Pacific Northwest regional energy deficit

through small power production facilities (SPPF). The District will allow such SPPFs to be interconnected to the District’s distribution system and will exchange energy with the SPPF in accordance with this policy and with Section 210 of PURPA. (Res. 847, 1981)

6.36.030 Applicability to qualifying facility.
This policy will be applied without prejudice to any SPPF within the District’s service territory that meets the definition of a “qualifying facility” (QF) as defined in Section 210 of PURPA. In addition, this policy may be applied to other facilities that do not meet the definition of a QF, but do offer an electrical energy resource. (Res. 847, 1981)

6.36.040 Energy costs.
A. Section 210 of PURPA requires that the District’s avoided cost be used to determine the purchase price of energy and capacity. It also mandates that the District’s other ratepayers not pay any more with a QF operating than without. This means that there must be no net increase to the District’s ratepayers by the interconnection of a QF.

B. The District is an “all requirements” customer of the United States Department of Energy, Bonneville Power Administration (BPA), and as such receives all of its electrical energy needs from BPA. Because of this, the District’s avoided costs for energy and capacity are merely the wholesale cost of power from BPA. A copy of the current BPA wholesale firm power rate, under which the District purchases, will be made available to the QF.

C. The District’s rate for purchasing power from a QF will be based upon the avoided cost as described above, and upon the availability of the QF to generate. This means that the District may discount the rate if it determines that the QF will not be able to generate when needed and the District must provide reserve capacity.

D. The District’s rate for purchase of energy and capacity will be determined at the time application is made using the criteria described above.

E. Energy supplied by the District to the QF will be at the District’s current applicable rate for that particular class of customer. Copies of the District’s current rate schedules will be made available to the QF owner upon request. (Res. 847, 1981)

6.36.050 Interconnection costs – Metering.
All metering costs in addition to normal metering costs, associated with the measurement of energy and/or capacity shall be borne by the QF owner. “Normal metering costs” shall mean those costs associated with the installation and maintenance of metering instruments used for the measurement of electric energy and demand as consumed by the customer. Such installations shall be in accordance with the District’s current applicable service policy for the class of QF served. The cost of normal metering installations shall be borne by the District. (Res. 847, 1981)

6.36.060 Interconnection costs – Protection.
A. The cost of all system protection on the QF side of the point of delivery shall be borne by the customer.

B. The District will provide inspection and minimum protection engineering specifications at no cost to the customer. (Res. 847, 1981)

6.36.070 Interconnection costs – System protection.
The QF shall incorporate the necessary protective equipment to safely separate the generator from the District’s system under the following situations:

A. Over current;

B. Loss of synchronism between generator and the District’s system;

C. Loss of phase;

D. Frequency deviation greater than plus or minus one Hertz;

E. INTERRUPTION of District’s system;

F. Excessive negative or zero sequence currents;

G. Generator to comply with NEC 690 and 750, IEEE Standard p929 for parallel operation, and IEEE for output distortion;

H. Generator output not to exceed 10 percent of connected load at site of cogeneration. (Res. 1223, 2004; Res. 847, 1981)

6.36.080 Interconnection costs – Operations.
Depending upon the size and class of the QF, the District may require a contractual agreement with the QF owner specifying the interconnection equipment, the power exchange rates, reserve requirements, and operating procedures. (Res. 847, 1981)
Article II. Interconnection of Electric Generators (Generating Capacity of Less Than 200 Kilowatts)

6.36.090 Purpose and scope.
A. The purpose of this article is to establish rules for determining the terms, conditions, technical requirements, processes and charges governing the interconnection of electric generating facilities with a nameplate rating of less than 200 kilowatts to the electric distribution system of Public Utility District No. 2 of Pacific County.

B. These rules govern the terms and conditions under which the applicant’s generating facility will interconnect with, and operate in parallel with, the utility’s electric system. These rules apply only to the physical interconnection of a generating facility to the utility’s electrical system. They do not govern, or grant the right to sell or purchase, or deliver any power generated by the applicant’s generating facility.

C. The specifications and requirements in these rules are intended to mitigate possible adverse impacts caused by a generating facility on utility equipment and personnel and on other customers of the utility. They are not intended to address protection of the interconnection customer’s generating facility, facility personnel, or internal load. It is the responsibility of the interconnection customer and third-party owner to comply with the requirements of all appropriate standards, codes, statutes and authorities to protect its own facilities, personnel, and loads. (Res. 1346, 2014)

6.36.100 Application of rules.
A. These rules include various requirements applicable to the utility, the applicant, the interconnection customer, the third-party owner and the generating facility.

B. These rules modify, if necessary, any existing interconnection rules of the utility, including but not limited to rules implementing Chapter 80.60 RCW, Net Metering of Electricity.

C. These rules do not apply to interconnection of standby or backup generators that are not intended to operate in parallel with the utility’s system. Such interconnections will be negotiated on a case-by-case basis with the utility and such generators shall only be interconnected on terms and conditions prescribed by the utility. (Res. 1346, 2014)

6.36.110 Definitions.
“Applicant” means any person, corporation, partnership, government agency, or other entity applying to interconnect a generating facility to the utility’s electric system pursuant to this article. Upon final approval, interconnection and operation of a facility, the applicant becomes the interconnection customer, unless otherwise approved by the utility.

“Application” means the written notice, on a form prescribed by the utility, provided by the applicant to the utility that initiates the interconnection process.

“Automatic sectionalizing device” means equipment which operates to change the topology of the electrical system (usually in response to abnormal conditions) without operator intervention. Generally this does not include fused cutouts on lateral taps serving a few customers.

“Business day” means Monday through Friday, excluding official federal and Washington State holidays.

“Certificate of completion” means the form prescribed by the utility and completed by the applicant or interconnection customer. The certificate of completion shall include certification by the electrical inspector having jurisdiction over the installation of the facilities indicating completion of installation and inspection of the interconnection.

“Electric system” means all electrical wires, equipment, and other facilities owned or provided by the utility that are used to distribute electricity to customers.

“Generating facility” means the source of electricity and all ancillary and interconnection facilities located on the applicant’s or interconnection customer’s side of the point of common coupling which an applicant requests to interconnect, or which an interconnection customer interconnects to the utility’s electric system.

“Governing board” means the Board of Commissioners of PUD No. 2 of Pacific County.

“Grid network distribution system” means electrical service from a distribution system consisting of two or more primary circuits from one or more substations or transmission supply points arranged such that they collectively feed secondary circuits serving more than one location and more than one utility customer.

“In-service date” means the date on which the generating facility and any related facilities are complete and ready for service, even if the generating facility is not placed in service on or by that date.
“Initial operation” means the first time the generating facility is in parallel operation with the utility’s electric system.

“Interconnection” means the physical connection of a generating facility to the electric system so that parallel operation may occur.

“Interconnection agreement” means an agreement between the utility and the interconnection customer which outlines the interconnection requirements, costs and billing agreements, and ongoing inspection, maintenance and operational requirements. An executed interconnection agreement is required before the generating facility may generate electricity into and operate in parallel with the utility’s electric system. Contents of an interconnection agreement may vary based upon the tier under which the generating facility applies and is qualified for interconnection, and the ownership of the facility. In the case where the interconnection agreement does not constitute an agreement with the utility to purchase or deliver output from the generating facility, the interconnection customer is responsible for separately making all necessary agreements for the purchase, sale, or transport of electricity from the utility. In the case where the interconnection agreement is not with the owner of the generating facility, the interconnection customer may be responsible for ensuring compliance with these requirements by the third-party owner.

“Interconnection customer” means the person, corporation, partnership, government agency, or other entity that has executed an interconnection agreement with the utility and (1) that owns a generating facility interconnected to the utility’s electric system; (2) for net-metered facilities, is a customer-generator as defined in RCW 80.60.010(2), who is both a customer of the utility and the owner of the generator being interconnected to the utility’s distribution system; or (3) is a customer of the utility who purchases power from or leases facilities from a third-party owner; and, in all cases, has complied with these standards and any additional terms and conditions adopted by the utility for third-party owners in these standards, in any other rates, terms and conditions applicable to the interconnection agreement executed between the interconnection customer and the utility, and the third-party owner as adopted by the utility.

“Parallel operation” or “operate in parallel” means the synchronous operation of a generating facility while interconnected with the utility’s electric system.

“Point of common coupling” or “PCC” means the point where the generating facility’s local electric power system connects to the utility’s electric system, such as the electric power revenue meter or at the location of the equipment designated to interrupt, separate or disconnect the connection between the generating facility and the utility.

“Spot network distribution system” means electrical service from a distribution system consisting of two or more primary circuits from one or more substations or transmission supply points arranged such that they collectively feed a secondary circuit serving a single location (e.g., a large facility or campus) containing one or more utility customer(s).

“Third-party owner” means an owner of a generating facility, sized approximately equal to or less than the utility customer’s annual load, that sells power from or leases their generating facility to a utility customer and that has met the requirements for third-party owners in these standards, in the interconnection agreement executed between the interconnection customer and the utility, and any other rates, terms and conditions applicable to the third-party owner as adopted by the utility.

“Utility” or “District” means Public Utility District No. 2 of Pacific County, which owns and operates the electrical distribution system, or the electrical distribution system itself, onto which the applicant seeks to interconnect a generating facility, and with which an interconnection customer
6.36.120 Application for interconnection.
A. A standard application form shall be made available on the utility’s website and, where practicable, allow for electronic submission.
B. When an applicant requests interconnection from the utility, the applicant shall be responsible for conforming to the rules and regulations that are in effect and on file with the utility. The utility will designate a point of contact and publish a telephone number or website address for the purpose of providing information concerning applicable rules and regulations. The applicant seeking to interconnect a generating facility under these rules must fill out and submit, electronically or otherwise, a signed application form to the utility. Information must be accurate, complete, and approved by the utility; however, approval of the application as complete does not constitute approval to interconnect.
C. If a project is to be installed in a phased manner, the applicant may choose to submit application for approval of the final project size, or may choose to submit applications at each stage of the project. Each application will be evaluated based on the nameplate rating stated on the application.
1. If the final project size is applied for and the requirements are met, then the applicant must notify the utility as additional units are added.
2. If applications are submitted for different stages of a project, the size may not be increased beyond that approved.
D. Application Processing Charge. The nonrefundable interconnection application processing charge is set by the utility according to facility size (or tiers in this rule) and shall be:
   1. 0 – 25 kW $100.00
   2. 26 – 199 kW $300.00
E. Nondiscrimination. All generating facility interconnection applications pursuant to this section will be processed by the utility in a nondiscriminatory manner, consistent with other service requests and in a manner that does not delay other service requests.
F. Application Evaluation. All generating facility interconnection requests pursuant to this section will be reviewed by the utility for compliance with these rules. If the utility in its sole discretion finds that the application does not comply with this section, the utility may reject the application. If the utility rejects the application, it shall provide the applicant with written or electronic mail notification stating its reasons for rejecting the application. (Res. 1346, 2014)

6.36.130 Project tiers, related procedures and technical requirements.
Because most utility distribution systems were not originally designed with the intent of interconnecting generating facilities, the impacts of such an interconnection, if not carefully managed, can be detrimental to the safe and reliable operation of the system. Unless specifically permitted by the utility, generating facilities are not allowed to operate in an “islanded” condition (generating energy that flows onto the utility system) with other utility customers when the portion of the utility system serving the generating facility is de-energized.

In order to facilitate the interconnection process for both the applicant and the utility, these rules classify interconnections based on shared characteristics. Because smaller facilities with appropriate interconnection technologies are expected to have a much lower impact on the utility’s system, expedited processes and standardized interconnection requirements are applied to these interconnections. Larger generating facilities using different generating and interconnection technologies can have more significant impacts on the utility’s system, such that more in-depth review is required and additional technical requirements may apply.

Tiers 1 and 2 listed below contain initial applicability tests that will determine which tier process an applicant and the utility will utilize, along with process descriptions, technical requirements and completion criteria for each tier. Additionally, all facilities must meet the appropriate requirements of Section 6.36.140, General terms, conditions and technical requirements for all interconnections, and the rules and standards adopted by reference in Section 6.36.160.

Note that the interconnection requirements listed are for protection of the utility system. The applicant, interconnection customer, and third-party owner are responsible for providing protection for their own equipment; typically, these are two very different sets of functions.

Attachment 1 contains a flow chart describing the applicability for the tier process.
Attachment 1

Pacific County PUD Tier 1 Tests
Single Phase ≤ 25 kW Inverter Based

Test 1: Is the Generating Facility connected through a UL 1741 certified inverter?
- No
- Yes

Test 2: Is the Generating Facility single phase with a nameplate rating of 25 kW or less?
- No
- Yes

Test 3: Is the Generating Facility connected through a single phase transformer?
- No
- Yes

Test 4: Is the Generating Facility connected at secondary voltages (<800 V class)?
- No
- Yes

Test 5: Does the Generating Facility require construction or upgrade of facilities by the utility?
- Yes
- No

Check Tier 2 process if:
- Test 6: If connected to a shared secondary, does the Generating Facility exceed the lesser of the service wire capability or the nameplate of the transformer?
- Yes
- No

Test 7: If connected to the center tap of a 240 V service, does the Generating Facility create an imbalance between the two sides of the 240 V service of more than 5 kVA?
- Yes
- No

Test 8: Does the Generating Facility connect to a radial distribution circuit, with aggregate nameplate capacity of the generation on the line section less than 15% of the line section annual peak load?
- Yes
- No

Generating Facility qualifies for Tier 1
Process for the interconnection
Pacific County PUD Tier 2 Tests
< 200 kW Nameplate Rating

Test 1: Complete / Validate Interconnection Request – Not Tier 1

Yes

Test 2: Does the Generating Facility have a nameplate rating < 200 kW?

Yes

No

Test 3: Does the Generating Facility connect to a radial distribution circuit, or to a spot network limited to serving one customer?

Yes

No

Test 4: Does the Generating Facility connect to the distribution system (<38 kV class)?

Yes

No

Test 5: If the Generating Facility connects through an inverter, is the inverter UL 1741 certified?

Yes

No

Check into special agreement

Test 6: Is the Generating Facility a synchronous generator?

Yes

No

Test 7: If connected to a shared secondary, does the Generating Facility exceed the lesser of the service wire capability or the nameplate of the transformer?

Yes

No

Test 8: If connected to the center tap of a 240 V service, does the Generating Facility create an imbalance between the two sides of the 240 V service of more than 5 kVA?

Yes

No

Continued on next page
Pacific County PUD Tier 2 Tests
< 200 kW Nameplate Rating

Continued from previous page

Test 0: Is the aggregate generation on the line section (or circuit), including the Generating Facility, less than 15% of the line section (or circuit) annual peak load?

Yes

Test 10: Does the Generating Facility require only minor upgrades to the utility's system (< $10,000)?

No

Test 11: Does the aggregate generation, including the Generating Facility, connected to the load side of spot network protectors exceed the smaller of 5% of the spot network's maximum load or 50 kW? (The interconnection must be through a UL 1741 certified inverter)

Yes

No

Check into special agreement

Test 12: Does the aggregate generation on the circuit, including the Generating Facility, contribute more than 10% of the distribution circuit's maximum available fault current at the point on the high voltage (primary) level nearest the proposed point of change of ownership?

Yes

No

Test 13: Does the maximum available short circuit current, with or without the Generating Facility contribution, exceed 87.5% of the interrupting capability of any utility protective device or equipment?

Yes

No

Test 14: Does the transformer connection match the utility's standard?

No

Generating Facility qualifies for Tier 2 Process for the interconnection

Yes
A. Tier 1.

1. Applicability. Interconnection of a generating facility will utilize Tier 1 processes and technical requirements if the proposed generating facility meets all of the following:
   a. Uses inverter-based interconnection equipment which is certified by an independent, nationally recognized testing laboratory to meet the requirements of UL 1741;
   b. Is single-phase and has a nameplate rating of 25 kW or less;
   c. Is connected through a single-phase transformer on a radial distribution circuit;
   d. Is proposed for interconnection at secondary voltages (600V class);
   e. Does not require construction of new, or upgrade of existing, utility facilities, other than meter changes;
   f. If proposed to be interconnected on single-phase shared secondary, the aggregate generating capacity on the shared secondary, including the proposed generating facility, shall not exceed the lesser of the service wire capability or the nameplate of the transformer;
   g. If proposed to be interconnected on a center tap neutral of a 240-volt service, its addition shall not create an imbalance between the two sides of the 240-volt service of more than five kVA; and
   h. The aggregated nameplate rating of all interconnected generating facilities, including that of the proposed generating facility, on any line section does not exceed 15 percent of the line section annual peak load as most recently measured or calculated for that line section, or 15 percent of the circuit annual peak load as most recently measured or calculated for the circuit. A line section is that portion of a utility’s electric system connected to the generating facility and bounded by automatic sectionalizing devices or the end of the distribution line.
   i. If the facility is a generating facility owned by a third-party owner, the provisions of subsection C of this section, Additional Requirements for Third-Party Owned Systems, are satisfied.

2. Application Process. The following application timelines are intended to be consistent with, and not cause delays in, other service request applications of the utility:
   a. Notice of receipt of an application shall be sent by the utility to the applicant by electronic mail within five business days if the applicant provides an electronic mail address; otherwise no notice of receipt will be provided to the applicant.
   b. Response to application completeness or incompleteness will be provided to applicant within 10 business days after notice of receipt of application and will identify areas of deficiency.
   c. When an incomplete application notice is sent to an applicant, the applicant shall provide a complete application to the utility within 60 business days of the notice of incomplete application. The utility may, but is not required to, grant an extension beyond the 60 days’ notice of an incomplete application. After the end of the incomplete application period an application expires, absent a complete application from the applicant.
   d. Within 20 business days after receipt of a complete application notice has been sent to an applicant, the utility shall make its best effort to approve, approve with conditions, or deny the application with written justification. If delays will result due to unforeseen circumstances, customer variance requests, or other incentive program approval requirements, the customer will be notified.
   e. An applicant has one year from the date of approval of the application to interconnect and begin operation of the generating facility, or the application expires.
      An application may be denied by the utility for public safety, system reliability or other reasons as stated by the utility in the denial notice. Denied applications expire on the date of denial by the utility.

3. Technical Requirements. The purpose of the protection required for Tier 1 generating facilities is to prevent islanding and to ensure that inverter output is disconnected when the utility source of electricity is de-energized. Inverters certified by an independent nationally recognized testing laboratory to meet the requirements of UL 1741 must use undervoltage, overvoltage, and over/under frequency elements to detect loss of utility power and initiate shutdown.
      An interrupting device must be provided which is capable of safely interrupting the maximum available fault current (typically the maximum fault current is that supplied by the utility).
      The generating facility must operate within the voltage and power factor ranges specified by the utility. Variance may be allowed based on specific requirements, and charges may be incurred for losses.
      a. Visible, Lockable Disconnect.
         i. The generating facility must include a UL-listed AC disconnect switch, accessible to utility personnel at any time of the day, that pro-
vides a visible break, is lockable in the open position, and is located between the production meter and the sub-panel or other connection to the generating facility.

ii. The utility shall have the right to disconnect the generating facility at the disconnect switch to meet the utility operating safety requirements.

b. Inverter Specifications. To protect and ensure the reliability of the distribution feeder, prevent voltage fluctuations, and prevent possible future costs to other utility customers to upgrade the system, the utility may specify enhanced inverter characteristics for Tier 1 facilities.

4. Completion Process. The interconnection process is complete, the generating facility can begin operation, and the applicant becomes the interconnection customer if and only if:

a. The applicant and the utility execute an interconnection agreement;

b. The certificate of completion showing inspection of the system by the electrical inspector having jurisdiction over the installation has been provided to the utility;

c. All documentation demonstrating compliance with these interconnection requirements has been provided to the utility;

d. The witness test, if required by the utility, is successfully completed; and

e. All requirements and conditions of the interconnection agreement have been satisfied and approved by the utility and permission is granted by the utility to proceed with commercial operation.

B. Tier 2.

1. Applicability. Interconnection of a generating facility will utilize Tier 2 processes and technical requirements if the proposed generating facility meets the following:

a. It does not qualify for Tier 1 interconnection applicability requirements;

b. Has a nameplate rating of less than 200 kW;

c. Is proposed for interconnection to either a radial distribution circuit, or to a spot network distribution circuit limited to serving one customer;

d. Is proposed for interconnection to an electric system distribution facility operated at or below 38 kV class;

e. If an inverter is utilized, the inverter must be certified by an independent, nationally recognized testing laboratory to meet the requirements of UL 1741;

f. Is not a synchronous generator;

g. If it is proposed to be interconnected on a shared secondary, the aggregate generating capacity on the shared secondary, including the proposed generating facility, shall not exceed the lesser of the service wire capability or the nameplate of the transformer;

h. Is single-phase and is to be interconnected on a center tap neutral of a 240-volt service, its addition shall not create an imbalance between the two sides of the 240-volt service of more than five kW;

i. The aggregated nameplate rating of all interconnected generating facilities, including that of the proposed generating facility, on any line section does not exceed 15 percent of the line section annual peak load as most recently measured or calculated for that line section, or 15 percent of the circuit annual peak load as most recently measured or calculated for the circuit. A line section is that portion of a utility’s electric system connected to the generating facility and bounded by automatic sectionalizing devices or the end of the distribution line;

j. Any upgrades required to the utility’s system must fall within subsection (B)(3)(a) of this section;

k. For interconnection of a proposed generating facility to the load side of spot network protectors, the proposed generating facility must utilize an inverter-based equipment package which is certified by an independent, nationally recognized testing laboratory to meet the requirements of UL 1741 and, together with the aggregated other inverter-based generating facilities, shall not exceed the smaller of five percent of a spot network’s maximum load or 50 kW;

l. The aggregated nameplate rating of existing and proposed generating facilities must not contribute more than 10 percent to the distribution circuit’s maximum fault current at the point on the primary voltage distribution line nearest the point of interconnection;

m. The generating facility’s point of interconnection must not be on a circuit where the available short circuit current, with or without the proposed generating facility, exceeds 87.5 percent of the interrupting capability of the utility’s protective devices and equipment (including substation breakers, fuse cutouts, and line reclosers);

n. If the generating facility is proposed for interconnection at primary (greater than 600V class) distribution voltages, the connection of the transformer(s) used to connect the generating facil-
ity to the system must be the utility’s standard connection. This is intended to limit the potential for creating overvoltages on the utility’s system for a loss of ground during the operating time of any anti-islanding functions.

i. For primary-voltage connections to three-phase, three-wire systems, the transformer primary windings must be connected phase to phase;

ii. For primary-voltage connections to three-phase, four-wire systems, the transformer primary windings must be connected effectively grounded, phase to neutral;

o. If the facility is a generating facility owned by a third-party owner, the provisions in subsection C of this section, Additional Requirements for Third-Party Owned Systems, are satisfied.

2. Application Process. The following application timelines are intended to be consistent with, and not cause delays in, other service request applications of the utility.

a. Notice of receipt of an application shall be sent by the utility to the applicant by electronic mail within five business days if the applicant provides an electronic mail address; otherwise no notice of receipt will be provided to the applicant.

b. Response to application completeness or incompleteness with identified areas of deficiency will be provided to applicant within 20 business days of notice of receipt of application.

c. When an incomplete application notice is sent to an applicant, the applicant shall provide a complete application to the utility within 60 business days of the notice of incomplete application.

d. Within 30 business days after a complete application notice is sent to an applicant, the utility shall make its best effort to approve, approve with conditions, or deny the application with written justification. If delays will result due to unforeseen circumstances, customer variance requests, balancing authority or transmission provider approvals, or incentive program approval requirements, the customer will be notified.

e. An applicant has one year from the date of approval of the application to interconnect and begin operation of the generating facility, or the application expires. An application automatically expires on the one-year anniversary date of approval if the interconnection has not taken place.

f. An application may be denied by the utility for public safety, system reliability or other reasons as stated by the utility in the denial notice.

Denied applications expire on the date of denial by the utility.

3. Technical Requirements. In all cases, the interconnection facilities must isolate the generating facility from the utility’s electric system when power is disconnected from its electrical system source, including but not limited to before any reclosing (automatic or manual) takes place. The interconnection customer shall prevent its generating facility equipment from automatically re-energizing the electric system. For inverter-based systems, this requirement is satisfied by compliance with UL 1741 requirements. For non-inverter based systems, a separate protection package will be required to meet IEEE 1547 requirements.

a. If the generating facility fails to meet the characteristics for Tier 2 applicability, but the utility determines that the generating facility could be interconnected safely if minor modifications to the transmission or distribution system were made (for example, changing meters, fuses, or relay settings), then the utility may offer the applicant a good-faith, nonbinding estimate of the costs of such proposed minor modifications. Modifications are not considered minor under this subsection if the total cost of the modifications exceeds $10,000. If the applicant authorizes the utility to proceed with the minor modifications and agrees to pay the entire cost of the modifications, then the utility may approve the application using Tier 2 processes and technical requirements.

b. For proposed generating facilities 50 kW and greater, three-phase connection is required.

c. No construction of facilities by the utility on its own system shall be required to accommodate the Tier 2 generating facility except as allowed in subsection (B)(3)(a) of this section.

d. For three-phase induction generator interconnections, the utility may, in its sole discretion, specify that ground fault protection must be provided. Use of ground overvoltage or ground overcurrent elements may be specified, depending on whether the utility uses three-wire or effectively grounded four-wire systems.

e. The interconnection customer is required to operate and maintain the inverter in accordance with the manufacturer’s guidelines, annually test the performance of the inverter, and retain documentation demonstrating compliance. Interconnection customer further agrees that in the absence of such documentation, and at the interconnection customer’s expense, to allow the utility, at the utility’s sole discretion, to test, or cause
to be tested, the inverter to ensure its continued operating and protection capability. Should the inverter fail the performance test, the utility may disconnect the generating facility without notice, and may require either replacing the inverter or installation of a visible, lockable AC disconnect switch accessible to utility personnel, or both, and charge the interconnection customer for any reconnection and other utility costs.

f. Visible, Lockable Disconnect.
   i. The generating facility must include a UL-listed AC disconnect switch, accessible to utility personnel at any time of the day, that provides a visible break, is lockable in the open position, and is located between the production meter and the sub-panel or other connection to the generating facility.
   ii. The utility shall have the right to disconnect the generating facility at the disconnect switch to meet utility operating safety requirements.
   iii. The interconnection customer is required to test and maintain, or cause to test and maintain, the inverter in accordance with the manufacturer’s guidelines, and retain documentation demonstrating compliance. Interconnection customer further agrees that in the absence of such documentation, and at the interconnection customer’s expense, to allow the utility, at the utility’s sole discretion, to test, or cause to be tested, and certify the inverter, to ensure its continued operating and protection capability. Should the inverter not be certified by the utility, the utility may disconnect the generating facility without notice, may require, at the customer expense, either replacing the inverter or installation of a visible, lockable AC disconnect switch as described in subsection (B)(3)(f)(i) of this section, or both, and charge the interconnection customer for any reconnection and other utility costs.

f. Inverter Specifications. To protect and ensure the reliability of the distribution feeder, prevent voltage fluctuations, and prevent possible future costs to other utility customers to upgrade the system, the utility may specify enhanced inverter characteristics for Tier 2 facilities.

4. Completion Process. The interconnection process is complete, the generating facility can begin operation, and the applicant becomes an interconnection customer if, and only if:
   a. The applicant and the utility execute an interconnection agreement;
   b. The certificate of completion showing inspection of the system by the electrical inspector having jurisdiction over the installation has been provided to the utility;
   c. All documentation demonstrating compliance with the technical requirements for interconnection has been provided to the utility;
   d. All required agreements with the balancing authority having jurisdiction and all agreements covering the purchase, sale or transport of electricity and provision of any ancillary services have been completed and signed by all parties;
   e. The witness test, if required by the utility, is successfully completed; and
   f. All requirements and conditions of the interconnection agreement have been satisfied and approved by the utility with permission granted by the utility to proceed with commercial operation.

C. Additional Requirements for Third-Party Owned Systems.

1. If the generating facility is owned by a third-party owner that does not have an interconnection agreement with the utility, the interconnection customer shall provide written authorization from the third-party owner authorizing the interconnection customer and utility, through the interconnection agreement, to disconnect the generator, and cause inverters and disconnect switches to be inspected, maintained, installed, or replaced at interconnection customer’s expense according to the provisions of these standards.

2. A third-party owner that does not execute an interconnection agreement with the utility shall indemnify and hold harmless the utility for any action taken by the utility to enforce these standards or terms of the interconnection agreement executed between the utility and the utility’s customer.

3. If the interconnection agreement is between the third-party owner and the utility, the third-party owner is the interconnection customer, and the interconnection customer shall obtain all agreements and permissions from all other entities affected by any disconnection under these standards or interconnection agreement, including the utility customer receiving service through the meter that may be used for disconnection or that may have a loss of electric service due to a need to disconnect the generating facility.

4. Production Meter. Any generating facility owned by a third-party owner shall require a utility owned and installed production meter. (Res. 1346, 2014)
6.36.140 General terms, conditions and technical requirements for all interconnections.

The terms, conditions and technical requirements in this section shall apply to the applicant and interconnection customer and their generating facility throughout the generating facility’s installation, testing, commissioning, operation, maintenance, decommissioning and removal. The utility may verify compliance at any time, with reasonable notice.

Any generating facility proposing to be interconnected with the utility’s electric system or any proposed change to a generating facility that requires modification of an existing interconnection agreement must meet all applicable terms, conditions and technical requirements as set forth in the appropriate tiers and this section and the regulations and standards adopted by reference in Section 6.36.160.

The terms, conditions and technical requirements in this section are intended to mitigate possible adverse impacts caused by the generating facility on utility equipment and personnel and on other customers of the utility. They are not intended to address protection of the generating facility itself, generating facility personnel, or its internal load. It is the responsibility of the generating facility to comply with the requirements of all appropriate standards, codes, statutes and authorities to protect its own facilities, personnel, and loads.

A. The applicant, interconnection customer and third-party owner shall comply with and are responsible for the generating facility meeting the requirements in subsections (A)(1), (2) and (3) of this section. However, at its sole discretion, the utility may approve, in writing, alternatives that satisfy the intent of, and/or may excuse compliance with, any specific elements of these requirements except local, State and federal building codes.

1. Codes and Standards. Among these are the National Electrical Code (NEC), National Electrical Safety Code (NESC), the Institute of Electrical and Electronics Engineers (IEEE), American National Standards Institute (ANSI), and Underwriters Laboratories (UL) standards, and local, State and federal building codes. The interconnection customer shall be responsible for obtaining all applicable permit(s) for the equipment installations on its property.

2. Safety. All safety and operating procedures for joint use equipment shall be in compliance with the Occupational Safety and Health Administration (OSHA) standard at 29 CFR 1910.269, the NEC, Washington Administrative Code (WAC) rules, the Washington Division of Occupational Safety and Health (DOSH) standard, and equipment manufacturer’s safety and operating manuals.

3. Power Quality. Installations will be in compliance with all applicable standards including IEEE Standard 519, Harmonic Limits, or more stringent harmonic requirements of the utility.

B. Any electrical generating facility must comply with these rules to be eligible to interconnect and operate in parallel with the utility’s electric system. These specifications and standards shall apply to all interconnecting generating facilities that are intended to operate in parallel with the utility’s electric system irrespective of whether the applicant or third-party owner intends to generate energy to serve all or a part of the applicant’s load; or to sell the output to the utility or any third-party purchaser.

C. In order to ensure system safety and reliability of interconnected operations, all interconnected generating facilities shall be constructed, operated and maintained by the interconnection customer in accordance with these rules, with the interconnection agreement, with the applicable manufacturer’s recommended maintenance schedule and operating requirements, good utility practice, and all other applicable federal, State, and local laws and regulations. In cases where the generating facility is owned by a third-party owner, interconnection customer shall provide to the utility: the authority to cause compliance; or agreement by the third-party owner to comply with this subsection.

D. Prior to initial operation, all interconnection customers must submit a completed certificate of completion to the utility and execute an appropriate interconnection agreement with the utility. The interconnection agreement between the utility and interconnection customer outlines the interconnection standards, cost allocation and billing agreements, insurance requirements, and ongoing maintenance and operation requirements.

E. Separate agreements may be required with the utility, the balancing area authority or transmission provider, or other party but not necessarily with the utility, for power purchase, for the sale, delivery and scheduling of output from the generating facility, for integration or other ancillary services. All required agreements must also be executed prior to initial operation.

F. Applicant or interconnection customer shall promptly furnish the utility with copies of such
plans, specifications, records, and other information relating to the generating facility or the ownership, operation, use, or maintenance of the generating facility, as may be reasonably requested by the utility from time to time. Interconnection customer must certify that a facility that is operating as a net-metered facility is owned by the interconnection customer as the customer-generator.

G. For the purposes of public and working personnel safety, any nonapproved generating facility interconnection discovered will be immediately disconnected from the utility system without any liability to the utility. Such disconnection of non-approved interconnection may result in disconnection of electric service to customers of the utility other than the owner of the generating facility.

H. To ensure reliable service to all utility customers and to minimize possible problems for other customers, the utility will review the need for upgrades to its system, including a dedicated transformer. If the utility requires upgrades, the applicant or interconnection customer shall pay for all costs of those upgrades.

I. The utility may require, and will provide the reasoning in writing, a transfer trip system or an equivalent protective function for a generating facility that cannot:
   1. Detect distribution system faults (both line-to-line and line-to-ground) and clear such faults within two seconds; or
   2. Detect the formation of an unintended island and cease to energize the utility’s distribution system within two seconds.

J. Metering.
   1. Net Metering for Facilities as Set Forth in Chapter 80.60 RCW. The utility shall install, own and maintain a kilowatt-hour meter, or meters as the utility may determine, capable of registering the bidirectional flow of electricity at the point of common coupling at a level of accuracy that meets all applicable standards, regulations and statutes. The meter(s) may measure such parameters as time of delivery, power factor, voltage and such other parameters as the utility shall reasonably require. The applicant shall provide space for metering equipment. It will be the applicant’s responsibility to provide the current transformer enclosure (if required), meter socket(s) and junction box after the applicant has submitted drawings and equipment specifications for utility approval. The utility may approve other generating sources for net metering but is not required to do so.
   2. Production Metering. The utility may require separate metering for production. This meter will record all generation produced and may be billed separately from any net metering or customer usage metering. All costs associated with the installation of production metering will be paid by the applicant.

K. Common labeling, at interconnection customer’s expense, furnished or approved by the utility and in accordance with NEC requirements, must be posted on meter base, disconnects, and transformers informing working personnel that a generating facility is operating at or is located on the premises.

L. No additional insurance will be necessary for a net-metered facility owned by a customer-generator that is a qualifying generating facility under Chapter 80.60 RCW. For other generating facilities permitted under these standards but not a qualifying facility under Chapter 80.60 RCW, additional insurance, limitations of liability and indemnification may be required by the utility.

M. Prior to any future modification or expansion of the generating facility, the interconnection customer will obtain utility review and approval. The utility reserves the right to require the interconnection customer, at the interconnection customer’s expense, or third-party owner to provide corrections or additions to existing electrical devices in the event of modification of government or industry regulations and standards, or major changes in the utility’s electric system which impacts the interconnection.

N. Chapter 80.60 RCW, Net Metering of Electricity, allows a utility to limit interconnection of generation for net metering to 0.50 percent beginning January 1, 2014. However, the utility may, if indicated by engineering, safety or reliability studies, restrict or prohibit new or expanded interconnected net-metered generation capacity or number of net-metered customers on any feeder, circuit or network.

O. Charges by the utility to the applicant or interconnection customer in addition to the application fee, if any, will be compensatory and applied as appropriate. Such costs may include, but are not limited to, transformers, production meters, and utility testing, qualification, studies and approval of non-UL 1741 listed equipment. The interconnection customer shall be responsible for any costs associated with any future upgrade or modification to its interconnected system required by modifications in the utility’s electric system.

P. This section does not govern the settlement, purchase, sale or delivery of any power generated by applicant’s generating facility. The purchase,
sale or delivery of power, including net metering of electricity pursuant to Chapter 80.60 RCW, or rates, terms and conditions for utility customers purchasing power or leasing facilities from third-party owned generating facilities, and other services that the applicant may require will be covered by separate agreement or pursuant to the terms, conditions and rates as may be from time to time approved by the governing board. Any such agreement shall be complete prior to initial operation and filed with the utility.

Q. Interconnection customer may disconnect the generating facility at any time; provided, that the interconnection customer provides reasonable advance notice to the utility.

R. Interconnection customer shall notify the utility prior to the sale or transfer of the generating facility, the interconnection facilities or the premises upon which the facilities are located. The applicant or interconnection customer shall not assign its rights or obligations under any agreement entered into pursuant to these rules without the prior written consent of the utility, which consent shall not be unreasonably withheld. However, for net-metered generating facilities, the facility shall not be sold to or owned by a party, not the utility customer owning the premises on which the facility is located, without notification to the utility and satisfaction of requirements in these standards for interconnection of generating facilities owned by third-party owners.

S. All generating facilities must have an electrical permit and pass electrical inspection before they can be connected or operated in parallel with the utility’s electric system. Applicant shall provide written certification to the utility that the generating facility has been installed and inspected in compliance with the local building and/or electrical codes.

T. If the interconnection customer is a different entity than the owner of the real property on which the generating facility is located, the interconnection customer shall indemnify the utility for all risks associated with the facility being interconnected to the utility’s system, including liability for the utility disconnecting the facility. In addition the interconnection customer executing the interconnection agreement for the third-party owned generating facility shall obtain all legal rights and easements requested by the utility for the utility to access, install, own, maintain, operate, replace or remove its equipment, and installing the disconnect switch, on the real property where the generating facility is located or on the generating facility itself, at no cost to the utility. (Res. 1346, 2014)

6.36.150 Filings.
The utility maintains on file for inspection at its place of business the charges, terms and conditions for interconnections pursuant to these rules. Such filing includes model forms of the following documents and contracts:

A. Application.
B. Model interconnection agreement.
C. Sample certificate of completion (electrical inspector’s form may be used). (Res. 1346, 2014)

6.36.160 Adoption by reference.
The utility adopts by reference all or portions of regulations and standards identified below. They are available for inspection at the utility’s office or as otherwise indicated. The publications, effective date, references within this chapter, and availability of the resources are as follows:

A. The National Electrical Code is published by the National Fire Protection Association (NFPA).
   1. The utility adopts the version published in 2005; latest is 2011.
   2. The National Electrical Code is a copyrighted document.
   3. Copies are available from the NFPA at 1 Batterymarch Park, Quincy, Massachusetts, 02169 or at internet address http://www.nfpa.org.

   1. The utility adopts the version published in 2002; latest is 2012.

C. Institute of Electrical and Electronics Engineers (IEEE) Standard 1547, Standard for Interconnecting Distributed Resources with Electric Power Systems.
   1. The utility adopts the most recent version adopted by IEEE; latest is 2008.


1. The utility adopts the most recent version, published in 2005.


E. Institute of Electrical and Electronics Engineers (IEEE) Standard 519, Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems.


F. Underwriters Laboratories (UL), including UL Standard 1741, Inverters, Converters, and Controllers for Use in Independent Power Systems.

1. The utility adopts the version published in 2005. UL has made it virtually impossible to determine publication dates.


H. Washington Division of Occupational Safety and Health (DOSH) Standard, Chapter 296-155 WAC.

1. The DOSH Standard is available from the Washington Department of Labor and Industries at P.O. Box 44000, Olympia, WA 98504-4000, or at internet address http://www.lni.wa.gov.


1. The utility adopts the version published in 2000.


J. Institute of Electrical and Electronics Engineers (IEEE) Standard 1453, IEEE Recommended Practice for Measurement and Limits of Voltage Fluctuations and Associated Light Flicker on AC Power Systems.


Chapter 6.37

POLE ATTACHMENT RATES

Sections:
6.37.010 Rates established – Effective date.

6.37.010 Rates established – Effective date.
A. The commission accepts the general manager’s report and recommendations.
B. The commission acknowledges the general manager’s application of the statutory formula in RCW 54.04.045 as amended, with the inputs, data, and calculations as presented by the general manager.
C. The commission reaffirms and confirms that the District’s pole attachment rate of $19.70 has been and remains consistent with, and below, the maximum permissible rate under RCW 54.04.045 as amended, pursuant to the court of appeals decision, and that the rate of $19.70 is a just and reasonable rate under that statute.
D. The commission ratifies all actions taken by the District with respect to the pole attachment rate of $19.70. Among other actions, the District’s invoicing at that rate to entities with attachments on District poles is hereby ratified.
E. The commission accepts the mathematical depiction of the calculation of the permissible pole attachment rate under RCW 54.04.045 (as amended), as recommended by the general manager. (Res. 1364, 2015; Res. 1256, 2007)

Chapter 6.40

CUSTOMER-GENERATOR SYSTEMS INCENTIVES PROGRAM FOR RENEWABLE ENERGY DEVELOPMENT

Sections:
6.40.010 Background.
6.40.020 Definitions.
6.40.030 Who qualifies.
6.40.040 Cost recovery incentive schedule.
6.40.050 Metering requirements.
6.40.060 Program fees.
6.40.070 Specific requirements of program.
6.40.080 Getting started.

6.40.010 Background.
Substitute Senate Bill (SSB) 5101, relating to providing incentives to support renewable energy and adding new sections to Chapter 82.16 RCW, was passed during the 2005 Regular Session of the 59th Legislature, State of Washington. The bill created a tax incentive to support certain renewable energy sources within the State effective July 1, 2005.

Individuals, businesses, and local government entities that are not in the light and power business or gas distribution business will be able to apply to their light and power provider for payments up to $2,000 per year for the generation of electricity by a qualified renewable energy system. Light and power providers participating in the program will be able to offset amounts paid to customers by taking a credit against their public utility tax liability.

Through June 2014, Washington State utilities have the option of participating in this incentive program for Washington State ratepayers to install and produce solar, wind, and/or biomass generated electrical energy on their own property. Based on available program funding, customer-generators meeting program requirements may receive incentives ranging from $0.12 to $0.54 per economic development kilowatt-hour, not to exceed $2,000 per program year.

Public Utility District No. 2 of Pacific County has decided to participate in this State incentive program beginning with energy production during the State’s 2009 fiscal year. (Res. 1280, 2009)

6.40.020 Definitions.
“Customer-generated electricity” means alternating current electricity is generated from a renewable energy system located on an individual’s, business, or local government’s real prop-
erty. A system located on a leasehold interest does not qualify under this definition.

“Renewable energy system” means a solar energy system, an anaerobic digester as defined in RCW 82.08.900, or a wind generator used for producing electricity.

“Solar energy system” means any device or combination of devices or elements that relies upon direct sunlight as an energy source for use in the generation of electricity. (Res. 1280, 2009)

6.40.030 Who qualifies.

Individuals, businesses, and local government entities not in the light and power business or gas distribution business qualify for the cost recovery incentive program. Participants must generate electricity on their own property with an anaerobic digester or a wind or solar energy system approved by the Department of Revenue and apply to their light and power company for a cost recovery incentive. (Res. 1280, 2009)

6.40.040 Cost recovery incentive schedule.

The investment cost recovery incentive equals $0.15 per economic development kilowatt-hour multiplied by the following rates as described in the table below. Eligible systems composed of one or more items under the alternative energy source column items may be entitled to the corresponding base rate multiplier(s).

<table>
<thead>
<tr>
<th>Customer-Generator Alternative Energy Source</th>
<th>A Base Rate</th>
<th>B Base Rate Multiplier</th>
<th>A x B Incentive per kWh</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA manufactured solar modules</td>
<td>$0.15/kWh</td>
<td>2.4</td>
<td>$0.36</td>
</tr>
<tr>
<td>WA manufactured inverter for solar or wind generating equipment</td>
<td>$0.15/kWh</td>
<td>1.2</td>
<td>$0.18</td>
</tr>
<tr>
<td>WA manufactured solar modules and inverters</td>
<td>$0.15/kWh</td>
<td>3.6</td>
<td>$0.54</td>
</tr>
<tr>
<td>WA manufactured anaerobic digester OR other solar equipment OR wind generator w/blades</td>
<td>$0.15/kWh</td>
<td>1.0</td>
<td>$0.15</td>
</tr>
<tr>
<td>All other wind generators</td>
<td>$0.15/kWh</td>
<td>0.8</td>
<td>$0.12</td>
</tr>
</tbody>
</table>

• Example 1: A customer-generator wind generator with Washington State-manufactured inverter (1.2) and blades (1.0) receives a base rate multiplier of 2.2; 2.2 x $0.15/kWh = $0.33/kWh.

• Example 2: A customer-generator solar PV system with Washington State-manufactured solar modules (2.4) and inverter (1.2) receives a base rate multiplier of 3.6; 3.6 x $0.15/kWh = $0.54/kWh.

Payments are calculated by:
A. Multiplying the total kilowatt hours generated by your PUD approved system (within the July 1st through June 30th program year) by:
B. A base rate of $0.15/kilowatt hour, multiplied by the highest applicable incentive factors (ranging from 0.8 to 3.6) for which the customer-generator system is eligible. (Res. 1280, 2009)

6.40.050 Metering requirements.

All meter bases associated with this program must meet or exceed PUD No. 2 of Pacific County and National Electrical Code (NEC) installation and grounding requirements.

To ensure that the customer-generator’s renewable energy systems receive all applicable program incentives, the incentives program requires one or more District-installed revenue grade production meters. Complex renewable energy systems, e.g., battery back-up, hybrid (e.g., solar and wind), and/or add-on systems (new solar PV system added to older PV system) may require separate customer-installed revenue grade production meters for each major system component to be eligible for maximum incentive levels. (Res. 1280, 2009)

6.40.060 Program fees.

Under SSB 5101, utilities are authorized to recover program costs, including program administration, required metering equipment, engineering coordination, installation and labor associated with the installation of revenue grade production meters.

The District will collect an application fee at the time the customer-generator signs up for this incentives program. An additional charge will be assessed to cover the cost of the meter(s) and installation. (Res. 1280, 2009)
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6.40.070 Specific requirements of program.
A. For the Applicant.
1. The renewable energy system must be interconnected to the PUD’s electrical distribution system.
2. Applicant must own or is purchasing property and has an account with the District where the renewable energy system is installed.
3. New owners of a previously certified renewable energy system must reapply in their name.
4. The renewable energy system must be certified by the Washington Department of Revenue.
5. Incentive payments are limited to $2,000 per year per individual, business, or local government.
6. No incentive will be paid for kilowatt-hours generated before July 1, 2005, or after June 30, 2014.
7. The PUD determines whether incentive payments will be authorized or denied.
8. The PUD has the right to assess against the applicant, with interest, for any overpayment of incentive payments made to the applicant.
9. Applicant will pay the District, prior to interconnection, for any metering cost associated with the electric production meter.
10. The incentive payment may be applied by the District as a credit to the applicant’s electric billing, at the option of the applicant.
11. Applicant shall keep and preserve, for a period of at least five years, suitable records as may be necessary to determine the amount of incentive applied for and received. Such records shall be open for examination at any time upon reasonable notice by the PUD.
12. Ownership of renewable energy credits (RECs) associated with the generation remains with the applicant.
B. For the District.
1. Incentive payments are limited to $2,000 per year per individual, business, or local government.
2. The credit taken by the PUD against its power distribution public utility tax liability is limited to 0.25 percent of taxable power sales or $25,000, whichever is greater.
3. The credit taken by the District may not exceed the annual tax due.
4. Refunds shall not be granted in place of credits.
5. Amounts paid in one fiscal year and not taken as a credit cannot be carried over to the next year and taken as a credit.
6. If requests for the investment cost recovery incentive payments exceed the amount of funds available for credit to the District, the incentive payments shall be reduced proportionately for qualifying applicants.
7. No incentive will be paid for kilowatt-hours generated before July 1, 2005, or after June 30, 2014. (Res. 1280, 2009)

6.40.080 Getting started.
A. Step 1. Interested persons should contact PUD No. 2 of Pacific County and apply for participation in the customer-generator systems incentives program for renewable energy development by completing an S100 form and paying the application fee. All paperwork concerning the program, including the interconnection standards and the customer-generator systems incentive program will be provided at that time.
B. Step 2. First-time applicants must submit to the Department of Revenue and the Climate and Rural Energy Development Center at Washington State University a certification form providing:
1. Information that the electricity is generated by a renewable energy system and meets the definition of “customer-generated electricity.”
2. Location of the renewable energy system.
3. Information on where equipment was manufactured.
4. Verification that the electricity can be transformed or transmitted for entry into or operation in parallel with electricity transmission and distribution systems.
5. Date that the renewable energy system received its final electrical permit from the applicable local jurisdiction.

Certification forms are available on the Department of Revenue’s website at http://dor.wa.gov.
C. Step 3. Applicants will be notified in writing from the Department of Revenue within 30 days whether their renewable energy system qualifies for the incentive program.
D. Step 4. Once certified, the applicant must enter into an application for interconnecting a generating facility no larger than 100 kW and net metering power purchase agreement with PUD No. 2 of Pacific County, if not already in place. The customer-generator must then enter into an agreement for customer-generator systems incentives program for renewable energy development with the District and provide a copy of the certification form from the Department of Revenue for their renewable energy system.
E. Step 5. The District will provide the applicant with a wiring schematic for connection of their renewable energy system with the PUD’s electrical distribution system. The renewable energy system must first be inspected and approved by the Department of Labor and Industries prior to being connected and metered.

F. Step 6. By August 1st of the next year and annually thereafter by this date, the applicant must submit an application for the incentive payment. The application must include the applicant’s tax registration number (if applicable) and a statement of the amount of kilowatt-hours generated by the renewable energy system in the prior fiscal year. The PUD will notify the applicant within 60 days on whether the incentive payment is authorized or denied.

The applicant should contact the PUD for a copy of the application for incentive payment form.

G. Step 7. The District will pay the applicant the incentive payment that is authorized by December 15th. (Res. 1280, 2009)

APPENDIX A

Agreement for Customer-Generator Systems Incentives Program for Renewable Energy Development

This Incentives Program for Renewable Energy Development Agreement is executed in duplicate this ______ day of ______________________, 20____ between ____________________________ (hereinafter referred to as “Customer-Generator”), and Public Utility District No. 2 of Pacific County (hereinafter referred to as “District”). The Customer-Generator and the District are sometimes referred to herein individually as “the Party” and collectively as “the parties.”

Recitals:

The District is a municipal corporation engaged in the sale and distribution of electric energy.

The Customer-Generator receives electrical service from the District at rates contained in the District’s electric schedule and desires to obtain incentive payments from the District.

If the Customer-Generator’s generation system is interconnected with the District’s electric distribution system, the Customer-Generator has previously entered into and is currently engaged in an Interconnection Agreement with the District. Said Agreement contains all terms and conditions necessary for the safe and reliable interconnection of the Customer-Generator’s electrical generation system and allows the parallel operation of said equipment with the District’s distribution network.

All terms and conditions relating to the interconnection of the Customer-Generator’s electrical generation system will only be addressed in the aforementioned Interconnection Agreement. All rules relating to interconnection that may be a part of this Agreement shall be controlled by the aforementioned Interconnection Agreement.
All payment structures, rates, and calculations shall be based upon the table outlined in the Payments section of the Customer-Generator Systems Incentives Program for Renewable Energy Development document.

All applications, Washington State Certifications, exclusions, term of the Program, and customer information terms and conditions shall be based upon the applicable sections of the District’s Customer-Generator Systems Incentive Program for Renewable Energy Development document, which is subject to revision at any time.

The District’s participation in the Washington State Renewable Energy Cost Recovery Program through this Agreement and associated documents is strictly voluntary and may be modified or terminated at any time.

Agreement:

The Customer-Generator and the District agree as follows:

1. Definitions –

All terms defined in the District’s Electric Rate Schedules, Electric Service regulations and Interconnection Agreement shall have the same meanings in this Agreement unless otherwise indicated.

2. Application –

2.1 First Year Program Participation

2.1.1 To be eligible for payment for renewable energy production during the Program Year (July 1 – June 30), the Customer-Generator must submit the following materials to the District by 5:00 p.m. August 1st, for the preceding year:

2.1.1.1 Two (2) signed copies of this Agreement.

2.1.1.2 A completed Program Application form.

2.1.3 An approved Washington State Department of Revenue Renewable Energy System Cost Recovery Certificate

If August 1st falls on a weekend, the above materials will be due to the District by 5:00 p.m. on the following business day. Late applications will be denied. The Customer-Generator bears sole responsibility for the timely delivery of application materials.

2.1.2 The District shall, within sixty (60) days of receiving a complete application packet, review and notify the Customer-Generator in writing of the application’s approval or denial. Denied applications will clearly state the reason for denial and any potential remedies.

2.2 The Customer-Generator, wishing to receive annual incentive payments under the terms of the District’s Program, grants to the District the following:

2.2.1 The right to review all application and certification documents provided to the State of Washington and those documents provided by the State of Washington to the Customer-Generator relating to the Program.

2.2.2 All other information necessary to effectuate the processing of the Customer-Generator’s application for the Program.

2.3 Ongoing Program Participation

2.3.1 Providing legal ownership of the renewable energy system(s) and composition of said system(s) remain the same, a new Program application need not be submitted for the second and subsequent years of Program participation, a completed Program Annual Re-
newal Form, submitted with a Program Payment Request form in accordance with Program policies, will suffice.

3. Incentive Payments –

In accordance with the terms outlined in the Program document, the District agrees to make an annual incentive payment to the Customer-Generator based upon the annual incentive payment renewal information provided by the Customer-Generator.

4. Required Equipment –

4.1 The District shall install and maintain the revenue grade production meter(s) necessary for the District to measure electricity generated by the Customer-Generator’s system.

4.2 The District shall provide to the Customer-Generator the necessary District standards pertaining to the type and location of the meter base(s) for the revenue grade production meter(s). The Customer-Generator shall install the meter base(s) for the revenue grade production meter(s) in accordance with those standards. The Customer-Generator shall bear the total cost associated with acquisition, installation, and maintenance of the meter base(s) for the revenue grade production meter(s).

4.3 Generation systems with any form of a battery backup may require one or more advanced revenue grade production meter(s), capable of measuring electricity flowing to the generation system’s batteries and electricity flowing from the generation system’s batteries. The District’s metering standards outline a variety of configurations and the required number of revenue grade production meter(s) necessary to accurately measure generated electricity.

4.4 The Customer-Generator agrees to allow the District all reasonable access to their revenue grade production meter(s).

5. Record Retention –

The Customer-Generator grants to the District, upon three business days written notice, the right to inspect and review the Customer-Generator’s records substantiating their right to receive the incentive payments and the correct amount of the incentive payments. The Customer-Generator shall maintain these records for a period of five (5) years as required by state law. All such information, together with any and all other documents and information furnished to the District under this Agreement shall be provided to the District on a non-confidential basis. The District will exercise due diligence in safeguarding personal information.

6. Customer Information –

The Customer-Generator grants the District permission to receive Customer-Generator’s personal information related to the Program from the Washington State Department of Revenue and disclose personal information related to the Program to the Washington State Department of Revenue.

7. Miscellaneous –

7.1 This Agreement is subject to District rate schedules, regulations, general rules, provisions, and other policies that may apply. Such policies may be revised from time to time upon approval by the Board of Commissioners of the District. Any conflict between this Agreement and any provisions of the District’s approved rate schedules shall be resolved in favor of such schedule provisions.

7.2 This Agreement and all of the terms and provisions of this Agreement shall be binding upon and in-
ure to the benefit of the respective successors and assigns of the Parties; provided, that the Customer-Generator shall not assign all or any part of this Agreement (or assign any of its rights under this Agreement or delegate performance of any of its obligations under this Agreement) without the prior written consent of the District.

7.3 The Customer-Generator shall be and act as an independent contractor (and not as an employee, partner, agent, or representative of the District) in the performance of this Agreement.

7.4 This Agreement shall in all respects be interpreted, construed, and enforced in accordance with the laws of the State of Washington (without regard to any conflict of law rules).

7.5 This Agreement shall not be interpreted or construed to create an association, joint venture, or partnership between the Parties or to impose any partnership obligations or liability upon either of the Parties.

7.6 Except as otherwise provided herein, this Agreement, including all exhibits hereto, and the District's policy sets forth the entire agreement between the Parties. This Agreement may not be modified or amended except by written amendment, signed by both Parties hereto.

8. Term of Agreement and Termination –

8.1 Upon execution by the Parties, this Agreement is effective as of the date appearing below the District's representative's signature, and shall remain in effect month to month thereafter unless terminated by: 1) the District upon discovery of non-compliance with the Agreement and/or Program terms on the part of the Customer-Generator; or 2) either Party on thirty days' prior written notice; or 3) the conclusion of Washington State's Renewable Energy System Cost Recovery Program in 2014, whichever comes first. Under the Program's current legislative guidelines, July 1, 2013 through June 30, 2014 will be the final Program year.

8.2 In accordance with Program policies, Customer-Generators wishing to participate in the Program beyond one year shall annually submit to the District an annual incentive payment renewal application in order to maintain eligibility for incentive payments.

8.2.1 Final incentive payment(s) shall be calculated by the kilowatt hours generated and noted on the District's revenue grade production meter at the time of termination.

8.2.2 Any payment(s) for the pro-rated portion(s) due the Customer-Generator at the time of termination will be made in accordance with the Program rules on the regularly scheduled annual date following the end of the current payment period, regardless of the date of termination.

9. Notices and Other Communications –

9.1 Notice Methods and Addresses

All notices, requests, demands, and other communications required or permitted to be given under this Agreement shall be given in writing by:

9.1.1 personal delivery

9.1.2 recognized overnight air courier service
6.40.080

9.1.3 by United States postal service, postage prepaid, registered or certified mail, return receipt requested, or

9.1.4 by facsimile transmission, using facsimile equipment providing written confirmation of successful completed transmission to the receiving facsimile address.

9.2 All notices to either Party shall be made to the addresses set forth below. Any notice shall be deemed to have been given on the date delivered, if delivered personally, by overnight air courier service or by facsimile transmission; or if mailed, shall be deemed to have been given on the date shown on the return receipt as the date of delivery.

If to District:

Attention: General Manager
P.U.D. No. 2 of Pacific County
P.O. Box 472
Raymond, WA 98577
Telephone: (360) 942-2411
Facsimile: (360) 875-9388

If to Customer-Generator:

Name: _____________________
Address: ___________________
___________________
___________________

Phone: _____________________
FAX: _____________________

10. Signatures –

10.1 In witness whereof, the Parties have caused two originals of this Agreement to be executed by their legally authorized representatives.

Customer-Generator:

Signature / authorized representative
_________________________
Name / authorized representative
_________________________
Title
_________________________
Date
_________________________

P.U.D. No. 2 of Pacific County:

Signature / authorized representative
_________________________
Name / authorized representative
_________________________
Title
_________________________
Date
_________________________

(Res. 1280, 2009)
### APPENDIX B

**Customer-Generator Systems Incentives Program**
for Renewable Energy Development

**Program Application**

<table>
<thead>
<tr>
<th>This application is for electricity generated between July 1, __________ and June 30, __________.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name of the legal owner of the system</strong></td>
</tr>
<tr>
<td><strong>Service address of renewable energy system</strong></td>
</tr>
<tr>
<td><strong>City</strong></td>
</tr>
<tr>
<td><strong>Mailing Address of legal owner</strong></td>
</tr>
<tr>
<td><strong>E-mail address</strong></td>
</tr>
</tbody>
</table>

**Incentives Program Application Fee:** Paid when completing S100 form on __________ (enter date paid).

**Please note:** Eligibility for maximum applicable incentive levels for complex systems with (2) or more forms of alternative energy and/or upgrades to older alternative energy systems may require separate customer-installed revenue grade production meters for each major system component.

**I have attached the following signed and completed documents:**
(Please check all that apply)

- An approved WA Department of Revenue Renewable Energy System Certificate
- Agreement for Customer-Generator Systems Incentives Program, signed & dated

**Helpful Contact Information:**

Department of Revenue
1-800-647-7706 or (360) 705-6676 (telephone)
http://dor.wa.gov/ (website)

P.U.D. No. 2 of Pacific County
(360) 942-2411 (Raymond office telephone)
(360) 642-3191 (Long Beach office telephone)
http://www.pacificpud.org/ (website)

Mail complete application packet to: Incentives Program: P.U.D. No. 2 of Pacific County, PO Box 472, Raymond WA 98577
**OR** Drop off materials at the front counter in either the Long Beach or Raymond office.

**I hereby certify that I have read and familiarized myself with all official program materials and understand that:**

1) I bear sole responsibility for meeting program eligibility requirements and deadlines.
2) Participation in this program is voluntary by both parties, and subject to available funding and random system audits to ensure that program requirements are being met.

| Name (Please Print) | Signature | Date |

(Res. 1280, 2009)
APPENDIX C

Customer-Generator Systems Incentives Program for Renewable Energy Development
Annual Renewal Form

This renewal request is for customers who participated in the Incentives Program the previous year, and who wish to receive incentives for electricity generated between July 1, _____ and June 30, _____.

Note: This form is due to P.U.D. No. 2 of Pacific County by 5:00 p.m. on August 1st following the end of the July – June 30th program year. Should August 1st fall on a weekend, this form is due to the P.U.D. by 5:00 p.m. on the following business day.

<table>
<thead>
<tr>
<th>Name of the legal owner of the system: please print</th>
<th>PUD Account #</th>
<th>Did you receive an Incentives Program payment last year?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>YES NO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E-mail address</th>
<th></th>
<th></th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Service address of renewable energy system</th>
<th>Primary Contact Phone #</th>
<th>Alternate Contact Phone #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Mailing address of legal owner</th>
<th>Check here if same address</th>
</tr>
</thead>
</table>

Has any component of your renewable energy system changed since last year’s payment? If so, please briefly describe how below:

<table>
<thead>
<tr>
<th>Has legal ownership of the renewable energy system changed since last year’s payment?</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES NO</td>
</tr>
</tbody>
</table>

If yes, please disregard this form. You must submit a new Incentives Program application.

Please mail renewal form to: Incentives Program: P.U.D. No. 2 of Pacific County, PO Box 472, Raymond WA 98577

In signing and returning this renewal application, I certify that: 1) the above information is true and accurate; 2) my PUD-approved system is still eligible for the same production incentive factor used for last year’s payment; and 3) I have read and familiarized myself with all required program materials and updates, and hereby request to participate in the Incentives Program for another year. I understand that participation in this program is voluntary by both parties, subject to available funding and random system audits to ensure that program requirements are being met.

<table>
<thead>
<tr>
<th>Name (Please Print)</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
</table>

(Res. 1280, 2009)
Division III. Risk Policies

Chapter 6.50

RISK ASSESSMENT PROCEDURES

Sections:

6.50.010 Cyber security.

6.50.010 Cyber security.

The risk assessment procedure attached to the resolution codified in this section is adopted to address Cyber Security – Critical Cyber Asset Identification as required under NERC Reliability Standard CIP-002-1. (Res. 1284, 2009)

Chapter 6.54

WHOLESALE POWER AND TRANSMISSION RISK MANAGEMENT POLICY

Sections:

6.54.010 Adopted.

6.54.020 Hedging contracts.

6.54.010 Adopted.

A. The wholesale power and transmission risk management policy attached to the resolution codified in this section, updated to include certain aspects of the Dodd-Frank Wall Street Reform Consumer Protection Act, is adopted to meet the requirements of the legislation prior to the January 1, 2013 deadline.

B. The general manager is directed to enter into a qualified independent representative agreement with The Energy Authority (TEA). (Res. 1334, 2012; Res. 1309, 2011)

6.54.020 Hedging contracts.

A. Approval of ISDA Agreements. The board of commissioners of the District hereby approves entering into one or more ISDA agreements with one or more counterparties consistent with the risk management policy (each a “District ISDA agreement”). The general manager, or his designee, is hereby authorized to execute and deliver one or more District ISDA agreements by and on behalf of the District. The general manager, or his designee, is further authorized to execute and deliver all confirmations, certificates and other documents as in his judgment may be necessary or desirable from time to time to carry out the terms of, and complete the transactions contemplated by, this section and such District ISDA agreements.

B. Further Authority; Prior Acts. The District officials, their agents, and representatives are hereby authorized and directed to undertake all action necessary or desirable from time to time to carry out the terms of, and complete the transactions contemplated by, this section. All acts taken pursuant to the authority of the resolution codified in this section but prior to its effective date are hereby ratified and confirmed. (Res. 1310 §§ 1, 2, 2011)
Title 7

WATER

Chapters:

7.04 General Provisions
7.08 Customer Service Accounts
7.12 Customer Responsibilities
7.16 District Responsibilities
7.20 General Conditions of Service
7.24 Extension of Facilities
7.28 Service Extension Policies
7.32 Fee Schedule
7.34 Rate Schedules
7.36 Cross-Connection Control Policy
Chapter 7.04

GENERAL PROVISIONS

Sections:
7.04.010 Definitions.
7.04.020 Scope.
7.04.030 Schedules, service policies, service extension policies, and conditions.
7.04.040 Conflicts.
7.04.050 Supply and use of water service.
7.04.060 Employees – Personal compensation prohibited.
7.04.070 Employees – Promise, agreement, or representation to be in writing.
7.04.080 Violation – Penalty.

7.04.010 Definitions.
The following terms, wherever used in this title, in any District rate schedule, or in any application or agreement for water service, shall have the meanings given below unless otherwise clearly stated:

1. “Applicant” means any individual, partnership, corporation, organization, municipality, governmental agency, political subdivision or other entity, who or which is applying for water service from the District.
2. “Billing period” means an interval of one or two months between successive meter reading dates as established by the District.
3. “Class of service” means water supplied for different purposes of usage and classified accordingly.
4. “Commercial service” means water service used primarily in the operation of any business, agency, association, partnership, corporation, group, entity, public or private, for the purpose of service and/or profit.
5. “Commission” means the three-member elected governing body of the District.
6. “Consumer-customer” means any individual, partnership, corporation, organization, municipality, governmental agency, political subdivision, or other entity, who or which is receiving water service from the District.
7. “Cross-connection” means any connection between any part of the water system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved as safe, wholesome and potable for human consumption.
8. “Developer” means any individual, family, company, association, corporation, partnership, or group engaged in the subdivision and/or development of land or the speculative sale of land.
9. “Development” means the subdivision of land and/or improvement of land, including clearing, grading, roadways, utilities, etc., for the purpose of sale.
10. “District” means Public Utility District No. 2 of Pacific County, Washington, its authorized agents or employees.
11. “Dwelling” means the place of residence of an individual or single family.
12. “Gender” means any reference in the title to the masculine or the feminine gender shall be considered to apply equally to either gender.
13. “Living unit” means the place of residence of an individual or single family.
14. “Main lines” means a line which is owned and maintained by the District and designed or used to serve more than one premises.
15. “Manager” means the duly appointed manager or general manager of the District.
16. “Month” means an interval of approximately 30 days between successive designated meter reading dates.
17. “Multiple dwelling” means two or more living units constructed together under a common roof.
18. “Point of delivery” means that point, as defined or detailed in the District’s individual service policies, conditions of service, or rate schedules, where the District-owned and maintained facilities connect to a customer’s owned and maintained service pipe.
19. “Premises” means all of the real property of a single geographic location utilized by an applicant or customer for a residence, business, or other activity.
20. “Schedule” means the rate schedule determining the cost of water usage for the various classes of service available from the District.
21. “Seasonal” means the occasional, periodic, or intermittent occupation or use of a dwelling, premises, or facility.
22. “Service area” means the boundaries of the respective water system as defined in Chapter 7.34, Rate Schedules.
23. “Service, service lines” means facilities owned and maintained by the customer from the output at the meter to the dwelling or point of use.
24. “Line extension” means the construction, addition, or extension of main water lines and facilities to provide water service.
25. “Speculative” means development and/or construction for the purpose of future sale.
26. “Subdivision” means the division of a parcel of land into contiguous subparcels.
27. “Water consumption” means water usage, measured in gallons.
28. “Water service” means the making available of water at the point of delivery for use by a customer, irrespective of whether water is actually used by the customer.
29. “Water service installation” means the placement of all piping and fittings from the main to and including the water meter assembly. The District will assume meter ownership. All piping beyond the meter assembly is the customer’s responsibility.
30. “Water system” means all water source and supply facilities, transmission, pipelines, and storage facilities, pumping plants, distribution mains and appurtenances, vehicles and materials storage facilities. (Res 1243, 2006; Res. 1110, 1995; Res. 413 § 1, 1954)

7.04.020 Scope.
A. These service policies and conditions are a part of all oral and written contracts for delivery of water service by the District to its customers. In the absence of any application for service or signed service order, the furnishing of water service by the District and the use of such service by the customer shall constitute a contract and the customer agrees to pay for such water service under the rates, terms and provisions of the District’s applicable rate. These service policies are equally binding on the District and its customers.
B. No employee or representative of the District has any authority to waive, alter, or amend in any respect the schedules, service policies, or conditions set out in this title, or any part thereof, or make any agreement inconsistent therewith.
C. The schedules, service policies, and conditions may be revised, amended, supplemented, or otherwise changed from time to time as conditions require.
D. Copies of the schedules, service policies, and conditions set out in this title shall be available for inspection in the offices of the District. (Res. 1243, 2006; Res. 1110, 1995)

7.04.030 Schedules, service policies, service extension policies, and conditions.
A. All rate schedules, service policies, line extension policies, and conditions apply to all customers located within the District’s serving area and connected to any of the District’s water systems, and are part of all contracts, whether oral or written, for the delivery of water.
B. The District reserves the right to discontinue service in the event the customer shall fail to comply with the schedules, service policies, line extension policies, and conditions set out in this title. Service may be disconnected by the District at any time to prevent fraudulent use or to protect its property.
C. The schedules, service policies, line extension policies, and conditions may be revised, amended, supplemented, or otherwise changed from time to time as conditions require by resolution of the commission. (Res. 1243, 2006; Res. 1110, 1995)

7.04.040 Conflicts.
In case of conflict between any provision of a rate schedule or special contract, and the provisions of the service policies, the rate schedule or special contract provisions shall apply. (Res. 1243, 2006; Res. 1110, 1995)

7.04.050 Supply and use of water service.
A. Water service shall be supplied only under and pursuant to this title and any modifications thereto made, and under such applicable rate schedule or schedules as may from time to time be adopted by the District.
B. Water service shall be used by the customer only for the purposes specified in the service agreement or contract and applicable rate schedule or schedules.
C. Water consumption purchased by the customer shall not be directly or indirectly sold, sublet, assigned, or otherwise disposed of.
D. All purchased water consumption used on the premises of the customer shall be supplied exclusively by the District unless otherwise provided under special contract.
E. A customer shall not connect his water service with another party through his meter or supply unless covered by the terms of a written contract with the District.
F. If one single commercial or industrial class customer occupies several buildings in his activity, the District may furnish water service for the entire group of buildings through one service connection at one point of delivery, provided all such buildings are located on continuous property and not divided by other ownerships, streets, roads, alleys, or other public thoroughfares.
G. When water service is provided through one meter which serves multiple classes of service (i.e.,
residential and commercial), the higher rate schedule shall prevail.

H. Where it is determined that the water consumption for a portion of a residence used for occasional activity, such as bookkeeping, day care, beauty salon, etc. (those operating under a business license), does not exceed 1,000 gallons per month, such resident may remain on the residential rate. (Res. 1243, 2006; Res. 1110, 1995)

7.04.060 Employees – Personal compensation prohibited.

No employee of the District may ask, demand, receive, or accept any personal compensation for any service rendered to applicants or customers of the District. (Res. 1243, 2006; Res. 1110, 1995)

7.04.070 Employees – Promise, agreement, or representation to be in writing.

No promise, agreement, or representation of any District employee with reference to the furnishing of water service, services, materials or equipment shall be binding on the District unless the same shall be in writing, signed by the manager or his authorized representative. (Res. 1243, 2006; Res. 1110, 1995)

7.04.080 Violation – Penalty.

Any person violating any of the provisions of the service policies, line extension policies, and conditions may be disconnected and liable for all damage and expenses incurred by the District, including but not limited to payment of all water consumption used by reason of such violation. (Res. 1243, 2006; Res. 1110, 1995)

Chapter 7.08

CUSTOMER SERVICE ACCOUNTS

Sections:

7.08.010 Application.
7.08.020 Contractual obligation of consumer.
7.08.030 Effective date of water service and service contracts.
7.08.040 Rental property.
7.08.050 Change of occupancy.
7.08.060 Account service charge – Payment.
7.08.070 Account service charge – Applicability.
7.08.080 New service charge.
7.08.090 Reconnection charge.
7.08.100 NSF check charge.
7.08.110 Deposit – New residential customer.
7.08.120 Deposit – New commercial and industrial customers.
7.08.130 Deposit – Existing or previous customer.
7.08.140 Amount of security deposit.
7.08.150 Refund of security deposit.
7.08.160 Transfer of security deposit.
7.08.170 Special deposits.
7.08.180 Disconnection for nonpayment of security deposit.
7.08.190 Billing indicator points.
7.08.200 Deposit – Guarantor agreement.
7.08.210 Meter reading.
7.08.220 Billing – Generally.
7.08.230 Billing of legal taxes.
7.08.240 Payment of bills – Generally.
7.08.245 Payment arrangement.
7.08.250 Notice of disconnect to customers.
7.08.260 Customer’s rights.
7.08.270 Disconnection.
7.08.280 Payment of less than total amount of bill.
7.08.290 Customer insolvency – District action.
7.08.300 Means of collection.
7.08.310 Transfer of accounts.
7.08.320 Discontinuance of water service – Request by customer.
7.08.330 Discontinuance of water service – Right of District.
7.08.340 Seasonal service.

7.08.010 Application.

A. Any person desiring to purchase water service from the District shall make application therefor, upon a printed form to be furnished by the District for that purpose, signed by the applicant
and filed in the office of the District, which application shall contain a description of the premises where water service is desired and shall specify the size of service pipe required and shall state fully all purposes for which water is to be used.

B. The District may require that the applicant or customer present identification satisfactory to the District before receiving water service. The District may also require information establishing acceptable credit status.

C. In the absence of a signed agreement or application for service, the delivery of water service by the District and the acceptance thereof by the customer shall be considered to constitute a contract between the customer and the District for water service under the applicable rate schedule and policies of the District.

D. For water service in large quantity or under special conditions not coming within the scope of these rate schedules or service policies and conditions, the District will require a special contract or suitable written agreement which shall contain provisions and stipulations to protect the interests of both the District and the customer. No such contract or agreement or modification thereof shall be binding upon the District until executed by its duly authorized representative. If executed, it shall be binding upon heirs, administrators, executors, and assigns of the parties thereto. Transfer or assignment of term contracts must first be approved by the District and shall be limited to owner(s), purchaser(s) or long-term lessee(s) of the premises served. All conditions of the original contract shall be applicable to successors or assignees. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 2, 1954)

7.08.020 Contractual obligation of consumer.

A. The application provided for in Section 7.08.010 shall constitute a contract on the part of the applicant to pay for the water service applied for at the rate, in the manner, and for the time specified in such contract, and shall reserve to the District the right to charge and collect the rates provided for in this title, to change such rates at any time by resolution, to discontinue the service at any time after reasonable notice to the consumer, to install meter or meters to register the water consumed and shall specify that such contract is subject to all the provisions of this chapter or any resolution of the District hereafter passed pertaining thereto; and shall provide that the District shall not be held responsible for any damage by water or other causes resulting from defective plumbing or appliances installed by the owner or occupant of the premises, nor shall the fact that the agents of the District have inspected the plumbing and appliances render the District liable in case of damage to premises from such defective plumbing or appliances; and shall further provide that in case the supply of water shall be interrupted or fail by reason of accident or any other cause whatsoever, the District shall not be liable for damages for such interruption or failure, nor shall such failure or interruption for any reasonable period of time be held to constitute a breach of contract on the part of the District, or in any way relieve the consumer from performing the obligations of his contract.

B. The District shall not be held liable for damage to personal property resulting from leakage or the breaking of pipes or facilities maintained by the District within the area between the District’s mains and the consumer’s property line. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 3, 1954)

7.08.030 Effective date of water service and service contracts.

A. All contracts shall be effective from the date of signing by the applicant or customer and acceptance by the District, or from the agreed date of beginning, or from the date service is first furnished, whichever is applicable.

B. All contracts shall be binding for at least 12 consecutive months following date of execution, unless otherwise specified in the contract, and shall continue in effect from month to month thereafter until terminated by written notice of discontinuance filed in the office of the District and accepted by the utility; provided, that such contract shall remain in full force and effect until all charges for water service and all fines and penalties imposed thereunder have been paid in full.

C. Except as otherwise provided in special contracts, the District’s rates shall commence the date that water service is first made available to the applicant or customers. Availability of water service to the applicant or customer shall normally be the date the District’s facilities have been installed.

D. Installation of District facilities will be scheduled as near as possible to the date water service is required by the applicant or customer and billing of the applicable charges delayed so as to coincide with the applicant’s or customer’s water service requirements.

E. In the event the applicant or customer desires to cancel or delay his service connection, he may do so at no cost, provided notice is given to the Dis-
strict 30 days prior to construction or installation of facilities by the District and no expense has been incurred by the District.
F. In the event an applicant or customer cancels his contract prior to installation of facilities by the District, and the District has ordered or purchased special equipment, or otherwise incurred costs to serve the applicant or customer, the applicant or customer shall be obligated to pay the District for any loss or costs incurred.

G. If, for any reason, the installation of facilities by the District is delayed by more than six months after the applicant or customer requests water service be made available, the contract and agreements shall become null and void.

H. Disconnection for nonpayment or other violations does not terminate any contract obligation of the customer. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 5, 1954)

7.08.040 Rental property.

A. When requested by the owner in writing, the District will provide continuous water service to rental property between the occupancies of the tenants. However, the owner shall be responsible for any consumption prior to the transfer of the account of a new tenant.

B. All applicable minimum billings shall apply while the account is in the owner’s name.

C. The account service charge shall not apply when transferring from the renter to the owner if a tenant agreement is in effect. (Res. 1243, 2006; Res. 1110, 1995)

7.08.050 Change of occupancy.

A. When a change of occupancy or other legal responsibility for water service occurs affecting premises served by the District, notice of such change shall be given the District within a reasonable time prior to such change; otherwise, the outgoing customer will be held responsible for payment for all service supplied until such notice has been received by the District. Owners of rental premises will be responsible for usage incurred after they are vacated, as provided for under Section 7.08.040 of this title or subsequent resolutions codified in this title.

B. The acceptable notices of change of occupancy by a customer shall be as follows:

1. Mailed written notice to the District office;
2. Telephoned verbal notice to a District office during normal working hours;
3. Personal appearance at a District office during normal working hours.

4. Facsimile with signature. E-mail is not accepted at this time. (Res. 1243, 2006; Res. 1110, 1995)

7.08.060 Account service charge – Payment.

A. An account service charge shall be paid by each applicant for water service requiring the establishment of a new or separate account, except as otherwise specified in Sections 7.08.070 through 7.08.090.

B. Payment shall be required at the time of application for water service and in the amount specified in the District’s applicable water system fee schedule. (Res. 1243, 2006; Res. 1110, 1995)

7.08.070 Account service charge – Applicability.

The account service charge shall not be applicable to applicants or customers for water service in the following conditions:

A. A new or separate account established for the convenience of the District;
B. An additional water service or meter to be billed on an existing account number;
C. Name changes involving conditions where a wife applies for her husband’s account or where a husband assumes his wife’s account, without change of occupancy, or where such change does not require a special reading, connection, or reconnection of the meter;
D. When an account is placed in the name of an estate, provided such change does not require a special reading, connection, or reconnection of the meter;
E. When an owner, landlord, or agent assumes temporary responsibility for service through a continuity of service agreement for water service that may be used while the premises is vacant;
F. When an account has been disconnected for nonpayment of water service charges or for other violations and is reconnected for the same customer after payment of the reconnection charge. (Res. 1243, 2006; Res. 1110, 1995)

7.08.080 New service charge.

A. Each applicant or customer for water service, which requires the installation of facilities, shall pay a connection charge as provided for in the District’s applicable water system fee schedule.

B. The new service charge is based on the installation of facilities and/or meters during normal working hours of the District’s personnel. Any work performed outside normal working hours at the request of the applicant or customer shall
require the additional payment of the applicable labor overtime rates in effect at the time the work is performed.

C. When the applicant for water service requires more than one service installation at the same location, such as temporary construction service and permanent service, or installations to separate points of delivery on the same premises, each installation shall be considered a new service and the applicable new service charge shall apply to each.

D. Failure of the applicant or customer to pay the new service charge fee shall result in termination of water service, and prior to reconnection of water service, the applicant shall pay the new service charge fee in addition to the reconnection charge. (Res. 1243, 2006; Res. 1110, 1995)

7.08.090 Reconnection charge.

When water service to a customer has been disconnected for noncompliance with the District’s service policies, or for nonpayment of water service received, water service will not be restored until the situation requiring such action has been corrected to the satisfaction of the District and reconnection charges, as determined by the District’s applicable water system fee schedule, have been paid. (Res. 1243, 2006; Res. 1110, 1995)

7.08.100 NSF check charge.

If payment of a water service charge or payment for water service is made by check or through an ACH transaction, either of which is nullified by the bank for lack of sufficient funds (NSF), an accounting service charge as determined by the District’s fee schedule shall be added to the account. If the District receives two NSF transactions in any consecutive 24-month period from a customer, that customer will be on a cash-payment-only basis for the next 12 months. (Res. 1243, 2006; Res. 1110, 1995)

7.08.110 Deposit – New residential customer.

A. In the absence of a satisfactory credit reference, the District will require a residential security deposit as a guarantee of performance on the customer’s part for water service.

B. A satisfactory credit reference shall be considered to be a letter of satisfactory credit from the serving utility of the customer’s previous premises. (Res. 1243, 2006; Res. 1110, 1995)

7.08.120 Deposit – New commercial and industrial customers.

All commercial and industrial accounts must provide a security deposit as a guarantee of performance on the customer’s part for water service, deposits to follow Chapter 7.32, Fee Schedule. (Res. 1243, 2006; Res. 1110, 1995)

7.08.130 Deposit – Existing or previous customer.

The District may require an existing or previous customer to provide a security deposit or to increase an existing security deposit for the following reasons:

A. Previous Unpaid Balance. If the customer has a previous unpaid balance with the District for water service at another location and refuses to make payment or other satisfactory payment arrangements.

B. Arrangements. If a customer continually makes arrangements for payment of various billings extending the liability of the District out over two months from billing.

C. Delinquencies. Customers who accumulate more than seven billing indicator points (minimum of four from being on the disconnect list) in a 12-month consecutive period, thereby extending the liability of the District, may be required to pay a deposit or update an existing deposit. Customers acquiring additional accounts or relocating in the District may be required to pay a deposit.

D. Assignment for Collection. If the customer has a previous unpaid balance with the District for water service which the District has assigned to a collection agency (subject to the seven-year limit of Section 605(9)(4) of the Consumer Credit Protection Act).

E. Bankruptcy. If the customer has previously defaulted on a water service bill with the District through bankruptcy (subject to the 14-year limit of Section 605(1)(1) of the Consumer Protection Act).

F. Refusal of Information. If the customer refuses, when requested, to provide the District with satisfactory credit information necessary to establish the customer’s present credit ratings.

G. Misrepresentation. If the District determines that the customer has misrepresented his or her identity to avoid payment of an outstanding bill. (Res. 1243, 2006; Res. 1110, 1995)

7.08.140 Amount of security deposit.

A. The amount of the normal residential security deposit shall be established in the District’s fee
schedule, and may be changed from time to time by resolution of the commission.

B. Additional security deposit or commercial/industrial customer security deposit, when required, shall be determined at that time by the District. However, in no case shall the security deposit exceed three times the estimated or the historical maximum monthly billing within any 12-month period.

C. The security deposit shall be in cash, personal check, or cashier’s check. (Res. 1243, 2006; Res. 1110, 1995)

7.08.150 Refund of security deposit.

A. The District normally will refund the security deposit, without interest, after a 24-month period of satisfactory credit after the receipt of the security deposit; provided, that no “special action” has been required against the customer.

B. Upon termination of water service, the District will refund to the customer the amount then on deposit, without interest, after deducting all amounts owed to the District for water service or charges. (Res. 1243, 2006; Res. 1110, 1995)

7.08.160 Transfer of security deposit.

A. The District may transfer the security deposit of an existing customer who takes water service at a new location, and may also adjust the amount of the security deposit at the time of the transfer.

B. The District, at its discretion, may apply the security deposit towards past due accounts and charges. (Res. 1243, 2006; Res. 1110, 1995)

7.08.170 Special deposits.

A. The District may require a special deposit or cash advance as security for line extensions, temporary service, or special work orders, etc. All special deposits are not subject to the provisions of normal security deposits.

B. The special deposit requirements must be met prior to the installation or connection of service by the District.

C. The amount of the special deposit required shall not exceed the estimated costs of providing the service or materials.

D. Refunds, if applicable, shall be based on policies in effect at the time of service connection. (Res. 1243, 2006; Res. 1110, 1995)

7.08.180 Disconnection for nonpayment of security deposit.

If the District determines that a security deposit is necessary from an existing customer, or an additional security deposit is required due to an increase in water service requirements, and arrangements between the District and customer for payment of the deposit have not been consummated, the customer will be subject to disconnection as provided in Section 7.08.330 of this title or any subsequent resolutions. (Res. 1243, 2006; Res. 1110, 1995)

7.08.190 Billing indicator points.

Billing indicator points will be issued as follows by the month:

- Arrangement not kept: 1 point
- Late pay notice: 1 point
- Disconnect list: 2 points
- NSF: 2 points
- Disconnect for nonpayment: 3 points

(Res. 1243, 2006; Res. 1110, 1995)

7.08.200 Deposit – Guarantor agreement.

Customers with credit problems prohibiting them from attaining or continuing service from the District may execute a guarantor agreement with another customer possessing good credit with the District. (Res. 1243, 2006; Res. 1110, 1995)

7.08.210 Meter reading.

A. Unless otherwise specified within the rate schedule, meters will be read on a monthly or bimonthly schedule, at the option of the District. Meter reading dates for each location shall be scheduled as nearly as possible on the same cycle date, but because of weekends, holidays, and the difference in calendar months, a variation in reading periods may occur.

B. If, because of inclement weather, inaccessibility, or other extenuating circumstances, an accurate meter reading cannot be obtained for any one period, the meter reading may be estimated. Such estimated meter reading will be based on historical energy consumption of a like period. If an estimated meter reading is later determined to be high or low, the water consumption will be adjusted accordingly.

C. The District may assess a meter reading charge to the customer in the case where a customer has impaired the normal access to the meter
by the meter reader. (Res. 1243, 2006; Res. 1110, 1995)

7.08.220 Billing – Generally.
A. All rate schedules express the rate for one month’s water service. Ordinarily, bills will be rendered at a monthly or bimonthly interval, at the option of the District, on as nearly as possible the same cycle date. However, because of weekends, holidays, and vacations, a variation in billing periods may occur.
B. The District reserves the right to render bills for a lesser or longer period than the normal one or two months.
C. Monthly accounts shall be considered as accounts billed for a period not to exceed 35 days. Bimonthly accounts shall be considered as accounts billed for a period in excess of 35 days but not to exceed 65 days.
D. The basic service charge for accounts connected and/or disconnected during a billing period shall be prorated.
E. Bimonthly billings shall be calculated by dividing the water consumption by two, applying the monthly rate schedule and then adding the two totals.
F. Minimum charges on bimonthly accounts shall be computed at twice the charge of monthly accounts.
G. Due to abnormal or extenuating circumstances, the District may estimate the billing period water consumption and render a bill accordingly. Estimated bills are subject to correction whenever accurate meter readings are available. Estimations shall be based as close as possible to previous historical water consumption. (Res. 1243, 2006; Res. 1110, 1995)

7.08.230 Billing of legal taxes.
A. The amounts of any revenue tax imposed by any municipality, county, State, federal or other legal taxing agency, entity or District upon the revenues of the District shall be added to the charges for water service sold to all customers within such legal taxing District.
B. In addition, the amounts of any form of tax other than revenue tax imposed on the District by any such legal taxing District may be apportioned by resolution of the commission to the territory in which such tax or taxes may be effective, and shall constitute an additional charge to any amount which may be billed to any customer among the various classes of service under any rate schedule or special contract.
C. Any such tax increases shall be in effect only for the duration of such tax assessments. (Res. 1243, 2006; Res. 1110, 1995)

7.08.240 Payment of bills – Generally.
The District shall render bills to its customers on either a monthly or bimonthly basis. Payment not received before the next monthly bill date shall be considered past due. Past due balances will be reflected on the customer’s subsequent bill along with language indicating the possibility of additional fees and disconnect for nonpayment. If payment is not received by the notice of disconnect date (no less than five days after the subsequent billing date), a notice of disconnect will be mailed to the customer. The notice will state that the customer’s water service will be up for disconnection if payment is not received by the disconnect date, as established on the notice of disconnect (no less than five days after the date of the notice of disconnect). The notice of disconnect will assess the late fee and will inform the customer that their service may be discontinued anytime after the disconnect date without further notice from the District. (Res. 1414, 2018; Res. 1243, 2006; Res. 1110, 1995)

7.08.245 Payment arrangement.
Customer service staff is authorized to make arrangements for the payment of utility bills. At the customer’s request, payment may be extended up to the disconnect date. No late fees will be incurred by the customer if the request for an arrangement is made prior to the notice of disconnect date. Arrangements beyond the disconnect date, as allowed under Section 7.08.260, may be authorized by the general manager or designee. (Res. 1414, 2018)

7.08.250 Notice of disconnect to customers.
In the event the customer has not paid the past due balance by the notice of disconnect date or made satisfactory payment arrangements with the District, the District shall mail and/or deliver a notice of disconnect to the account address. Such notice shall contain the following language:
A. Payment amount due to avoid discontinuance of service.
B. Date payment is due to avoid discontinuance of service. (Res. 1414, 2018; Res. 1243, 2006; Res. 1110, 1995)
7.08.260 Customer’s rights.
   A. Informal Conference.
      1. A customer who is unable to pay any or all of his water bill due to temporary financial difficulties, or who disputes the amount of his bill, or whose service has been disconnected, shall have the right to an informal conference with a designated employee in the District’s commercial department.
      2. The procedure shall be informal. During normal business hours, the customer may confer by telephone or appear in person in the District’s office. The customer may be represented by counsel of his own choosing and shall be entitled to present his position to the District’s designated employee.
      3. In the case of a disputed bill, the designated commercial department employee shall have the authority to review and recommend adjustments concerning the amount of the bill. Decisions concerning final adjustment of a disputed bill shall be made by supervisory personnel designated by the manager.
      4. Customers with a bona fide temporary financial difficulty making full payment of a current bill impossible shall be entitled to arrange with the commercial department employee a reasonable and feasible deferred payment program. Such deferred payment program shall be based upon the amount of the delinquent account, duration of the delinquent account, credit history of the customer, and other extenuating circumstances. Such designated commercial department employee shall have the authority to make such deferred payment arrangements with the customer. However, the District shall not be required to enter into such arrangements with a customer who has not fully and satisfactorily complied with the terms of a previous payment arrangement.
   B. Appeal and Hearing.
      1. If a customer is not satisfied with the decision of the informal conference, he shall have the right of appeal to the District’s hearing officer.
      2. The District’s hearing officer or any deputy or assistant hearing officers shall be management level employees and shall be selected by the commission for the purpose of hearing appeals. Such individuals shall normally not be associated with the commercial department.
      3. Any appeal by a customer to the District’s hearing officer must be made within 48 hours following the informal conference decision, excluding weekends and holidays.
      4. Notice of appeal may be made in writing, in person to the District’s office, or by telephone.
      5. The hearing must take place during normal business hours at the District’s main office, and within seven days of the informal conference decision.
      6. The customer shall have the right to counsel and the right to examine the District’s records relating to his account. The customer shall present the nature of his appeal and whatever evidence he considers relevant.
      7. After the customer has presented his appeal, the appropriate District personnel shall present the District’s position. The hearing officer shall provide the customer with a written decision setting forth the nature of the customer’s appeal, the decision of the hearing officer, and the reasons for the decision. The written decision shall be sent to the customer by certified mail.
      8. The customer shall have three days, excluding weekends or holidays, following receipt of the written decision of the hearing officer to comply with the terms and conditions of the decision. (Res. 1243, 2006; Res. 1110, 1995)

7.08.270 Disconnection.
   If a customer fails to comply with the terms and conditions of the informal conference decision or the decision of the hearing officer within the prescribed time, or if the customer has not responded in any way to the District’s requests for payment, the District may disconnect the service without further notice to the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.08.280 Payment of less than total amount of bill.
   A. In the event a customer makes a payment of less than the total amount of the bill rendered, which bill includes any previous balance owing from present or prior premises, the District shall apply such payment first to the previous billing charges and the remainder, if any, to the current billing charges, unless otherwise agreed to by the District.
   B. Payments made by mail or other means after disconnection notice has been served shall not prevent disconnection of the delinquent account unless such payments are received at the District’s office prior to the date of the scheduled disconnection as stated on the disconnection notice or the written decision of the hearing officer.
   C. The District will accept advance payment for water service by a customer, and will provide a
regular statement to the customer indicating the status of the account.

D. Failure to receive a bill does not release a customer’s obligation for payment of water service or other appropriate charges. (Res. 1243, 2006; Res. 1110, 1995)

7.08.290 Customer insolvency – District action.

If the District believes a customer is insolvent, or in other financial difficulty, or is considering bankruptcy, appropriate action may be taken to secure payment of the current balance of the account. Such action may include a security deposit, a performance bond, or intermediate collections as the District’s manager feels necessary and reasonable under the circumstances. (Res. 1243, 2006; Res. 1110, 1995)

7.08.300 Means of collection.

The District may employ any and all reasonable methods for collecting unpaid accounts, including assignment to collection agencies or direct suit against the delinquent customer. (Res. 1243, 2006; Res. 1110, 1995)

7.08.310 Transfer of accounts.

A. The District may transfer to a customer’s existing account any unpaid charges for water service previously rendered to such customer at any location within the District’s service area.

B. The customer’s previous transferred balance shall be considered part of the customer’s current obligation to the District, regardless of the location where the previous charges were incurred.

C. The District, upon learning of an unpaid balance, shall notify the customer in writing of such unpaid balance, including the dates and location of the water service, the amount of the balance, the District’s policies concerning transfer of the balance, and the possibility of disconnection of water service.

D. The District may permit the customer to arrange for payment of the unpaid balance under the guidelines and procedures as outlined under Sections 7.08.240 through 7.08.300 of this chapter.

E. The District may exercise the option to refuse new service connections to customers indebted to the District for previous water service.

F. These provisions are also applicable to guarantors of others’ water service charges. (Res. 1243, 2006; Res. 1110, 1995)

7.08.320 Discontinuance of water service – Request by customer.

A. Notice for discontinuance of service by the customer must be given at the District’s office to an agent of the District at least 16 normal working hours prior to the time and date of such discontinuance.

B. Such notice shall be effective to terminate any obligation of the District to furnish water service to that customer or to maintain facilities after the effective date of such discontinuance.

C. The outgoing customer shall be held responsible for all water service supplied at the premises, up to the time of discontinuance, including other proper charges applicable by contract, agreement, or application of provisions of this title.

D. The District reserves the right to read the meter within five working days from the date of notification of discontinuance by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.08.330 Discontinuance of water service – Right of District.

A. The District shall have the right, at its option, to discontinue service to the customer for any of the following reasons:

1. Failure by the customer to make formal application for water service.

2. For nonpayment of bills, or any proper charges, fees, deposits, or service charges as provided in this title, or any special agreement or subsequent resolutions or agreements.

3. For the use of water for purposes or properties other than specified in the service application, service contract, rate schedules, or service policies.

4. For the intentional or unintentional diversion of water by the customer. In addition, the customer shall likewise be obligated to pay for the estimated water diverted around the meter at the appropriate rate and for the period of diversion as determined by the District.

5. For tampering with the District’s meter or other property.

6. For the unauthorized connection to the District’s system by the customer, occupant, or others.

7. For the refusal of reasonable access to premises by the agents or employees of the District for the purpose of reading meters, testing, inspecting, maintaining, and installing or removal of its facilities.

8. For use of equipment which adversely affects the District’s service to other customers.
9. Where the customer’s equipment does not meet District standards or fails to comply with applicable municipal and State codes.

10. Where any hazard exists endangering life, limb or property.

11. By order of the Washington State Departments of Health or Ecology or the Pacific County Health Department.

B. The option to discontinue water service for any of the above reasons may be exercised by the District whenever and as often as such default shall occur, and neither delay nor omission on the part of the District to exercise such option as to any default shall be deemed a waiver of its right to exercise the same at any future default except as provided below.

C. Every reasonable effort shall be made to notify a responsible party in advance of discontinuance, except in the case of hazard to life, limb, or property, fraudulent use of water service, unauthorized connection of service, theft or illegal diversion of water, tampering with the District’s property, order by the Washington State Departments of Health or Ecology, or the Pacific County Health Department, in which case the District may discontinue water service without notice.

D. Discontinuance of water service for nonpayment of bills or for other penalty reason shall not occur on a weekend, a holiday, or a day preceding a holiday.

E. The notice of disconnect (see Sections 7.08.240 through 7.08.300) shall be issued no less than five days after the billing date of any bill showing a past due balance, and shall be considered received by the customer upon personal delivery to the customer by an agent of the District or five calendar days following the mailing of the notice by first class mail to the account address.

F. Each customer receiving a notice of discontinuance of water service shall have a right to a hearing, with or without counsel, with the manager of the District or his appointed representative. Request for hearing shall be honored by the District if received by the District at least two working days prior to the effective date of such notice.

G. If water service is not discontinued within 10 working days of the disconnection date stated on the notice, and in the absence of other mutually acceptable arrangements, the disconnection notice shall become void. In such case, water service shall not be disconnected until issuance of an additional disconnect notice, providing for an additional 10-working-day period, has been repeated.

H. Discontinuance of water service does not necessarily constitute termination of any water service agreement or contract.

I. The District shall restore water service when the causes for discontinuance have been removed and payment for all proper charges due from the customer, including the reconnection charge, set forth in the title, or subsequent amendments to this title, has been made.

J. Termination of water service by the District for any of the above reasons shall not obligate the District for any loss or damage incurred by the customer as a result of such termination. (Res. 1414, 2018; Res. 1243, 2006; Res. 1110, 1995)

7.08.340 Seasonal service.

A seasonal service is any account that has been off for more than 120 days (four months).

A. The reconnection charge, as established under the fee schedule set out in Section 7.08.090, shall apply to all seasonal or intermittent service customers requesting a disconnect and a subsequent reconnect at the same premises.

B. The disconnection of a seasonal or intermittent service customer for nonpayment of bills or for noncompliance with the service policies or conditions of this title or subsequent amendments to this title shall not relieve the customer of any seasonal charge as established by the rate schedules.

C. Payment of the seasonal charge shall be in addition to the reconnection charge.

D. The reconnect charge for seasonal or intermittent service customers shall not apply to rental units where the landlord has made arrangements to assume responsibility for payment or continuity of service.

E. Prior to reconnection of a seasonal or intermittent service account, all delinquent charges, reconnect charges and seasonal charges must be paid. (Res. 1243, 2006; Res. 1110, 1995)
Chapter 7.12

CUSTOMER RESPONSIBILITIES

Sections:
7.12.010 Access to District property.
7.12.050 Notice of trouble.
7.12.060 Water standards – Compliance required.
7.12.070 Refusal of service.

7.12.010 Access to District property.
A. The District, through its authorized employees, shall be granted all necessary rights-of-way and easements over the property of the customer, and have the right of access to customer’s premises as reasonably required for the purpose of reading meters, testing, inspecting, maintaining, installing or removing any District equipment located thereon.
B. The District has the right to require a documented easement over the customer’s property whenever main line equipment is installed to serve the customer.
C. If any District equipment is located within a locked enclosure on the customer’s premises, the District shall be furnished a key for access.
D. Should the customer construct or place permanent structures over, across, or under the District’s facilities after their original installation, such that such structure(s) obstruct the District’s ability to maintain its facilities, the customer shall be responsible for the cost to relocate said District facilities.
E. The District may assess a meter reading charge as provided under Section 7.08.210 and the fee schedule of this title or any subsequent resolution. (Res. 1243, 2006; Res. 1110, 1995)

A. The customer shall provide a space for and exercise due care and precaution to prevent damage to any District property located on the premises, including metering equipment, or any other equipment that may be installed and owned by the District.
B. In the event District property is damaged by a customer, the District will hold the customer financially responsible for such damages and the repair or replacement thereof. (Res. 1243, 2006; Res. 1110, 1995)
7.12.050 Notice of trouble.

A. It shall be the responsibility of the customer to notify the District in the event that service is interrupted, is not satisfactory, or any hazardous condition is known to exist on the premises of the customer.

B. If the customer’s water service fails, he shall endeavor to determine if the trouble is in his own equipment.

C. If, at the customer’s request, a troubleshooter is dispatched after regular working hours, and the trouble is found to be in the customer’s equipment, the customer shall be responsible for payment to the District for any cost incurred by the District. (Res. 1243, 2006; Res. 1110, 1995)

7.12.060 Water standards – Compliance required.

A. The customer is responsible for compliance with the latest edition of all State, county, and municipal water codes for the equipment and installation on his premises.

B. In addition, the customer must comply with all District water standards not covered by code or exceeding the present code standards.

C. The District shall have the right, but shall not be obligated, to inspect the customer’s water installation before service is connected, or if the District suspects a problem exists, it may inspect the water installation at any time after service is connected.

D. Such inspections, or failures to inspect, shall not render the District liable or responsible for any loss or damage resulting from defects in the installation. (Res. 1243, 2006; Res. 1110, 1995)

7.12.070 Refusal of service.

The District may refuse service or disconnect existing service to an applicant or customer if he has not complied with the provisions of customer responsibilities set out in this chapter, or if he has not complied with all applicable codes and standards governing the water installation. (Res. 1243, 2006; Res. 1110, 1995)

Chapter 7.16

DISTRICT RESPONSIBILITIES

Sections:
7.16.010 Continuity of service.
7.16.040 Metering.

7.16.010 Continuity of service.

The District shall exercise reasonable diligence and care to provide an adequate supply of uninterrupted water service; however, such water service may be subject to interruption, fluctuation, suspension or curtailment. The District assumes no liability for any loss or damage (personal and/or property) if such interruption, fluctuation, suspension or curtailment is caused by any of the following:

A. Unscheduled Interruption. Interruption of water service beyond the District’s reasonable control, including but not limited to wind, acts of the elements or God, flood, fire, injunction of the court, government order, labor dispute, strike, insurrection or riot, equipment failure on the District’s system, and acts or omissions of third parties.

B. Scheduled Interruption.

1. Interruption of water service at the District’s discretion for the purpose of making repairs, additions, or improvements to the system or for the purpose of correcting an immediate hazardous condition on the system.

2. Such scheduled interruptions when practicable shall have previous notice given (either verbally or written) to the customers involved and the work shall be prosecuted with diligence and, insofar as feasible, at such times as will cause the least inconvenience to the customer.

C. Automatic Interruption. The District reserves the right at any time, without notice, to shut off the water supply for repairs, extensions, nonpayment of bills, or any other reason, and the District shall not be responsible nor liable for any damage such as bursting of boilers supplied by direct pressure; the breaking of any pipes or fixtures; stoppage or interruption of water supply or any other damage resulting from the shutting off of water. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 17, 1954)

7.16.040 Metering.

A. The District shall own, install, and maintain all meters and associated metering equipment nec-
necessary for the proper measurement of the quantity of water used by the customer.

B. The District shall maintain accurate accounts of all meter readings for billing purposes and the water consumption delivered as evidenced by each such account shall, in the absence of proved error, be prima facie evidence of the use of such water service by the customer, and shall be the basis for computing all bills.

C. The District will, at its own expense, make periodic tests and inspections of its meters to ensure a high standard of accuracy. The District will make additional tests or inspections of its meters at the request of the customer. If tests made at the customer’s request determine that the meter is within an accuracy of plus or minus (fast or slow) three percent, no adjustment will be made in the customer’s bill and a meter test charge, according to the District’s fee schedule, will be made.

D. If the test determines that the meter accuracy is in excess of the plus (fast) three percent, an adjustment shall be made in the customer’s previous two billings and there will be no meter test charge.

E. Should the customer desire the installation of additional meters other than those deemed necessary by the District to adequately measure the quantity of water consumption used by the customer, such additional meters and metering equipment shall be installed and maintained by the customer at no cost to the District. (Res. 1243, 2006; Res. 1110, 1995)
nor between any District service connection and pipes supplying water from any other source.

D. Where there is a water main adjacent to any premises, the owner of each house thereon supplied by District water must install a separate service connection with the District main, and the premises so supplied will not be allowed to supply water to any other premises except temporarily, with the consent of the District, where there are no available mains in the street. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 9, 1954)

7.20.020 Authorized service connection required.

No person other than the manager or duly authorized employee of the District acting under the authority of the manager shall connect any house or premises with the District’s water system for the purpose of securing water service therefrom or for any other purpose whatever. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 8, 1954)

7.20.030 Point of delivery.

The point of delivery is that point on the customer’s side of the meter where his water pipe is connected to the District’s supply and is located at the customer’s property line or other agreed location. All facilities located from point of delivery and beyond shall be owned and maintained by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.20.040 Meter sizes.

All meter sizes referred to in these regulations shall be as defined according to the American Water Works Association (AWWA) publication, “Standard for Cold Water Meter – Displacement Type (AWWA Publication C700-77).” The dimensional design data for meter sizing and connections is as shown in Table No. 2 of the referenced publication C700-77. (Res. 1243, 2006; Res. 1110, 1995)

7.20.050 Services.

The cost of a service connection is covered in Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules.

Additional costs for service may be required if the service will be connected to a main previously constructed under the District’s line extension policy. See Chapter 7.24, Extension of Facilities.

A. The District will meet or exceed the 30 psi minimum pressure at the meter under normal operating conditions requirement under Chapter 246-290 WAC. It is preferable that water services not be over 200 feet from the meter to the point of use in order to maintain adequate pressure. Services over 200 feet in length are permitted; however, the District will not guarantee adequate pressure for these services. The customer’s service pipe shall be at a minimum depth of 24 inches below finished grade. The water service pipe shall be installed at a location mutually agreeable to the District and the customer. The District will install the meter and meter box to which the customer will connect his service.

There shall be no cross-connections between the District’s service and any other source of water such as a private well, irrigation system or any other water system. See Section 7.20.080.

B. The ownership of all main extensions, service pipes and appurtenant equipment maintained by the District shall be vested in the District, and in no case shall the owner of any premises have the right to claim or reclaim any part thereof unless otherwise provided in this chapter.

C. Whenever pipes connected with a District service connection are to be used as a part of a lawn and shrubbery sprinkling system exclusively, such pipes may at the option and sole risk of the property owner be laid less than two feet below the surface of the ground. Property owners shall be required to install a separate control valve on each branch pipe which may be laid from regular domestic supply pipes to the lawn and shrubbery sprinkling system.

D. Sprinkling systems of this nature shall be constructed in such manner that all pipes and fittings connected therewith can be thoroughly drained when their seasonal use has been discontinued. (Res. 1243, 2006; Res. 1110, 1195; Res. 413 § 10, 1954)

7.20.070 Temporary service.

Customers requiring service classified by the District as temporary shall be required to pay all costs incurred by the District for connection and disconnection of such service. (Res. 1243, 2006; Res. 1110, 1995)

7.20.080 Customer’s responsibility to prevent backflow.

Present State and federal laws provide that there shall be no cross-connection, open or potential, between a system furnishing potable water and a system furnishing nonpotable water or other systems that could potentially contaminate the District’s system. Construction shall be such as to prevent backflow of contaminated water or other
7.20.090  

Customer caused system disturbances.

Water service shall not be utilized in such a manner as to cause severe disturbances or pressure fluctuations to other customers of the District. The District reserves the right to refuse to render service to any customer or applicant for service, when such service will interfere with the District’s service to its other customers or which will cause abnormal demands upon the District’s system, or which if served, will result in financial loss to the District, or which would be discriminatory, or where the customer or applicant has not complied with the regulations of the District or any governmental body concerning the rendition of service. Suitable protective devices shall be required, in accordance with Washington State law, whenever or wherever the District finds such devices necessary to protect the customer’s property, the property of other customers, or the property of the District. Where equipment causing violent fluctuations in water demand is to be used, the District shall require the customer to provide at his own expense, equipment which will reasonably limit such fluctuations. If the steps to correct the disturbances or pressure fluctuations are not taken by the customer within 48 hours after notification of such disturbances or fluctuations by the District, the District may disconnect the customer’s service. (Res. 1243, 2006; Res. 1110, 1995)

7.20.100  

Repair of service pipes and connections.

The service pipes, connections and other apparatus within any private premises must be kept in good repair and protected from freezing at the expense of the owner or lessee who shall be responsible for all damages to District property resulting from leaks and breaks. In case of neglect, to promptly repair any service or fixtures, or make any changes or alterations required by this chapter, within 48 hours after notification is given to the owner or tenant of the premises, the District shall have the right to discontinue water service. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 18, 1954)

7.20.110  

Customer water supply failure.

If the customer’s water service fails, he shall endeavor to determine if he has a broken water service line or a broken pipe inside or under the house. If a water serviceman is sent to the customer’s premises at the customer’s request after regular working hours, and it is determined that the problem is caused by failure of the customer’s line or equipment, a charge will be made. A main shut-off valve is required to be installed by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.20.115  

Adjustment for excess water use.

In the event of excess water usage due to leaks on any water lines and/or connections that are the responsibility of the customer, the District shall charge the water user for one-half of the excess water recorded. The amount of excess water used is calculated by subtracting the average consumption of the two immediately past reading periods. The customer will be charged the past average amount plus one-half of the excess water use, according to the current fee and rate schedules. The adjustment is limited to one per each 12 months from the date of request to adjust; provided, that all leaks on the premises shall have been immediately repaired upon the customer or District discovering said leaks. All requests must be made in writing on a District-provided form. (Res. 1243, 2006)

7.20.120  

Changes in service.

A. When new buildings are to be erected on the site of old ones, and it is desired to increase the size or change the location of the old service connection, or where a service connection to any premises is abandoned for a period of one year or its use no longer desired, the District may cut out and remove such service connection, after which, should a service connection be required to such premises, a
new service shall be placed only upon application of the occupant and upon payment for a new tap in the manner provided for new services.

B. When service connection to any premises does not exceed three-fourths of an inch in size and the same does not directly connect with a main adjacent to such premises, after notice to the owner or tenant thereof, the District will transfer the service connection to the new main without charge and at the same time cut out the old service connection. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 15, 1954)

7.20.130 Unlawful use of water.

It is unlawful for any person to wilfully allow water to be wasted by imperfect or leaking stops, valves, pipes, closets, faucets or other fixtures, or to use water closets without self-closing valves, or to use the water for purposes other than those named in the application upon which rates for water are based, or for any other purposes than that for which his contract provides. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 20, 1954)

7.20.140 Water supply to additional premises prohibited.

It is unlawful for any person whose premises are supplied with water to furnish water to other premises or users unless he shall first make application in writing to do so at the office of the District and obtain permission therefor. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 13, 1954)

7.20.150 Charges for additional premises connection without permission.

When additional premises are connected without permission of the District as prescribed in Section 7.20.140, such premises may be charged at double the rate for the time they are connected and such service may be shut off by the District without notice and a charge, as provided for in the District’s fee schedule, for shutting off and turning on such service. In case water shall be turned off as provided in this section, the same shall not be turned on again until all rates and charges against such premises have been paid in full. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 14, 1954)

7.20.160 Protection of meters.

Whenever a meter is to be or has been installed within any portion of a street, alley or private property, suitable bases, supports or barriers shall be installed as will reasonably secure the meter and pipes connected therewith against any damage from strain or settlement. The cost of the erection of such bases, supports and barriers shall be paid by the customer for whom the meter was installed. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 21, 1954)

7.20.170 Damage to meters by hot water.

A. The cost of repairs to any meter damaged by hot water shall be charged to the consumer for whom such meter was installed. The deformation or warp of a metered disc or register figured disc of any meter shall be held to be prima facie evidence of such damage having been caused by the action of the heat.

B. The District shall have the right to order the installation of check and temperature relief valves on services where it is found necessary to protect the meter from hot water. The number, location and type of valves to be used shall be fixed and approved by the District. The District shall have the right to discontinue water service if the installation of check and temperature relief valves shall not have been made within 10 days after written notice was given to the owner or tenant of the premises. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 20, 1954)

7.20.180 Automatic meter reading.

The District shall, at its option, be allowed to install and utilize automatic meter reading systems. These systems will provide meter readings at a location that is remote from the meter. (Res. 1243, 2006; Res. 1110, 1995)

7.20.190 Sprinkling.

The District reserves the right to regulate at all times the hours when consumers will be permitted to use District water for purposes of lawn sprinkling or other irrigation. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 25, 1954)
Chapter 7.24

EXTENSION OF FACILITIES

Sections:
7.24.010 Conditions for service.
7.24.020 Line extension definition.
7.24.030 Line extension expenditures.
7.24.040 Main line and facility extensions.
7.24.050 Driveway interference.
7.24.060 Unlawful connection to main.
7.24.070 Methods of construction.
7.24.080 Line extension requirements for installations made by a contractor hired by a customer.

7.24.010 Conditions for service.
A. In order to be served by the District’s water system, the customer’s property must lie adjacent to the District’s main line. The cost to provide a connection to the main line and install up to 20 feet of pipe, stop cock valve and meter is paid by the customer as a service connection fee. The rates are shown in Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules.
B. If the customer’s property lies remote from the District’s system or if the line to the customer’s property is not adequately sized (as deemed necessary by the District) to provide the required service to the customer, the customer shall be required to extend the District’s main line to his property and pay for all costs associated with the line extension. (Res. 1243, 2006; Res. 1110, 1995)

7.24.020 Line extension definition.
A line extension is defined as an increase in the size and/or length of the District’s existing water mains required to serve a customer’s property located within the District’s applicable water system service area. Line extensions are necessary to provide water service to new and existing homes, farms, businesses and industries within Pacific County. All line extensions are subject to engineering and financial feasibility analysis by the District and are evaluated consistent with prudent engineering and business practices to provide efficient service to the customer. All costs required for the construction of the line extension will be paid by the customer(s) requesting the extension. The terms and conditions for line extensions are outlined in this title. Upon completion and acceptance of construction, the District will be the sole owner of all line extension facilities. (Res. 1243, 2006; Res. 1110, 1995)

7.24.030 Line extension expenditures.
A. Expenditures for line extensions will be estimated as accurately as possible by the District’s engineers. If it is determined after actual construction that the final costs differ by more than plus or minus 10 percent of the initial estimate or $120.00, whichever is the greater, the District will adjust the contract accordingly.
B. Estimates for line extensions shall include, but not be limited to, the costs of water line, unions, tees, valves, saddles, splices, permits, labor, excavation, restoration, right-of-way, clearing, easements, and engineering and legal costs.
C. Estimates for line extensions shall be valid for a period of 90 days after notification to applicant.
D. The District will endeavor to utilize current average or uniform costs of equipment and labor when establishing the estimate of the line extension.
E. The District, by action of the commission, may from time to time modify existing line extension policies or adopt new line extension policies. These line extension policies shall include, but not be limited to, fixed charges, temporary service charges, seasonal charges and customer contributions.
F. Such line extension policy statements shall be available to applicants or customers upon request and shall be on file in District offices. (Res. 1243, 2006; Res. 1110, 1995)

7.24.040 Main line and facility extensions.
A. The District shall extend its lines and facilities to provide water service to customers within its service area in accordance with the policies of this title and subsequent resolutions.
B. Main line and facility extensions must be physically and economically feasible in the opinion of the District. Main line and facility extensions of excessive expense or of extreme difficulty to install and maintain will not be considered by the District.
C. Prior to construction, installation, modification, or expansion of District facilities, the following conditions, if applicable, shall be met:
   1. Contractual agreements specifying the terms and conditions for water service shall be executed and accepted by the District.
   2. Contributions to construction payment and special conditions relating to the installation of water facilities by the District shall be concluded and accepted by the District.
3. Easements for right-of-way and/or clearing permits satisfactory to the District for construction and maintenance of the facilities shall be provided without cost to the District.

4. Property descriptions, plat maps, surveys or other drawings showing lots, streets, alleys, utility easements and corridors, and/or buildings and proposed facilities shall be provided without cost to the District.

5. The right-of-way shall be cleared along the proposed route of the service extension, and roadways shall be brought to subgrade (if necessary) to District satisfaction.

6. Plats and developments must have all rights-of-way and lot boundaries surveyed and monumented prior to installation of facilities.

D. The District shall have the right, within the provisions of the line extension policies of this title or subsequent resolutions or within the provisions of any contractual agreements, to connect additional customers to District facilities constructed under line extension contract.

E. For a main line extension to a point where the District cannot obtain a permanent right-of-way or easement, the District will terminate the line extension at or near the last point at which the District can obtain such right-of-way or easement. The applicant or customer will be responsible for all facilities beyond this point which shall be considered the point of delivery.

F. Line extensions, not coming within the scope of the District’s line extension policies or rate schedules, may be provided under special contract and shall be approved by the commission. (Res. 1243, 2006; Res. 1110, 1995)

7.24.050 Driveway interference.

Whenever a driveway to be used for vehicular traffic shall be constructed on any portion of the property served, in such manner as to interfere with the District’s connections, the District shall effect the removal and relocation of any water service connection or any part thereof which may be within the lines of such driveway; provided, however, that instead of removal the District may, if it deems it advisable, cause the construction and placing of an iron masonry box or chamber of sufficient strength to stand the stress of vehicular traffic. The cost of removal, relocation or maintenance of water service connections as provided in this section shall be paid by the person for whom the driveway was constructed. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 22, 1954)

7.24.060 Unlawful connection to main.

It is unlawful for any person to attach or detach from any water main any service pipe or other connection through which water is supplied by the District or to interfere in any manner with such pipes or connections without first having obtained the written consent of the District. (Res. 1243, 2006; Res. 1110, 1995; Res. 413 § 26, 1954)

7.24.070 Methods of construction.

Where a line extension is required, the customer may obtain the extension by one of the following methods, subject to the terms and conditions of these water regulations:

A. Upon the District’s approval of the design of the proposed line extension, the property owner can have the line constructed by the District. A cost estimate of the proposed project will be made by the District. The customer will be required to deposit, with the District, an amount equal to this estimate. Upon completion of the extension the customer will be either refunded or billed for the difference based on the actual completed costs of the project as allowed for under Section 7.24.030. The property owner will be required to pay the District the amount required to cover all expenses such as those involved with engineering and inspection and in securing easements, permits, etc. Upon completion of construction, the property owner will be required to provide the District with a bill of sale transferring ownership of the line extension to the District.

B. Upon the District’s approval of the design of the proposed line extension, the property owner can hire a qualified licensed contractor approved by the District to perform the work. The property owner will also be required to pay the District the amount required to cover all expenses such as those involved with engineering and inspection and in securing easements, permits, etc. Upon completion of construction, the owner will be required to provide the District with an appropriate instrument transferring ownership of the line extension. (Res. 1243, 2006; Res. 1110, 1995)

7.24.080 Line extension requirements for installations made by a contractor hired by a customer.

A. The customer must present a plot plan to the District showing the location of all lots, utilities, roadways, etc., and the details of proposed construction and buildings to be served.

B. The District will lay out on the plot plan the location of all pipes, fittings and appurtenances...
necessary to serve the area and will prepare a set of specifications and will inspect all work.

C. The contractor and property owner shall furnish a list of all materials to be used, which must comply with the District standards including manufacturer’s name, catalog number and sizes, and shall receive approval from the District before proceeding with any work.

D. Permits, such as easements, railroad crossings, county road crossings, or State road crossings, will be obtained by the District, and any expense incurred will be charged to the contractor or property owner.

E. The property owner or contractor shall furnish to the District a surety bond in an amount acceptable to the District. Such a bond shall guarantee the faithful performance of the work under such permits and the replacement of all defective material and workmanship discovered within one year. A two-year bond will be required for construction occurring between November 1st and April 1st.

F. The contractor or property owner shall agree to indemnify, defend, pay on behalf of, and to hold the District harmless from any and all claims or liability for damages arising from acts done in performance of the work to the extent that such claim or liability does not arise from the sole negligence of the District. Prior to commencing work, the contractor shall purchase the following minimum amounts and limits of insurance coverage and furnish the District with certificates of insurance for this coverage. The District reserves the right to increase limits and amounts of insurance required based on risks of the project.

1. Comprehensive general liability written on an occurrence form with broad form property damage, broad form contractual, and completed operations; owners and contractors protective; explosion, collapse and underground (XCU) coverage.
   a. Bodily injury liability: $500,000 each person; $500,000 each occurrence;
   b. Property damage liability: $500,000 each occurrence; or
   c. Combined single limit: $1,000,000 each occurrence.

2. Automobile liability written on an occurrence form covering “any auto”:
   a. Bodily injury liability: $500,000 each person; $500,000 each occurrence.
   b. Property damage liability: $500,000 each occurrence.

3. Worker’s compensation and employer’s liability for the contractor and subcontractors.

G. As-built drawings shall be furnished to the District. They must show locations of all mains, valves, hydrants, fittings and/or all lines, manholes, wyes and clean-outs, giving sizes and types of each. The drawings shall also show exact distances of mains from property lines.

H. Upon completion of the work, a “bill of sale” must be given to the District for all material used in the main extension. The “bill of sale” will be prepared by the District upon receipt of a list and cost of the material.

I. Unless otherwise approved, all connections of a line to the existing line must be made by District crews with material supplied by the property owner or contractor or the District. Payment must be made in advance for all labor and materials supplied by the District as described under the fee schedule.

J. When all conditions in the opinion of the District as herein set forth are met, the District will then accept applications for service for the new line extension. (Res. 1243, 2006; Res. 1110, 1995)
Chapter 7.28
SERVICE EXTENSION POLICIES

Sections:

Article I. Single Residences

7.28.005 Generally.
7.28.010 Availability.
7.28.015 Application for service.
7.28.020 Fees.
7.28.025 Point of delivery.
7.28.030 District facilities.
7.28.035 Applicant or customer facilities.
7.28.040 Compliance.
7.28.045 Subsequent customer additions.
7.28.055 Contract provisions.
7.28.060 Customer aid to construction.

Article II. Apartment Buildings, Multiple Residences and Condominiums

7.28.065 Generally.
7.28.070 Availability.
7.28.075 Application for service.
7.28.080 Fees.
7.28.085 Point of delivery.
7.28.090 District facilities.
7.28.095 Applicant or customer facilities.
7.28.100 Compliance.
7.28.105 Subsequent customer additions.
7.28.115 Contract provisions.
7.28.120 Customer aid to construction.

Article III. Mobile Home Parks

7.28.125 Generally.
7.28.130 Availability.
7.28.135 Application for service.
7.28.140 Fees.
7.28.145 Point of delivery.
7.28.150 District facilities.
7.28.155 Applicant or customer facilities.
7.28.160 Compliance.
7.28.165 Subsequent customer additions.
7.28.175 Contract provisions.
7.28.180 Customer aid to construction.

Article IV. Commercial and General Facilities

7.28.185 Generally.
7.28.190 Availability.
7.28.195 Application for service.
7.28.200 Fees.
7.28.205 Point of delivery.
7.28.210 District facilities.
7.28.215 Applicant or customer facilities.
7.28.220 Compliance.
7.28.225 Subsequent customer additions.
7.28.235 Contract provisions.
7.28.240 Customer aid to construction.

Article V. Industrial Facilities

7.28.245 Generally.
7.28.250 Availability.
7.28.255 Application for service.
7.28.260 Fees.
7.28.265 Point of delivery.
7.28.270 District facilities.
7.28.275 Applicant or customer facilities.
7.28.280 Compliance.
7.28.285 Subsequent customer additions.
7.28.295 Contract provisions.
7.28.300 Customer aid to construction.

Article VI. Irrigation and Pumping Facilities

7.28.305 Generally.
7.28.310 Availability.
7.28.315 Repealed.

Article VII. Camping Clubs, Campgrounds, Parks and Overnight Travel Trailer Facilities

7.28.365 Generally.
7.28.370 Availability.
7.28.375 Application for service.
7.28.380 Fees.
7.28.385 Point of delivery.
7.28.390 District facilities.
7.28.395 Applicant or customer facilities.
7.28.400 Compliance.
7.28.405 Subsequent customer additions.
7.28.415 Contract provisions.
7.28.420 Customer aid to construction.

Article VIII. Moorage and Port Facilities

7.28.425 Generally.
7.28.430 Availability.
7.28.435 Application for service.
7.28.440 Fees.
7.28.445 Point of delivery.
7.28.450 District facilities.
7.28.455 Applicant or customer facilities.
7.28.005 Generally.

It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extensions set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.010 Availability.

This line extension policy applies to permanent single residential structures or to mobile homes, or to individual travel trailer/recreational vehicle units. (Res. 1243, 2006; Res. 1110, 1995)

7.28.015 Application for service.

A. The applicant for water service must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:

1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Service line size;
5. Name of water contractor;
6. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.020 Fees.

All applicants for water service shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.025 Point of delivery.

A. The point of delivery shall be that point where the District’s owned and maintained serving facilities connect to the customer’s owned and maintained service line.

B. In no case shall there be more than one point of delivery to any premises or building.

C. The point of delivery is that point on the customer’s side of the meter where his water pipe is connected to the District’s supply and is located at the customer’s property line or other agreed location. All facilities located from point of delivery and beyond shall be owned and maintained by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.28.030 District facilities.

A. The District shall design, install, own and maintain all water lines and facilities on the District’s side of the point of delivery.

B. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010. (Res. 1243, 2006; Res. 1110, 1995)

7.28.035 Applicant or customer facilities.

A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.

B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.

C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before
water is made available. (Res. 1243, 2006; Res. 1110, 1995)

7.28.040 Compliance.
A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title or subsequent resolutions codified in this title, prior to the installation of line extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the main line extension facilities, or in the case where water service is being delivered, the District may discontinue such service. (Res. 1243, 2006; Res. 1110, 1995)

7.28.045 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the line extension policy set out in this article.
B. Customers receiving water service under the line extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1243, 2006; Res. 1110, 1995)

7.28.055 Contract provisions.
The District will install line extension facilities according to the following terms:
A. A main line extension will be required only if a customer’s new service is not located adjacent to the District’s existing main line or if a customer’s service line is longer than 200 feet from the main line.
B. The District’s standard line extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
C. The District will install main line extension facilities to a residence site only after the applicant has paid the estimated cost to serve and all other applicable fees as discussed in Section 7.28.020, shown on the fee schedule in Chapter 7.32, and the rate schedule in Chapter 7.34.
D. Where two or more single residences are built consecutively in a group and are served by a single line extension, the total costs may be divided equally between the residences.
E. If additional District facilities are limited to a water line of 20 feet in length or less, a stop cock valve, a meter and facilities to tap the main line, the total costs will be as listed in Chapter 7.08, the fee schedule in Chapter 7.32, or the rate schedule in Chapter 7.34. In such a case, a line extension and the requirements of this section are not needed.
F. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 7.24.030. This difference may be billed or refunded.
G. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial water service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
H. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the water service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1243, 2006; Res. 1110, 1995)

7.28.060 Customer aid to construction.
A. An applicant may reduce the cost of a line extension performed by the District by providing any clearing and/or trenching and backfilling in accordance with the District specifications.
B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or repre-
sentative of the District for any purpose. (Res. 1243, 2006; Res. 1110, 1995)

Article II. Apartment Buildings, Multiple Residences and Condominiums

7.28.065 Generally.

It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extensions set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.070 Availability.

This line extension policy applies to apartment, multiple residence and condominium buildings. Each building must have two or more individual living units. Each living unit may be individually metered or all units off one meter under the policy set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.075 Application for service.

A. The applicant for water service must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:

1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Service line(s) size;
5. Name of water contractor;
6. Approximate date service is required;
7. Plot plan drawings of the proposed site and construction.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.080 Fees.

All applicants for water service shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.085 Point of delivery.

A. The point of delivery shall be that point where the District’s owned and maintained serving facilities connect to the customer’s owned and maintained service line.

B. In no case shall there be more than one point of delivery to any premises or building, except by special permission of the District.

C. The point of delivery is that point on the customer’s side of the meter where his water pipe is connected to the District’s supply and is located at the customer’s property line or other agreed location. All facilities located from point of delivery and beyond shall be owned and maintained by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.28.090 District facilities.

A. The District shall design, install, own and maintain all water lines and facilities on the District’s side of the point of delivery.

B. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010. (Res. 1243, 2006; Res. 1110, 1995)

7.28.095 Applicant or customer facilities.

A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.

B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.

C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before water is made available. (Res. 1243, 2006; Res. 1110, 1995)

7.28.100 Compliance.

A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title or subsequent resolutions codified in this title, prior to the installation of line extension facilities.

B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the main line extension facilities, or in the case where water service is being deliv-
7.28.105 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the line extension policy set out in this article.
B. Customers receiving water service under the line extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustment, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities.

7.28.115 Contract provisions.
The District will install water extension facilities according to the following terms:
A. A main line extension will be required only if a customer’s new service is not located adjacent to the District’s existing main line or if a customer’s service line is longer than 200 feet from the main line.
B. The District’s standard line extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
C. The District will install mainline extension facilities to a residence site only after the applicant has paid the estimated cost to serve and all other applicable fees as discussed in Section 7.28.020, shown on the fee schedule in Chapter 7.32, and the rate schedule in Chapter 7.34.
D. Where several apartment, multiple residence, or condominium buildings covered under policy are built consecutively in a group, and are served by a single line extension facility, the total costs may be divided equally between the units.
E. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 7.24.030. This difference may be billed or refunded.
F. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial water service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
G. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the water service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number.

7.28.120 Customer aid to construction.
A. An applicant may reduce the cost of a line extension performed by the District by providing any clearing and/or trenching and backfilling in accordance with the District specifications.
B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose.

Article III. Mobile Home Parks

7.28.125 Generally.
It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extension conditions set out in this article.

7.28.130 Availability.
This line extension policy applies to mobile home parks of two or more units either individually metered or all off one meter. The capacity of the water service of each unit shall be no less than a
three-quarter-inch line. (Res. 1243, 2006; Res. 1110, 1995)

7.28.135 Application for service.
A. The applicant for water service must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.
B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Service line(s) size;
   5. Name of water contractor;
   6. Approximate date service is required;
   7. Plot plan drawings of the proposed site.
C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.140 Fees.
All applicants for water service shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.145 Point of delivery.
A. The point of delivery shall be that point where the District’s owned and maintained serving facilities connect to the customer’s owned and maintained service line.
B. In no case shall there be more than one point of delivery to any premises or building.
C. The point of delivery is that point on the customer’s side of the meter where his water pipe is connected to the District’s supply and is located at the customer’s property line or other agreed location. All facilities located from point of delivery and beyond shall be owned and maintained by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.28.150 District facilities.
A. The District shall design, install, own and maintain all water lines and facilities on the District’s side of the point of delivery.
B. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010. (Res. 1243, 2006; Res. 1110, 1995)

7.28.155 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.
B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before water is made available. (Res. 1243, 2006; Res. 1110, 1995)

7.28.160 Compliance.
A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title, or subsequent resolutions codified in this title, prior to the installation of line extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the line extension facilities, or in the case where water service is being delivered, the District may discontinue such service. (Res. 1243, 2006; Res. 1110, 1995)

7.28.165 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the line extension policy set out in this article.
B. Customers receiving water service under the line extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1243, 2006; Res. 1110, 1995)

7.28.175 Contract provisions.

The District will install line extension facilities according to the following terms:

A. A main line extension will be required only if a customer’s new service is not located adjacent to the District’s existing main line or if a customer’s service line is longer than 200 feet from the main line.

B. The District’s standard line extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.

C. Payment of the estimated line extension cost and all other applicable fees must be received by the District prior to installation of facilities.

D. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 7.24.030. This difference may be billed or refunded.

E. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial water service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

F. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the water service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1243, 2006; Res. 1110, 1995)

7.28.180 Customer aid to construction.

A. An applicant may reduce the cost of a line extension performed by the District by providing any clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1243, 2006; Res. 1110, 1995)

Article IV. Commercial and General Facilities

7.28.185 Generally.

It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extension conditions set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.190 Availability.

A. This service extension policy applies to permanent installations of a commercial or general nature including but not limited to commercial establishment facilities, municipal facilities, government facilities, State facilities, schools, churches, farm product processing facilities, small industrial facilities, and singly metered multiple residential units.

B. Any installation not specifically designated in the District’s other line extension policies shall be served under the policy set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.195 Application for service.

A. The applicant for water service must own, have a contract to purchase or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:

1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Service line size;
5. Name of water contractor;
6. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall...
provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.200 Fees.
All applicants for water service shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.205 Point of delivery.
A. The point of delivery shall be that point where the District’s owned and maintained serving facilities connect to the customer’s owned and maintained service line.
B. In no case shall there be more than one point of delivery to any premises or building.
C. The point of delivery is that point on the customer’s side of the meter where his water pipe is connected to the District’s supply and is located at the customer’s property line or other agreed location. All facilities located from point of delivery and beyond shall be owned and maintained by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.28.210 District facilities.
A. The District shall design, install, own and maintain all water lines and facilities on the District’s side of the point of delivery.
B. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010. (Res. 1243, 2006; Res. 1110, 1995)

7.28.215 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.
B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before water is made available. (Res. 1243, 2006; Res. 1110, 1995)

7.28.220 Compliance.
A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title, or subsequent resolutions codified in this title, prior to the installation of line extension facilities.
B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the line extension facilities, or in the case where water service is being delivered, the District may discontinue such service. (Res. 1243, 2006; Res. 1110, 1995)

7.28.225 Subsequent customer additions.
A. The District shall have the right to connect additional customers to District facilities constructed under the line extension policy set out in this article.
B. Customers receiving water service under the line extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.
C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.
D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1243, 2006; Res. 1110, 1995)

7.28.235 Contract provisions.
The District will install line extension facilities according to the following terms:
A. A main line extension will be required only if a customer’s new service is not located adjacent to the District’s existing main line or if a customer’s service line is longer than 200 feet from the main line.
B. The District’s standard line extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
C. Payment of the estimated line extension cost and all other applicable fees must be received by the District prior to installation of facilities.
D. Where two or more unit installations covered under this policy are built consecutively in a group, and are served by a single line extension, the total costs may be divided equally between the units.
E. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision.
based on the changes in the job and as covered in Section 7.24.030. This difference may be billed or refunded.

F. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial water service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

G. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the water service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1243, 2006; Res. 1110, 1995)

7.28.240 Customer aid to construction.

A. An applicant may reduce the cost of a line extension performed by the District by providing any clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1243, 2006; Res. 1110, 1995)

Article V. Industrial Facilities

7.28.245 Generally.

It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extension conditions set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.250 Availability.

This line extension policy applies to permanent industrial sites and/or complexes. (Res. 1243, 2006; Res. 1110, 1995)

7.28.255 Application for service.

A. The applicant for water service must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Service line size;
   5. Name of water contractor;
   6. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.260 Fees.

All applicants for water service shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.265 Point of delivery.

A. The point of delivery shall be that point where the District’s owned and maintained serving facilities connect to the customer’s owned and maintained service line.

B. The point of delivery for water service under the policy set out in this article shall be located at a point on the premises of the customer as agreed upon by both parties and as specified in the service contract.

C. Generally, the point of delivery shall be at the customer’s property line.

D. Two points of delivery may be supplied by the District where a water loop feed is desired by the customer. Such arrangements shall be by special contract. (Res. 1243, 2006; Res. 1110, 1995)
7.28.270 District facilities.
   A. The District shall design, install, own and maintain all water lines and facilities on the District’s side of the point of delivery.
   B. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010. (Res. 1243, 2006; Res. 1110, 1995)

7.28.275 Applicant or customer facilities.
   A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.
   B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.
   C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before water is made available. (Res. 1243, 2006; Res. 1110, 1995)

7.28.280 Compliance.
   A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title, or subsequent resolutions codified in this title, prior to the installation of line extension facilities.
   B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the line extension facilities, or in the case where water service is being delivered, the District may discontinue such service. (Res. 1243, 2006; Res. 1110, 1995)

7.28.285 Subsequent customer additions.
   The District shall have the right to connect additional customers to District facilities constructed under the line extension policy set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.295 Contract provisions.
   The District will install line extension facilities according to the following terms:
   A. The District’s standard line extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.
   B. The District will install main line extension facilities to an industrial site only after the applicant has paid the estimated cost to serve.
   C. The District will require a special contract agreement between the District and the applicant or customer for water under the policy set out in this article.
   D. Such contract shall define the following terms of the agreement:
      1. Length of the agreement;
      2. Termination of the agreement;
      3. Payment of extension costs;
      4. Ownership of the facilities;
      5. Maintenance of the facilities;
      6. Renewal of the agreement.
   E. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 7.24.030. This difference may be billed or refunded.
   F. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial water service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.
   G. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the water service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1243, 2006; Res. 1110, 1995)

7.28.300 Customer aid to construction.
   A. An applicant may reduce the cost of a line extension performed by the District by providing clearing, and/or trenching and backfilling, in accordance with the District specifications.
   B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or repre-
Article VI. Irrigation and Pumping Facilities

7.28.305 Generally.
It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such service extensions are feasible and comply with the line extension conditions set out in this chapter. (Res. 1243, 2006; Res. 1110, 1995)

7.28.310 Availability.
A. The District does not supply water for nor have a line extension policy that applies to irrigation and pumping facilities to be used in conjunction with farming and/or crop production.
B. Municipal pump plants for sewage systems shall be considered under Article IV of this chapter. (Res. 1243, 2006; Res. 1110, 1995)

7.28.315 Application for service.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.320 Fees.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.325 Point of delivery.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.330 District facilities.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.335 Applicant or customer facilities.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.340 Compliance.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.345 Subsequent customer additions.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.355 Contract provisions.
Repealed by Res. 1243. (Res. 1110, 1995)

7.28.360 Customer aid to construction.
Repealed by Res. 1243. (Res. 1110, 1995)

Article VII. Camping Clubs, Campgrounds, Parks and Overnight Travel Trailer Facilities

7.28.365 Generally.
It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extension conditions set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.370 Availability.
This line extension policy applies to camping clubs, campgrounds, parks, and overnight travel trailer facilities. (Res. 1243, 2006; Res. 1110, 1995)

7.28.375 Application for service.
A. The applicant for water service must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.
B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location of the premises, including physical and legal, to be served;
   3. Type of premises to be served;
   4. Service line size;
   5. Name of water contractor;
   6. Approximate date service is required;
   7. Plot plan drawings of the proposed site and construction.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.380 Fees.
All applicants for water service shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.385 Point of delivery.
A. The point of delivery shall be that point where the District’s owned and maintained serving
facilities connect to the customer’s owned and maintained service line.

B. In no case shall there be more than one point of delivery to any premises or building.

C. The point of delivery is that point on the customer’s side of the meter where his water pipe is connected to the District’s supply and is located at the customer’s property line or other agreed location. All facilities located from point of delivery and beyond shall be owned and maintained by the customer. (Res. 1243, 2006; Res. 1110, 1995)

7.28.390 District facilities.

A. The District shall design, install, own and maintain all water lines and facilities on the District’s side of the point of delivery.

B. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010 of this title. (Res. 1243, 2006; Res. 1110, 1995)

7.28.395 Applicant or customer facilities.

A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.

B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.

C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before water is made available. (Res. 1243, 2006; Res. 1110, 1995)

7.28.400 Compliance.

A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title, or subsequent resolutions codified in this title, prior to the installation of line extension facilities.

B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the line extension facilities, or in the case where water service is being delivered, the District may discontinue such service. (Res. 1243, 2006; Res. 1110, 1995)

7.28.405 Subsequent customer additions.

A. The District shall have the right to connect additional customers to District facilities constructed under the line extension policy set out in this article.

B. Customers receiving water service under the line extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.

C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.

D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1243, 2006; Res. 1110, 1995)

7.28.415 Contract provisions.

The District will install service extension facilities according to the following terms:

A. A main line extension will be required only if a customer’s new service is not located adjacent to the District’s existing main line or if a customer’s service line is longer than 200 feet from the main line.

B. The District’s standard line extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.

C. The District will install service extension facilities to a permanent facility only after the applicant has paid the estimated cost to serve and all other applicable fees.

D. The District will consider line extensions under Article IV of this chapter to camp headquarters, including swimming pools, laundry facilities, recreational buildings, stores or other commercial type facilities. Service extensions to permanent caretaker residences may be considered under Article I of this chapter.

E. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 7.24.030. This difference may be billed or refunded.

F. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial water service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior
to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

G. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the water service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1243, 2006; Res. 1110, 1995)

7.28.420 Customer aid to construction.

A. An applicant may reduce the cost of a line extension performed by the District by providing clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1243, 2006; Res. 1110, 1995)

Article VIII. Moorage and Port Facilities

7.28.425 Generally.

It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extension conditions set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.430 Availability.

This line extension policy applies to boat moorage facilities, port facilities, or other waterway facilities intended for the harboring of boats, vessels or other watercraft. (Res. 1243, 2006; Res. 1110, 1995)

7.28.435 Application for service.

A. The applicant for water service must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.

B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:

1. Name, present mailing address, and telephone number of the applicant;
2. Location of the premises, including physical and legal, to be served;
3. Type of premises to be served;
4. Service line size;
5. Name of water contractor;
6. Approximate date service is required.

C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.440 Fees.

All applicants for water service shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.445 Point of delivery.

A. The point of delivery shall be that point where the District’s owned and maintained serving facilities connect to the customer’s owned and maintained service lines.

B. In no case shall there be more than one point of delivery to any premises or building.

C. The point of delivery is that point on the customer’s side of the meter where his water pipe is connected to the District’s supply and is located at the customer’s property line or other agreed location. All facilities located from point of delivery and beyond shall be owned and maintained by the customer.

D. The point of delivery shall be located on land at a point where the District has access to the meter without crossing any waterway. (Res. 1243, 2006; Res. 1110, 1995)

7.28.450 District facilities.

A. The District shall design, install, own and maintain all water lines and facilities on the District’s side of the point of delivery.

B. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010 of this title.

C. The District will not locate any of its facilities on, over, or under any waterways, or in any
manner which may interfere with any waterway. (Res. 1243, 2006; Res. 1110, 1995)

**7.28.455 Applicant or customer facilities.**

A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.

B. The applicant or customer shall receive District approval of the point of delivery as specified under the service extension policy set out in this article.

C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before water is made available. (Res. 1243, 2006; Res. 1110, 1995)

**7.28.460 Compliance.**

A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title, or subsequent resolutions codified in this title, prior to the installation of line extension facilities.

B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the line extension facilities, or in the case where water service is being delivered, the District may discontinue such service. (Res. 1243, 2006; Res. 1110, 1995)

**7.28.465 Subsequent customer additions.**

A. The District shall have the right to connect additional customers to District facilities constructed under the line extension policy set out in this article.

B. Customers receiving water service under the line extension policy set out in this article may receive benefit by the subsequent connection of additional customers and/or District facilities serving additional customers.

C. Adjustments, when applicable, shall be determined on the basis of proportionate time remaining of the five years from the installation of the original facilities and that portion of the original facilities required to serve additional customers. The adjustment will be in the form of a refund.

D. Any refund will be limited to five years following the installation of the original facilities. (Res. 1243, 2006; Res. 1110, 1995)

**7.28.475 Contract provisions.**

The District will install line extension facilities according to the following terms:

A. A main line extension will be required only if a customer’s new service is not located adjacent to the District’s existing main line or if a customer’s service line is longer than 200 feet from the main line.

B. The District’s standard line extension contract must be signed by the applicant and notarized and accepted by the District prior to installation of facilities by the District.

C. The District will install service extension facilities to a permanent facility only after the applicant has paid the estimated cost to serve and all other applicable fees.

D. The District will consider line extensions under Article IV of this chapter to offices, businesses, or other commercial type facilities located within port boundaries.

E. Adjustment of the contract may be made if the actual cost of District facilities is significantly more or less than the estimated cost. The District engineering department will make this decision based on the changes in the job and as covered in Section 7.24.030. This difference may be billed or refunded.

F. The District will endeavor to advise the applicant or designated agent if, in the course of construction, unforeseen conditions occur which may cause the actual cost to be in variance with the estimated cost. Any change or modification of the applicant’s initial water service requirements which requires a change of District facilities may result in a change of the applicant’s payment. If an applicant requests cancellation of a contract prior to District construction, the applicant shall be held responsible for payment of any expense incurred by the District.

G. If the applicant acts through or is represented by an agent who has authority to modify, change or cancel the water service requirements, the applicant must advise the District of the designated agent’s name, address, and telephone number. (Res. 1243, 2006; Res. 1110, 1995)

**7.28.480 Customer aid to construction.**

A. An applicant may reduce the cost of a line extension performed by the District by providing any clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and
agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1243, 2006; Res. 1110, 1995)

Article IX. Developments and Subdivisions

7.28.485 Generally.
It is the policy of the District to provide water service and line extensions to all consumers within its service area, provided such line extensions are feasible and comply with the line extension conditions set out in this article. (Res. 1243, 2006; Res. 1110, 1995)

7.28.490 Availability.
This line extension policy applies to all developments governed by Pacific County ordinances regarding plats, short plats, long plats, short subdivisions, and any and all other developments where two or more contiguous lots, tracts, plots, or parcels of land have been sold or are offered for sale by any individual, family, company, association, corporation, partnership, or group. (Res. 1243, 2006; Res. 1110, 1995)

7.28.495 Application for service.
A. The applicant for water service must own, have a contract to purchase, or have a satisfactory lease to the property or premises before the District will provide the service extension.
B. In addition, the applicant shall complete the District’s standard application for service form, including but not limited to the following information:
   1. Name, present mailing address, and telephone number of the applicant;
   2. Location, including physical and legal, of the development or subdivision;
   3. Maps, blueprints and final plats of the proposed development;
   4. Type of residences and/or businesses that the development or subdivision is intended for;
   5. Approximate date service is required.
C. The District may require evidence of approval for construction by the city, county, or any other governing agencies. Such approval shall provide to the District positive assurance of the applicant’s intent to proceed with construction. (Res. 1243, 2006; Res. 1110, 1995)

7.28.500 Fees.
All applicants for line extensions shall be required to pay in advance all applicable service charges as provided for in Chapter 7.08, Customer Service Accounts, Chapter 7.32, Fee Schedule, and Chapter 7.34, Rate Schedules. (Res. 1243, 2006; Res. 1110, 1995)

7.28.505 Point of delivery.
A. The point of delivery shall be at that point where the District’s owned and maintained serving facilities connect to the customer’s owned and maintained service lines.
B. In no case shall there be more than one point of delivery to any premises or building.
C. The point of delivery for individual dwellings or other facilities within a development or subdivision shall be as established in Section 7.20.030 of this title or subsequent resolutions codified in this title. (Res. 1243, 2006; Res. 1110, 1995)

7.28.510 District facilities.
A. The District shall design, or approve of design, install or oversee the installation, own and maintain all water lines and facilities on the District’s side of the point of delivery.
B. Services to individual lots of the development or subdivision may be installed as required at a later date.
C. In addition, the District shall be granted or have satisfactory right-of-way as provided under Section 7.12.010 of this title or subsequent resolutions codified in this title. (Res. 1243, 2006; Res. 1110, 1995)

7.28.515 Applicant or customer facilities.
A. The customer shall be responsible for the design, installation, ownership and maintenance of all facilities on the customer’s side of the point of delivery.
B. The applicant or developer shall receive District approval of the point of delivery as specified in this article.
C. The customer shall have installed a stop cock valve on the supply side of the meter at the start of the customer-owned water line before water is made available. (Res. 1243, 2006; Res. 1110, 1995)

7.28.520 Compliance.
A. The applicant or customer must comply with all applicable service policies, line extension policies, and conditions of this title, or subsequent res-
olutions codified in this title, prior to the installation of line extension facilities.

B. Should the applicant or customer not comply with such policies or conditions, the District may refuse to install the line extension facilities, or in the case where water service is being delivered, the District may discontinue such service. (Res. 1243, 2006; Res. 1110, 1995)

7.28.525 Subsequent customer additions.
The District reserves the right to connect additional customers to District facilities constructed under the line extension policy set out in this article with no refund to the developer. (Res. 1243, 2006; Res. 1110, 1995)

7.28.535 Contract provisions.
A. The District will install line extension facilities according to the following terms:
1. The developer or owner shall pay the District, prior to construction, the entire estimated cost of the water main line and other facilities necessary to make water service available to all the lots, tracts, plots, or parcels of land within the development.
2. The estimated cost of the line extension will be revised to the actual cost of the installation at the time of completion, and the developer or owner will receive an adjustment or will be billed the difference, whichever applies.
3. The line extension estimate shall include the costs of all District facilities with the exception of meters for each lot.
4. The District shall engineer the line extension for the complete serving of all lots within the development, and shall not install partial facilities to serve only the immediate needs or requests.
5. The individual lot owners shall pay a new service charge to the District for the installation of the meters.
6. The development must be platted and have final plat approval of the county or other governing agencies.
7. The developer or owner must provide the District, at no cost, easements and rights-of-way for the installation, operation, and maintenance of the water line and facilities. The minimum lot line easement shall be 10 feet wide along the route of the line extension.
8. The streets and/or rights-of-way along the route of the line extension must be cleared and brought to within six inches of final grade prior to the installation of the water line and facilities.

B. The District’s standard line extension contract must be signed by the applicant and notarized, then accepted by the District prior to installation of facilities by the District.

C. Payment of the estimated line extension cost must be received by the District prior to installation of facilities.

D. The developer or owner shall pay all costs for the installation of the required facilities under the service extension policy for that particular class of customer.

E. There will be no adjustment made to a line extension contract for individual lot owners within a development. (Res. 1243, 2006; Res. 1110, 1995)

7.28.540 Customer aid to construction.
A. An applicant may reduce the cost of a line extension performed by the District by providing any installation, clearing, and/or trenching and backfilling, in accordance with the District specifications.

B. Work performed by the applicant shall be in accordance with applicable laws and regulations; and the applicant, agent, employee, builder, or contractor shall assume all risks in connection with any work performed, and shall further protect, save and hold harmless the District, its officers and agents from any and all claims for damages or injuries to persons or property that may be sustained by anyone on account of performance of the applicant or agents. Each shall perform as an independent contractor and not as an employee, agent, or representative of the District for any purpose. (Res. 1243, 2006; Res. 1110, 1995)

Article X. Fire Protection

7.28.545 Commercial.
A. Application must be made by completing and signing a standard application form.

B. The minimum charge shown on the District’s rate schedule includes water for fire protection use only.

C. These service charges for new fire protection service connection shall be as follows:
1. The customer must pay the total installation cost of all service lines from the customer’s premises to an existing District main of adequate capacity to provide the required fire flows.
2. The customer must pay the cost of furnishing and installing a Washington State D.O.H.-approved backflow prevention device (double check valve or other approved device) equipped with a detector meter.

3. Notwithstanding the provisions as contained in these schedules for commercial fire protection service, or for other metered service, including water furnished to any fire hydrant or other equipment used, or which may be used for fire protection service connection, it is understood that the District cannot guarantee any minimum quantities of water or pressure of the water to be furnished to any such hydrants or outlets, and the District shall not be liable in any manner for any loss or claim by reason of the quantity of water, or pressure of the same furnished to such hydrant or outlet. (Res. 1243, 2006; Res. 1110, 1995)

7.28.550 Residential.
   A. The District will install hydrants at the request and expense of one or more customers on mains large enough to provide adequate fire protection. The type of hydrant and location shall be as specified by the District and local fire authorities.

   Upon request, the District will prepare an estimate for the total cost of the installation of a hydrant. On completion of the work, the customer will be billed at actual cost. At the District’s option, this work can be done at a contract price to be paid in advance.

   B. It is understood that the District cannot guarantee any minimum quantities of water or pressure of the water to be furnished to any such hydrants or outlets, and the District shall not be liable in any manner for any loss or claim by reason of the quantity of water or pressure of the same furnished to such hydrant or outlet. (Res. 1243, 2006; Res. 1110, 1995)

7.28.555 Hydrant operation.
   Only authorized District personnel or firemen in the performance of their duties shall operate fire hydrants connected to the District’s water system. (Res. 1243, 2006; Res. 1110, 1995)

Chapter 7.32

FEE SCHEDULE

Sections:
7.32.010 Fees and charges.

7.32.010 Fees and charges.
   The fees and charges for this title shall be as follows:
   A. Account Service Charge.
      1. Simultaneous with electric service hookup: $15.00.
      2. Independent of electric service hookup: $25.00.
   B. Seasonal reconnect charge: 12 times basic charges.
   C. Reconnection Charge.
      1. Normal working hours: $80.00.
      2. Overtime: $310.00.
   D. Meter reading charge: $80.00.
   E. Account Deposit. Based on twice the highest month of the previous 24 months or the minimum fee, shown below, whichever is highest.
      1. Residential (minimum): two times basic charges.
      2. Commercial/industrial (minimum): two times basic charges.
   F. Meter testing advance (per meter): $150.00.
   G. Meter Tampering Charges.
      1. Unauthorized reconnection: $150.00.
      2. RCW 80.28.240 authorizes the District to recover damages for tampering with any property owned or used by the utility to provide utility service.
      A water diversion investigation and facilities restoration charge will be assessed once the District determines tampering and/or diversion has occurred. This charge will be based on actual labor, materials, transportation, and other overhead costs. In no case shall this be less than $150.00.
   H. Late fee: $20.00 (water customer receiving notice of disconnect).
   I. Door tag: $77.00 (water customer only).
   J. NSF check charge (per check): $25.00 (water customer only). (Res. 1414, 2018; Res. 1243, 2006; Res. 1110, 1995)
Chapter 7.34

RATE SCHEDULES

Sections:

Article I. Water System

7.34.005 Water system service areas.
7.34.010 Residential service rates.
7.34.020 Commercial/industrial service rates.
7.34.030 Service connection fee.
7.34.035 Service area assessment.

Article I. Water System

7.34.005 Water system service areas.

The Bay Center service area includes all of Sections 8 and 17, Township 13 North, Range 10 West, W.M., and is further bounded by Willapa Bay and the Palix River. The service area includes the area designated as the Bay Center rural activity center under the October 1998 Pacific County comprehensive plan.

The Lebam service area is situated in the south one-half of Sections 33 and 34, Township 13 North, Range 7 West, W.M., along with Sections 4 and 5 and the west one-half of the northwest quarter of Section 3, Township 12 North, Range 7 West, W.M. This service area includes the Lebam rural activity center under the October 1998 Pacific County comprehensive plan.

The Wilson Point service area is situated in Sections 4 and the north one-half of 9, Township 13 North, Range 10 West, W.M., and is bounded by the Niawiakum River on the south, Highway 101 to the east, Bone River on the north, and Willapa Bay to the west. (Res. 1414, 2018; Res. 1243, 2006)

7.34.010 Residential service rates.

A. Applicability. For residential use where one meter serves each dwelling unit.

B. Character of Service. Available on a year-round basis.

C. Basic Charge.

D. Meter Service.

1. Charge for consumption: $3.00/1,000 gallons above 5,000 gallons.

E. The customer’s billing shall be the basic charge plus the actual metered service charge.

F. All water used for domestic purposes shall be supplied by a basic charge plus metered usage above 5,000 gallons. Meters shall be read to the nearest 10 gallons.

G. Terms of Service.

1. Unless otherwise stated, the rate shall apply to single service through one meter to one customer at one premises. When two or more families with separate housekeeping facilities occupy the same or separate dwellings and are served from one water meter, the rate charged is covered under Section 7.34.020, Commercial/industrial service rates.

2. The District reserves the right to regulate at all times the hours when customers will be permitted to use District water for lawn sprinkling, irrigation or any nonessential household purpose. (Res. 1414, 2018; Res. 1383, 2017; Res. 1243, 2006; Res. 1221, 2004; Res. 1110, 1995)

7.34.020 Commercial/industrial service rates.

A. Applicability. For commercial or industrial use or for multiple-family units such as duplexes, condominiums, apartment buildings, and mobile home parks, where one meter serves the entire complex.

B. Character of Service. Available on a year-round basis.

C. Basic Charge.

3/4" size (or less) $44.00/month/meter
1" size $49.00/month/meter
1-1/2" size $52.00/month/meter
2" size $57.00/month/meter

D. Metered Service.

1. Charge for consumption:

First 6,000 gallons included in basic charge
6,001 – 30,000 gallons $3.25/1,000 gallons
30,001 – 50,000 gallons $3.35/1,000 gallons
50,001 – 100,000 gallons $3.45/1,000 gallons
100,001 and above $2.60/1,000 gallons

E. The customer’s billing shall be the basic charge plus the actual metered service charge.

F. All water used for multiple-family units, commercial or industrial purposes shall be sup-
plied by a basic charge plus metered usage above 6,000 gallons. Meters shall be read to the nearest 10 gallons.

G. Terms of Service.

1. Unless otherwise stated, the rate shall apply to a commercial or industrial customer with a single service through one meter at one premises; or where two or more families with separate housekeeping facilities occupy the same or separate dwellings and are served from one water meter.

2. The District reserves the right to regulate at all times the hours when customers will be permitted to use District water for lawn sprinkling, irrigation or any nonessential household or business purpose. (Res. 1414, 2018; Res. 1383, 2017; Res. 1243, 2006; Res. 1110, 1995)

7.34.030 Service connection fee.

A. The charge for installation of a water meter service, both residential and commercial/industrial, shall be as follows:

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Fee</th>
</tr>
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<tr>
<td>3/4&quot;</td>
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</tr>
<tr>
<td>1&quot;</td>
<td>$4,000</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>$4,500</td>
</tr>
<tr>
<td>2&quot;</td>
<td>$5,000</td>
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</table>

The service connection fee includes the tap to the main line adjacent to the affected property, installation of up to 20 feet of water line to the property line, a stop cock valve, a meter and all necessary fittings. An additional charge based on actual time and material will be made if a road push is required.

No service connection less than three-quarter-inch in size shall be installed.

Those installations requiring an extension of the main line will pay the actual costs incurred in addition to the service connection fee shown above. The cost for the stop cock valve and meter are included in the service connection fee.

Meters serving lines larger than two-inch will be installed at cost to the District, but in no case less than the amount listed for the two-inch service. Before work shall commence, the applicant will be required to deposit with the District a sum of money estimated by it to be sufficient to cover the cost of tapping the main; placing the necessary pipe, valves, meter, and connections to carry water to the property line; digging and backfilling the trench; and restoring the surface of the ground to its original condition. If upon completion of the work, the actual cost exceeds the estimate by more than $50.00, the customer will be invoiced for that amount in excess of the estimate. If the estimate exceeds the actual cost by more than $120.00, a refund of that excess will be made to the customer.

B. The charge for connection of an extension of the main line into a development to the District’s existing facilities shall be as follows:

1. Any size main line: $7,000.

The developer is required to ensure that the water system in a new development is installed according to District specifications by either a qualified licensed contractor or District personnel as is discussed in this title and in addition to the above charge.

C. The charge for installation of a water service for a private standpipe or hydrant shall be based on actual cost to the District.

D. Time spent for investigation of a cross-connection device will be billed on the actual costs incurred by the District. (Res. 1414, 2018; Res. 1243, 2006; Res. 1110, 1995)

7.34.035 Service area assessment.

A. The Lebam service area shall have the following monthly assessment fees:

1. An $8.00/month/meter additional basic charge shall be assessed to each metered water account to equalize the cost of service.

2. A $16.00/month/meter long-term debt (LTD) charge shall be assessed to each metered water account to pay the existing service area debt to equalize the cost of service. Separate accounting of the debt shall be maintained by the District. Once the LTD is paid off, the charge shall be removed from each account and the LTD eliminated. (Res. 1414, 2018)
Chapter 7.36

CROSS-CONNECTION CONTROL POLICY

Sections:
7.36.010 Established.
7.36.020 Definitions.
7.36.030 Prevention of contamination.
7.36.040 Conditions for providing service.
7.36.050 Implementation of the cross-connection control policy.

7.36.010 Established.

The Public Utility District No. 2 of Pacific County, hereinafter referred to as the purveyor for each of the Bay Center, Lebam, and Wilson Point water systems, establishes the following service policy to protect the purveyor-owned water systems from the risk of contamination. For public health and safety, this policy shall apply equally to all new and existing customers of each of these three water systems. (Res. 1336, 2013)

7.36.020 Definitions.

Unless otherwise defined, all terms used in this chapter pertaining to cross-connection control have the same definitions as those contained in WAC 246-290-010, the Washington State Drinking Water Regulations. (Res. 1336, 2013)

7.36.030 Prevention of contamination.

The customer’s plumbing system, starting from the termination of the purveyor’s meter or water service pipe, shall be considered a potential high-health hazard requiring the isolation of the customer’s premises by a DOH-approved, customer-installed and maintained reduced-pressure principle backflow assembly (RPBA) or reduced-pressure detector assembly (RPDA). The RPBA or RPDA shall be located at the end of the purveyor’s water service pipe (i.e., immediately downstream of the meter). Water shall only be supplied to the customer through a DOH-approved, customer-installed and maintained RPBA or RPDA.

Notwithstanding the aforesaid, the purveyor, upon an assessment of the risk of contamination posed by the customer’s plumbing system and use of water, may allow:

A. A single-family or duplex residential customer to connect directly to the water service pipe, i.e., without a purveyor-approved DCVA or RPBA.
B. Any customer other than a single-family or duplex residential customer, as a minimum, to be
supplied through a DOH-approved, customer-installed and maintained double-check valve assembly (DCVA) or double-check detector assembly (DCDA). (Res. 1336, 2013)

7.36.040 Conditions for providing service.

Water service is provided based on the following terms and limitations:

A. The customer agrees to take all measures necessary to prevent the contamination of the plumbing system within his/her premises and the purveyor’s distribution system that may occur from backflow through a cross connection. These measures shall include the prevention of backflow under any backpressure or backsiphonage condition, including the disruption of the water supply from the purveyor’s system that may occur during routine system maintenance or during emergency conditions, such as a water main break.

B. The customer agrees to install, operate, and maintain at all times his/her plumbing system in compliance with the current edition of the Uniform Plumbing Code having jurisdiction as it pertains to the prevention of contamination and protection from thermal expansion, due to a closed system that could occur with the present or future installation of backflow preventers on the customer’s service and/or at plumbing fixtures.

C. For cross-connection control or other public health-related surveys, the customer agrees to provide for the purveyor’s employees or agents free access to all parts of the premises during reasonable working hours of the day for routine surveys and at all times during emergencies.

Where agreement for free access for the purveyor’s survey is denied, the purveyor may supply water service; provided, that premises isolation is provided through a DOH-approved reduced-pressure principle backflow assembly (RPBA).

D. The customer agrees to install all backflow prevention assemblies requested by the purveyor and to maintain those assemblies in good working order. The assemblies shall be of a type, size, and make approved by DOH and acceptable to the purveyor. The assemblies shall be installed in accordance with the recommendations given in the most recently published edition of the Cross Connection Control Manual, Accepted Procedures and Practice, published by the Pacific Northwest Section, American Water Works Association, or latest edition thereof.

E. The customer agrees to:

1. Have all assemblies (e.g., RPBAs and/or DCVAs) that the purveyor relies upon to protect the public water distribution system tested upon installation, annually thereafter and/or more frequently if requested by the purveyor, after repair, and after relocation;

2. Have all testing done by a purveyor-approved and currently DOH-certified backflow assembly tester (BAT);

3. Have the RPBA or DCVA tested in accordance with DOH-approved test procedures; and

4. Submit to the purveyor the results of the test(s) on purveyor-supplied test report forms within the time period specified by the purveyor.

F. The customer agrees to bear all costs for the aforementioned installation, testing, repair, maintenance and replacement of the RPBA, RPDA, DCVA or DCDA installed to protect the purveyor’s distribution system.

G. At the time of application for service, if required by the purveyor, the customer agrees to submit to the purveyor plumbing plans and/or a cross-connection control survey of the premises conducted by a purveyor-approved and DOH-certified cross-connection control specialist (CCS).

The cross-connection control survey shall assess the cross-connection hazards and list the backflow preventers provided within the premises. The results of the survey shall be submitted prior to the purveyor turning on water service to a new customer. The cost of the survey shall be borne by the customer.

H. For classes of customers other than single-family residential, when required by the purveyor, the customer agrees to periodically submit a cross-connection control re-survey of the premises by a DOH-certified CCS acceptable to the purveyor. The purveyor may require the re-survey to be performed in response to changes in the customer’s plumbing or water use, or performed periodically (annually or less frequently) where the purveyor considers the customer’s plumbing system to be complex or subject to frequent changes in water use. The cost of the re-survey shall be borne by the customer.

I. Within 30 days of a request by the purveyor, a residential customer shall agree to complete and submit to the purveyor a “water use questionnaire” for the purpose of surveying the health hazard posed by the customer’s plumbing system on the purveyor’s distribution system. Further, the residential customer agrees to provide within 30 days of a request by the purveyor a cross-connection control survey of the premises by a DOH-certified CCS acceptable to the purveyor.
J. The customer agrees to obtain the prior approval from the purveyor for all changes in water use, and alterations and additions to the plumbing system, and shall comply with any additional requirements imposed by the purveyor for cross-connection control.

K. The customer agrees to immediately notify the purveyor and the local health jurisdiction of any backflow incident occurring within the customer’s premises (i.e., entry of any contaminant/pollutant into the drinking water) and shall cooperate fully with the purveyor to determine the reason for the backflow incident.

L. The customer acknowledges the right of the purveyor to discontinue the water supply within 72 hours of giving notice to the customer, or a lesser period of time if required to protect public health, if the customer fails to cooperate with the purveyor in the survey of premises, in the installation, maintenance, repair, inspection, or testing of backflow prevention assemblies or air gaps required by the purveyor, or in the purveyor’s effort to contain a contaminant or pollutant that is detected in the customer’s system.

Without limiting the generality of the foregoing, in lieu of discontinuing water service, the purveyor may install an RPBA on the service pipe to provide premises isolation, and recover all costs for the installation and subsequent maintenance and repair of the assembly, appurtenances, and enclosure from the customer as fees and charges for water. The failure of the customer to pay these fees and charges may result in termination of water service in accordance with the purveyor’s water billing policies.

M. Where the purveyor imposes mandatory premises isolation in compliance with DOH regulations, or agrees to the customer’s voluntary premises isolation through the installation of a RPBA immediately downstream of the purveyor’s water meter, the customer acknowledges his obligation to comply with the other cross-connection control regulations having jurisdiction (i.e., Uniform Plumbing Code). Although the purveyor’s requirements for installation, testing, and repair of backflow assemblies may be limited to the RPBAs used for premises isolation, the customer agrees to the other terms herein as a condition of allowing a direct connection to the purveyor’s service pipe.

N. The customer agrees to indemnify and hold harmless the purveyor for all contamination of the customer’s plumbing system or the purveyor’s distribution system that results from an unprotected or inadequately protected cross connection within the customer’s premises. This indemnification shall pertain to all backflow conditions that may arise from the purveyor’s suspension of water supply or reduction of water pressure, recognizing that the air gap separation otherwise required would require the customer to provide adequate facilities to collect, store, and pump water for his/her premises.

O. The customer agrees that, in the event legal action is required and commenced between the purveyor and the customer to enforce the terms and conditions herein, the substantially prevailing party shall be entitled to reimbursement of all incurred costs and expenses including, but not limited to, reasonable attorney’s fees as determined by the court.

P. The customer acknowledges that the purveyor’s survey of a customer’s premises is for the sole purpose of establishing the purveyor’s minimum requirements for the protection of the public water supply system, commensurate with the purveyor’s assessment of the degree of hazard.

It shall not be assumed by the customer or any regulatory agency that the purveyor’s survey, requirements for the installation of backflow prevention assemblies, lack of requirements for the installation of backflow prevention assemblies, or other actions by the purveyor’s personnel constitute an approval of the customer’s plumbing system or an assurance to the customer of the absence of cross connections therein.

Q. The customer acknowledges the right of the purveyor, in keeping with changes to Washington State regulations, industry standards, or the purveyor’s risk management policies, to impose retroactive requirements for additional cross-connection control measures.

The purveyor will record the customer’s agreement to the above terms for service on an “Application for Water Service,” “Application for Change of Water Service,” or other such form prepared by the purveyor and signed by the customer. (Res. 1336, 2013)

7.36.050 Implementation of the cross-connection control policy.

The purveyor will engage the services of a DOH-certified CCS to implement and be in charge of the District’s cross-connection control program for each of the Bay Center, Lebam, and Wilson Point water systems.

The purveyor, with the assistance of the aforementioned CCS, will prepare a written cross-connection control program plan for each of the Bay
Center, Lebam, and Wilson Point water systems to implement the requirements of this chapter. The written program shall be consistent with this chapter and shall comply with the requirements of Chapter 246-290 WAC (Group A Drinking Water Regulations).

The purveyor will use the most recently published editions of the following publications as references and technical aids:

A. *Cross-Connection Control Manual, Accepted Procedures and Practice*, published by the Pacific Northwest Section, American Water Works Association, or latest edition thereof.


The purveyor will incorporate the written program plan into the Water System Plan for each of the Bay Center, Lebam, and Wilson Point water systems and will submit the plan to DOH for approval when requested.

The purveyor shall have the authority to make reasonable decisions related to cross connections in cases and situations not provided for in this chapter or written program.

If any provision in this chapter, or in the written cross-connection control program for each of the three water systems is found to be less stringent than or inconsistent with the Drinking Water Regulations (Chapter 246-290 WAC), or other Washington state statutes or rules, the more stringent state statute, rule, or regulation shall apply. (Res. 1336, 2013)
Title 8

COMMUNICATIONS

Chapters:

8.04 Telecommunications Rates and Regulations
Chapter 8.04

TELECOMMUNICATIONS RATES AND REGULATIONS

Sections:
8.04.010 Telecommunications rates and regulations policy.
8.04.020 Rates – RSP port.
8.04.030 Rates – Network port.
8.04.040 Rates – Co-location.
8.04.050 Rates – Internet port.
8.04.060 Miscellaneous charges, information.
8.04.070 Commit reductions.
8.04.080 General notes.

8.04.010 Telecommunications rates and regulations policy.

The following telecommunications regulations establish the expectations of the relationship between Pacific County PUD No. 2 (PUD) and its telecommunications retail service providers (RSPs) and their subscribers.

Pacific County PUD No. 2 is a wholesale provider of telecommunications services to Pacific County through its RSPs. In the context of the rules and regulations, it is the responsibility of the PUD to provide reliable transport services to the retailers. Retailers and subscribers shall abide by and be bound by these rules and regulations upon receiving wholesale telecommunication services from the PUD. As a part of these rules and regulations, it is the RSP’s responsibility to meet the service needs of its subscribers. (Res. 1386, 2017)

8.04.020 Rates – RSP port.

Generally, an RSP port is the interconnect point between the District’s telecommunication network and an RSP. The distinction between a standard and a carrier port is generally based on whether the traffic traveling through the port is on-net aggregated (standard) traffic or off-net (carrier) aggregated traffic. Construction charges are not usually associated with an RSP port unless a build cost is estimated to be greater than $15,000. In that case, this would be a special case and the agreement with the RSP may have additional construction costs and require approval from the Board of Commissioners. The exception to this is the carrier internet port which includes a flat new facility charge for construction as long as the District demarcation point is within 750 feet of a logical (as determined by the District) splice point in existing District distribution telecommunication facilities. In the case that the build is beyond this distance, this would be a special case and the agreement with the RSP may have additional construction costs and would require approval from the Board of Commissioners. It would be the RSP’s responsibility to provide the trenching, backfill and restoration from the subscriber’s structure to the District’s designated distribution connection point and/or penetration of any building or structure.

There are instances where the RSP port could be considered more than one type of port. For example, an RSP port that is initially configured and turned up as an RSP standard port may, in the future, carry off-net aggregated traffic and would typically be classified as an RSP carrier port. In a case such as this, the RSP port will be charged at the higher of the two possible classifications of the port. The RSP has the option of turning up a separate port for the differentiated traffic.

For the most part, a standard RSP port would be paired with one or more network ports in a point-to-multipoint style network design. In this design, the District’s telecommunication network is used to aggregate individual subscriber network traffic and hand it off to the RSP.

A port is designated as a carrier port if it carries traffic that has been aggregated by the RSP or subscriber prior to entering the District’s telecommunication network. As an example, this would include ports facing cellular subscribers, wireless access points, or RSP-to-RSP connections. In a special case where the RSP is purchasing internet bandwidth from the District, a carrier internet port may be utilized as an off-net aggregation port as long as the throughput on that port is reflected in the internet bandwidth purchased from the District.

A. Standard.

1. Can be a trunked or access type port;
2. QinQ optional on access type port (no additional charge);
3. One layer 2 VLAN included in the port charge;
4. Additional layer 2 VLANs on trunked port optional (additional charge);
5. Usually paired with a network port;
6. No construction charge unless estimated over $15,000.

B. Carrier (Trunk or Access).

1. Can be a trunked or access type port;
2. QinQ optional on access type port (no additional charge);
3. One layer 2 VLAN included in the port charge;
4. Additional layer 2 VLANs on trunked port optional (additional charge);
5. No construction charge unless estimated over $15,000.

C. Carrier Internet.
   1. Access type port;
   2. One layer 2 VLAN included in the port charge for first port;
   3. Used for District internet transport.

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<th>RSP Port</th>
<th>NRC</th>
<th>MRC</th>
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(Res. 1386, 2017)

8.04.030 Rates – Network port.

Network ports are generally used for aggregation of single subscriber traffic onto the District’s telecommunication network. The port is designed for the use of that single subscriber traffic only; reselling or retransmitting traffic from that port to multiple subscribers is not allowed (see carrier type RSP port). In this way, a network port is usually thought of as a layer 2 access port. In some instances, a trunk port may be used to transmit a management-only VLAN to an RSP-owned device in addition to the VLAN used to provide service to the subscriber.

Residential versus nonresidential is generally determined by factors that include property use, zoning description and/or District rate class.

A residential network port is a best effort style port. Troubleshooting and repair for this style port is done during regular business hours. Generally, the VLAN applied to this port is determined by the RSP providing the service to the subscriber.

A nonresidential network port includes 24-hour troubleshooting and repair (depending on whether or not the District has/needs access to equipment at the subscriber location). This port can have its VLAN determined by the RSP providing the service (in a point-to-multipoint network design) or have its VLAN determined by the District (in the case of an intra-county WAN between offices of the same subscriber).

The new facility charge is used as an overall average for line extension and construction costs to
a District-owned demarcation location on a subscriber’s building that is within 750 feet of a logical (as determined by the District) splice point in existing District distribution telecommunication facilities. In the case that the build to the subscriber is beyond this distance, this would be a special case and the agreement with the RSP may have additional construction costs and would require approval from the Board of Commissioners. It would be the RSP or subscriber’s responsibility to provide the trenching, backfill and restoration from the subscriber’s structure to the District’s designated distribution connection point and/or penetration of any building or structure.

A. Residential.
   1. Access type port (trunked port for management OK);
   2. QinQ optional on access type port (additional charge);
   3. No resale or retransmit from port;
   4. Layer 2 VLAN determined by RSP and the service provided;
   5. Best effort (repair and troubleshooting during normal business hours only).

B. Nonresidential.
   1. Access type port (trunked port for management OK);
   2. QinQ optional on access type port (additional charge);
   3. No resale or retransmit from port;
   4. Used for multiple local connected sites for same subscriber;
   5. Used for typical nonresidential facility.

<table>
<thead>
<tr>
<th>Network Port</th>
<th>NRC</th>
<th>MRC</th>
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<td>New Facility Charge</td>
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<td>QinQ</td>
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<td>Nonresidential</td>
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<td>Jumbo Frames (&gt;1,552 MTU)</td>
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<td>QinQ</td>
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(Res. 1386, 2017)

8.04.040 Rates – Co-location.

Interconnection between the District’s telecommunication network and an RSP must occur in an established co-location type facility. The District does not require that an RSP utilize its co-location facility, but the District must be present within the facility in order to facilitate interconnection (e.g., utilizing Grays Harbor PUD’s co-location facility since the District is already present there).

However, if the RSP does choose to co-locate within a designated facility that the District owns, the following rates apply. Any RSP that is co-locating in a District-owned building will be provided 24-hour access. All District-designated facilities are under 24-hour video surveillance.

Both AC and DC power have generator backup. However, AC power does not have battery backup for transition to generator power. It is advised the RSP install a UPS when using AC power.

Cross-connections are permitted within the District’s co-location facility for the purpose of connecting between two different RSPs and/or their equipment. These connections do not provide any connections or service from the District’s telecommunication network. The District will be responsible for and maintain any cross-connections between RSPs.
8.04.050 Rates – Internet port.

An internet port provides internet bandwidth from the District’s own internet connection. Pricing is based on a commit level the RSP will be billed for as a minimum on a monthly basis, and an overage. Bandwidth is calculated on a ninety-fifth percentile basis of the inbound or the outbound traffic, whichever is greatest, and rounded up to the nearest whole Mbps.

Internet commit levels are billed a minimum of 30 days prior to the service month along with all other telecommunication charges. The overage is billed after actual usage. Therefore, overage charges for a specific month will be billed up to three months after the commit charges have already been billed.

There are no price reductions for longer commit times.

8.04.060 Miscellaneous charges, information.

There are instances where an RSP requests a transport service that the current end user device (CPE) may not be capable of even though it functions fine in all other aspects. If the District has a viable replacement that can perform the requested transport service, then the District can opt to replace the existing CPE for a different style CPE that includes the necessary functionality. In that case, the District may assess a charge for the replacement of that CPE.

At times, the District may be able to provide wholesale telecommunication services to a location that does not have any existing facilities, but may have available bandwidth through its microwave system via individual T1 circuits. The District does not provide T1 services; however, it may utilize bonded T1s to transport standard wholesale telecommunication service. In this instance, there is an additional charge placed for each T1 required to provide that service.

In addition, a service that is not listed can be considered on a case-by-case basis and brought before the Board of Commissioners for approval.
8.04.070  Commit reductions.  
Longer term commitments to the District for a particular service afford a reduction in the monthly recurring charge (MRC). Reduction is as follows:

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<tr>
<th>Term (Yr)</th>
<th>Reduction (%)</th>
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(Res. 1386, 2017)

8.04.080  General notes.  
Any port with an associated new facility charge is charged at a location where District telecommunication facilities are initially installed or reinstalled (i.e., all existing District telecommunication facilities have been removed and the location reconnects in the future).

Any associated nonrecurring charge (NRC) for a port is charged at initial activation or reactivation of that port. If a port is activated at a specific speed (and associated NRC) and increased prior to the completion of the initial commitment term of that port (service order summary), then a charge of the difference between the NRCs associated with the difference in port speeds will be charged. For example, if a port is activated at 10 Mbps with a $100.00 NRC on a service order summary with a one-year term and is changed to a 100 Mbps port in three months with an associated NRC of $150.00, the difference between the NRCs of $50.00 will be charged. This is only in the case of increasing the port speed; there is no credit given for reducing the port speed. (Res. 1386, 2017)
<table>
<thead>
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<th>Resolution List and Disposition Table</th>
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<tbody>
<tr>
<td>1 Incorporation of District (1.04)</td>
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<td>2 Adopts seal; appoints auditor (1.08)</td>
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<td>3 Commission meeting dates; expense</td>
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<tr>
<td>vouchers (Repealed by 978)</td>
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<td>4 Taxable property valuation for 1936</td>
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<td>5 Legal services (Special)</td>
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<td>6 Warrant issuance for general expenses</td>
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<td>7 Urges congressional approval of a</td>
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<td>federal power policy (Special)</td>
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<td>8 Appoints attorneys (Special)</td>
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<td>9 Appoints engineer (Special)</td>
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<td>10 Location of commission office;</td>
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<td>rules for transaction of business</td>
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<td>11 Urges congressional approval of</td>
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<td>distribution system providing power</td>
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<td>at uniform wholesale rates (Special)</td>
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<td>12 Urges construction of intertie lines</td>
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<td>13 Appoints fiscal agent (Special)</td>
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<td>14 Modifies contract with fiscal agent</td>
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<td>Public Utility Commissioners</td>
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<td>Association (Special)</td>
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<td>17A Interest rate on District warrants (Repealed by 978)</td>
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<td>18 Budget adoption for 1938; approves property tax levy (Special)</td>
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<td>19 Modification of interchange power contract with Wahkiakum Co. PUD No. 1 (Special)</td>
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<td>20 Request for valuation of electric facilities to be purchased by District (Special)</td>
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<td>21 Purchase of Willapa Electric Co. facilities; bond issuance (Special)</td>
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<td>22 Condemnation order (Special)</td>
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<td>23 Loan application for construction of Bay Center waterworks and distribution facility (Special)</td>
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<td>24 Repeals § 4 of Res. 22 (Repealer)</td>
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<td>25 Loan and grant application for construction of Bay Center waterworks (Special)</td>
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<td>304</td>
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</tbody>
</table>
305 Repeals Res. 278 and certain paragraph from rate schedules 1 and 7 (Repealed by 978)
306 Transfer of funds (Special)
307 Transfer of funds (Special)
308 Transfer of funds (Special)
309 Transfer of funds (special)
310 Appoints ex-officio treasurer for District (Special)
311 Amends Res. 259, advance payment for power line construction (Special)
312 Budget adoption for water department for 1951 (Special)
313 Budget adoption for electric department for 1951 (Special)
314 Construction of new South Bend office building (Special)
315 Amends schedule 6 of Res. 95, electric rates (Repealed by 978)
316 Supplement to offer for purchase of District refunding and improvement bonds (Special)
317 Redemption of revenue and refunding bonds (Special)
318 Construction of utility system improvements; refunding of certain bonds; revenue bond issuance (Special)
319 Street lighting contract with Raymond (Special)
320 Increases manager’s salary (Special)
321 Resignation of auditor (Special)
322 Salary in lieu of vacation (repealed by 978)
323 Compulsory retirement (Repealed by 978)
324 Transfer of funds (Special)
325 Transfer of funds (Special)
326 Transfer of funds (Special)
327 Salary increases for certain nonunion employees (Special)
328 Wage rates for positions covered by IBEW contract (Special)
329 Collection of electric accounts (Repealed by 978)
330 Rates for temporary electric service (Repealed by 978)
331 Use or possession of intoxicants by employees (Repealed by 978)
332 Transfer of funds (Special)
333 Increases salary of junior engineer (Special)
334 Mileage allowance for commissioners’ vehicles (Repealed by 978)
335 Subversive persons (Repealed by 978)
336 Appoints auditor (Special)
337 Purchase of power from Bonneville Power Administration (Special)
338 Authorizes auditor and deputy auditor to sign checks on contingency account; repeals Res. 191 (Repealed by 978)
339 Designates depositories for District funds (Repealed by 978)
340 Deposit and disbursement of revenues from operation of electric utility (4.20)
341 Appoints attorney for District (Special)
342 Appoints superintendent of Ilwaco office (Special)
343 Establishes salary of senior engineer in Raymond (Special)
344 Release from certain suit upon payment of damages (Special)
345 Transfer of funds (Special)
346 Budget adoption for electric department for 1952 (Special)
347 Budget adoption for water department for 1952 (Special)
348 Reclassification of certain job titles and establishment of wage rates; repeals portion of Res. 328 dealing with BA group (Special)
349 Reclassifies certain individuals’ job titles and establishes their rates of pay (Special)
350 Collection of electric accounts (Repealed by 978)
351 Sale of certain property in Raymond (Special)
352 Transfer of funds (Special)
353 Wage rates for positions covered by IBEW contract (Special)
354 Salary increases for certain nonunion employees (Special)
355 Salaries of manager and auditor (Special)
356 Construction of utility system improvements’ revenue bond issuance (Special)
357 Transfer of funds (Special)
358 Investment of funds (Special)
359 Investment of funds (Special)
360 Transfer of funds (Special)
361 Collection of water accounts; amends Res. 251, tapping water mains for new service (Repealed by 978)
362 Transfer of funds (Special)
363 Transfer of funds (Special)
364 Amends schedule 6 of Res. 95, electric rates (Repealed by 978)
365 Adopts rate schedule 8, electric rates for irrigation pumping (Repealed by 978)
366 Supplementary power purchase agreement with Bonneville Power Administration (Special)
| Resolution Table-7 |
|-------------------|-------------------|
| 367               | Amended estimate of cost of constructing office building and warehouse at Ilwaco (Special) |
| 368               | Investment of funds (Special) |
| 369               | Investment of funds (Special) |
| 370               | Space heating (Repealed by 978) |
| 371               | Budget adoption for water department for 1953 (Special) |
| 372               | Budget adoption for electric department for 1953 (Special) |
| 373               | Investment of funds (Special) |
| 374               | Investment of funds (Special) |
| 375               | Collection of electric accounts; amends Res. 350 (Repealed by 978) |
| 376               | Investment of funds (Special) |
| 377               | Wage rates for positions covered by IBEW contract (Special) |
| 378               | Salary increases for certain nonunion employees (Special) |
| 379               | Salaries of manager and auditor (Special) |
| 380               | Investment of funds (Special) |
| 381               | Investment of funds (Special) |
| 382               | Working hours (Special) |
| 383               | Request to Federal Power Commission to intervene in matter of certain applications by Idaho Power Co. (Special) |
| 384               | Salaries of manager and auditor (Special) |
| 385               | Membership in Washington Public Utility Districts' Power and Water Distribution System (2.16) |
| 386               | Joint insurance purchase agreement (2.32) |
| 387               | Appoints District representatives on Washington Public Utility Districts' Power and Water Distribution System (Special) |
| 388               | Investment of funds (Special) |
| 389               | Investment of funds (Special) |
| 390               | Transfer of funds (Special) |
| 391               | Investment of funds (Special) |
| 392               | Columbia-Snake River Public Power System agreement (Special) |
| 393               | Budget adoption for electric department for 1954 (Special) |
| 394               | Budget adoption for water department for 1954 (Special) |
| 395               | Rates for temporary electric service (Repealed by 978) |
| 396               | Investment of funds (Special) |
| 397               | Restricts load under commercial water and space heating schedule pending study of same (Special) |
| 398               | Salary of attorney (Special) |
| 399               | Membership in Operating Agency No. 1 of the Washington State Power Commission (Repealed by 978) |
| 400               | Execution of documents required by Res. 399; appoints alternate (Special) |
| 401               | Space heating regulations (Repealed by 978) |
| 402               | Amends schedule 4 of Res. 95, electric rates (Repealed by 978) |
| 403               | Amends Schedule 7 of Res. 182, electric rates (Repealed by 978) |
| 404               | Amends schedule 1 of Res. 95, electric rates (Repealed by 978) |
| 405               | Amends Res. 268, electric rates (Repealed by 978) |
| 406               | Sale of Ilwaco diesel generating equipment (Special) |
| 407               | Investment of funds (Special) |
| 408               | Appoints agent for District in settlement of claim arising from lightning of 12-6-53 (Special) |
| 409               | Prorating of electric bills (Repealed by 978) |
| 410               | Wage rates for positions covered by IBEW contract (Special) |
| 411               | Salaries for nonunion positions (Special) |
| 412               | Investment of funds (Special) |
| 413               | Water utility regulations and rates; amends Res. 300 (7.04, 7.08) |
| 414               | Investment of funds (Special) |
| 415               | Budget adoption for electric department for 1955 (Special) |
| 416               | Budget adoption for water department for 1955 (Special) |
| 417               | Investment of funds (Special) |
| 418               | Reassignment of certain employees’ positions (Special) |
| 419               | Investment of funds (Special) |
| 420               | New power sales contract with Bonneville Power Administration (Special) |
| 421               | Regular meeting day of commission (Repealed by 453) |
| 422               | Equal privileges for union and nonunion employees (Repealed by 978) |
| 423               | Telephone service at District expense at residences of employees on emergency call (Special) |
| 424               | Investment of funds (Special) |
| 425               | Employment of firm to prepare triennial rate study report (Special) |
| 426               | Electric service regulations (Repealed by 978) |
| 427               | Investment of funds (Special) |
| 428               | Investment of funds (Special) |
| 429               | Amendments to IBEW contract (Special) |
| 430               | Job titles and pay rates of certain employees (Special) |
| 431               | System improvement plan summary (Special) |
432 Change to another group insurance plan (Repealed by 978)
433 Investment of funds (Special)
434 Amends schedules 1 and 7 of Res. 95, electric rates (Repealed by 978)
435 Amends schedule 2 of Res. 95, electric rates (Repealed by 978)
436 Amends schedule 4 of Res. 95, electric rates (Repealed by 978)
437 Amends schedule 3 of Res. 95, electric rates (Repealed by 978)
438 Amends schedule 6 of Res. 364, electric rates (Repealed by 978)
439 Amends schedule 5 of Res. 95, electric rates (Repealed by 978)
440 Off-peak athletic field lighting rate schedule (Repealed by 978)
441 Budget adoption for electric department for 1956 (Special)
442 Budget adoption for water department for 1956 (Special)
443 Appeals certain Federal Power Commission decisions (Special)
444 Pay rate for Ilwaco superintendent (Special)
445 Purchase of certain section of transmission line from Bonneville Power Administration (Special)
446 Pay rates for plant accountant (Special)
447 Pay rate for Ilwaco superintendent (Special)
448 District policy on employees’ financial responsibility (Repealed by 978)
449 Establishes position of engineering aide (Special)
450 Establishes position of acting deputy auditor (Special)
451 Appoints acting deputy auditor (Special)
452 Investment of funds (Special)
453 Regular meeting day of commission; repeals Res. 421 (Repealed by 978)
454 Purchase of certain section of transmission line from Bonneville Power Administration (Special)
455 Federal old age and survivors insurance (3.40)
456 Commercial light and power rate schedule (Repealed by 978)
457 Wage rates for positions covered by IBEW contract (Special)
458 Investment of funds (Special)
459 Workmen’s compensation coverage (3.36)
460 District membership in Washington Public Power Supply System (2.16)
461 Investment of funds (Special)
462 Amends paragraph 5 of Res. 426, deposits for electric service (Repealed by 978)
463 Investment of funds (Special)
464 Investment of funds (Special)
465 Budget adoption for electric department for 1957 (Special)
466 Budget adoption for water department for 1957 (Special)
467 Appoints deputy and acting deputy auditors (Special)
468 Investment of funds (Special)
469 Surcharge to cover repairs after storm of 2-23-57 (Special)
470 Investment of funds (Special)
471 Wage rates for positions covered by IBEW contract (Special)
472 Wage rates for certain nonunion positions (Special)
473 Electric service regulations and rates (Repealed by 978)
474 Residential lighting rate schedule (Repealed by 978)
475 Amends schedule 2 of Res. 95, electric rates (Repealed by 978)
476 Investment of funds (Special)
477 Mileage allowance for commissioners’ vehicles (Repealed by 978)
478 Amends Res. 474, residential lighting rate schedule (Repealed by 978)
479 Amends Res. 434, electric rates (Repealed by 978)
480 Increases contingency fund amount, transfer of funds (Special)
481 Approves construction of certain power generating facilities by WPSS (Special)
482 Pay rate for Raymond operating superintendent (Special)
483 Pay rate for engineer (Special)
484 Loan to WPSS for power facility feasibility studies (Special)
485 Investment of funds (Special)
486 Budget adoption for water department for 1958 (Special)
487 Budget adoption for electric department for 1958 (Special)
488 Appoints representative to labor committee of public utility districts’ association (Special)
489 Investment of funds (Special)
490 Emergency fund for storm or other catastrophic damage; transfer of funds (Repealed by 977)
491 Investment of funds (Special)
492 Approves construction of certain power generating facilities by WPSS (Special)
493 Investment of funds (Special)
494 Investment of funds (Special)
<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>495</td>
<td>Wage rates for positions covered by IBEW contract (Special)</td>
</tr>
<tr>
<td>496</td>
<td>Wage rates for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>497</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>498</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>500</td>
<td>Maximum accrual of vacation leave (3.28)</td>
</tr>
<tr>
<td>501</td>
<td>Budget adoption for electric department for 1959 (Special)</td>
</tr>
<tr>
<td>502</td>
<td>Budget adoption for water department for 1959 (Special)</td>
</tr>
<tr>
<td>503</td>
<td>Clarifies residential electric rate schedules (Repealed by 978)</td>
</tr>
<tr>
<td>504</td>
<td>Maximum per diem compensation for commissioners (Repealed by 667)</td>
</tr>
<tr>
<td>505</td>
<td>Joint labor negotiations through Washington Public Utility District Association (Special)</td>
</tr>
<tr>
<td>506</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>507</td>
<td>Appoints representative and alternate to WPPSS board (Special)</td>
</tr>
<tr>
<td>508</td>
<td>Discontinues loans to WPPSS (Special)</td>
</tr>
<tr>
<td>509</td>
<td>Power sales contract with Bonneville Administration (Special)</td>
</tr>
<tr>
<td>510</td>
<td>Wage rates for certain nonunion positions (Repealed by 521)</td>
</tr>
<tr>
<td>511</td>
<td>Wage rates for positions covered by IBEW contract (Special)</td>
</tr>
<tr>
<td>512</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>513</td>
<td>Sale or lease of certain warehouse in Ilwaco (Special)</td>
</tr>
<tr>
<td>514</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>515</td>
<td>Budget for water department for 1960 (Special)</td>
</tr>
<tr>
<td>516</td>
<td>Alternate electric rate for irrigation service (Repealed by 978)</td>
</tr>
<tr>
<td>517</td>
<td>Budget for water department for 1960 (Special)</td>
</tr>
<tr>
<td>518</td>
<td>Budget for electric department for 1960 (Special)</td>
</tr>
<tr>
<td>519</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>520</td>
<td>Appoints agent for District in settlement of claims arising from lightning of 5-11-59 (Special)</td>
</tr>
<tr>
<td>521</td>
<td>Pay rate for Raymond building custodian; repeals Res. 510 (Special)</td>
</tr>
<tr>
<td>522</td>
<td>Labor negotiations for District conducted by labor committee of Washington Public Utility Districts Association (Special)</td>
</tr>
<tr>
<td>523</td>
<td>Appoints representative and alternates to Washington Public Utility Districts’ Power and Water Distribution System (Special)</td>
</tr>
<tr>
<td>524</td>
<td>Redemption of certain stock certificate (Special)</td>
</tr>
<tr>
<td>525</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>526</td>
<td>Wage rates for positions covered by IBEW contract (Special)</td>
</tr>
<tr>
<td>527</td>
<td>Wage rates for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>528</td>
<td>Execution of certain quitclaim deed (Special)</td>
</tr>
<tr>
<td>529</td>
<td>Amends § 15 of Res. 473, electric service regulations and rates (Repealed by 978)</td>
</tr>
<tr>
<td>530</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>531</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>532</td>
<td>Budget adoption for water department for 1961 (Special)</td>
</tr>
<tr>
<td>533</td>
<td>Budget adoption for electric department for 1961 (Special)</td>
</tr>
<tr>
<td>534</td>
<td>Amends Res. 474 and repeals schedule 7 of Res. 95, electric rates (Repealed by 978)</td>
</tr>
<tr>
<td>535</td>
<td>Amends schedule 2 of Res. 95, electric rates (Repealed by 978)</td>
</tr>
<tr>
<td>536</td>
<td>Amends schedule 4 of Res. 95, electric rates (Repealed by 978)</td>
</tr>
<tr>
<td>537</td>
<td>Appoints manager (Special)</td>
</tr>
<tr>
<td>538</td>
<td>Appoints deputy auditor (Special)</td>
</tr>
<tr>
<td>539</td>
<td>Establishes position of chief accountant (Special)</td>
</tr>
<tr>
<td>540</td>
<td>Amends schedule 8 of Res. 365, irrigation electric rates (Repealed by 978)</td>
</tr>
<tr>
<td>541</td>
<td>Wage rates for positions covered by IBEW contract (Special)</td>
</tr>
<tr>
<td>542</td>
<td>Electric rate for regularly established church bodies (Repealed by 978)</td>
</tr>
<tr>
<td>543</td>
<td>Repeals and replaces schedule 3 of Res. 95, electric rates (Repealed by 978)</td>
</tr>
<tr>
<td>544</td>
<td>Budget adoption for electric department for 1962 (Special)</td>
</tr>
<tr>
<td>545</td>
<td>Budget adoption for water department for 1962 (Special)</td>
</tr>
<tr>
<td>546</td>
<td>Appoints representative and alternates to board of Washington Public Utility District’s Power and Water Distribution System (Special)</td>
</tr>
<tr>
<td>547</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>548</td>
<td>Pro-rating of street light bills (Repealed by 978)</td>
</tr>
<tr>
<td>549</td>
<td>Study of proposed power intertie linking Pacific Northwest and Pacific Southwest (Special)</td>
</tr>
<tr>
<td>550</td>
<td>Wage rates for positions covered by IBEW contract (Special)</td>
</tr>
<tr>
<td>551</td>
<td>Pay rate for position of superintendent in Ilwaco (Special)</td>
</tr>
<tr>
<td>552</td>
<td>Amends schedule 2 of Res. 95, electric rates (Repealed by 978)</td>
</tr>
<tr>
<td>Resolution Table</td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td></td>
</tr>
<tr>
<td>553 Electric rate schedule for industrial accounts with loads of 200 KW demand or more (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>554 Meetings dates of commissioners (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>555 Budget adoption for electric department for 1963 (Special)</td>
<td></td>
</tr>
<tr>
<td>556 Budget adoption for water department for 1963 (Special)</td>
<td></td>
</tr>
<tr>
<td>557 Appoints auditor (Special)</td>
<td></td>
</tr>
<tr>
<td>558 Appoints deputy auditor (Special)</td>
<td></td>
</tr>
<tr>
<td>559 Hanford project exchange agreement and replacement power sales contract with Bonneville Administration and WPPSS (Special)</td>
<td></td>
</tr>
<tr>
<td>560 Wage rates for positions covered by IBEW contract (Special)</td>
<td></td>
</tr>
<tr>
<td>561 Wage rates for certain nonunion positions (Special)</td>
<td></td>
</tr>
<tr>
<td>562 Expense vouchers of commissioners (Repealed by 1080)</td>
<td></td>
</tr>
<tr>
<td>563 Establishes position of District treasurer; appoints treasurer (2.08)</td>
<td></td>
</tr>
<tr>
<td>564 Appoints deputy treasurer (Special)</td>
<td></td>
</tr>
<tr>
<td>565 Appoints deputy auditor (Special)</td>
<td></td>
</tr>
<tr>
<td>566 Salary of attorney (Special)</td>
<td></td>
</tr>
<tr>
<td>567 Establishes Public Utility District fund and designates depositories (Repealed by 1337)</td>
<td></td>
</tr>
<tr>
<td>568 Depositories’ agreements and collateral (Special)</td>
<td></td>
</tr>
<tr>
<td>569 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>570 Sale of certain property (Special)</td>
<td></td>
</tr>
<tr>
<td>571 Budget adoption for electric department for 1964 (Special)</td>
<td></td>
</tr>
<tr>
<td>572 Budget adoption for water department for 1964 (Special)</td>
<td></td>
</tr>
<tr>
<td>573 Endorses certain improvements proposed under Watershed Protection and Flood Prevention Act (Special)</td>
<td></td>
</tr>
<tr>
<td>574 Urges Bonneville Power Administration to re-evaluate proposed rate increase (Special)</td>
<td></td>
</tr>
<tr>
<td>575 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>576 Bid to GSA for certain power facilities (Special)</td>
<td></td>
</tr>
<tr>
<td>577 Wage rates for certain nonunion positions (Special)</td>
<td></td>
</tr>
<tr>
<td>578 Amends Res. 576, bid to GSA (Special)</td>
<td></td>
</tr>
<tr>
<td>579 Investment of fund (Special)</td>
<td></td>
</tr>
<tr>
<td>580 Appoints deputy treasurer (Special)</td>
<td></td>
</tr>
<tr>
<td>581 Sale of certain land to state (Special)</td>
<td></td>
</tr>
<tr>
<td>582 Budget adoption for electric department for 1965 (Special)</td>
<td></td>
</tr>
<tr>
<td>583 Budget adoption for water department for 1965 (Special)</td>
<td></td>
</tr>
<tr>
<td>584 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>585 Amends Res. Nos. 567 and 568, collateral (Repealed by 1337)</td>
<td></td>
</tr>
<tr>
<td>586 Transfer of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>587 Wage rates for certain nonunion positions (Special)</td>
<td></td>
</tr>
<tr>
<td>588 All-electric rate schedule (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>589 Electric rates (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>590 Electric rate schedule for industrial use of 5,000 KW or more (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>591 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>592 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>593 Budget adoption for electric department for 1966 (Special)</td>
<td></td>
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<tr>
<td>594 Budget adoption for water department for 1966 (Special)</td>
<td></td>
</tr>
<tr>
<td>595 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>596 Payment of benefit coverages after employees’ retirement (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>597 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>598 Adds power factor adjustment section to commercial lighting and power rate schedule (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>599 Amends policy on payment of benefit coverages after employees’ retirement (3.40)</td>
<td></td>
</tr>
<tr>
<td>600 Wage rates for certain nonunion positions (Special)</td>
<td></td>
</tr>
<tr>
<td>601 Increases collateral requirement at certain bank (Repealed by 1337)</td>
<td></td>
</tr>
<tr>
<td>602 Continuation of certain retiring commissioner’s benefit programs (Special)</td>
<td></td>
</tr>
<tr>
<td>603 Amends large industrial electric rate schedule (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>604 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>605 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>606 Budget adoption for electric department for 1967 (Special)</td>
<td></td>
</tr>
<tr>
<td>607 Budget adoption for water department for 1967 (Special)</td>
<td></td>
</tr>
<tr>
<td>608 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>609 Mileage allowance on District business (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>610 Blanket form fire insurance (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>611 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>612 Continuation of benefit coverages for retired employees (3.40)</td>
<td></td>
</tr>
<tr>
<td>613 Amends deposit, disconnect and underground policies (Repealed by 978)</td>
<td></td>
</tr>
<tr>
<td>614 Wage rates for certain nonunion employees (Special)</td>
<td></td>
</tr>
<tr>
<td>615 Investment of funds (Special)</td>
<td></td>
</tr>
<tr>
<td>616 Appoints agent for fire insurance purposes (Repealed by 978)</td>
<td></td>
</tr>
</tbody>
</table>

(Revised 12/13)
<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>617</td>
<td>Service pole requirements for temporary service and mobile homes (Repealed by 978)</td>
</tr>
<tr>
<td>618</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>619</td>
<td>Authorizes certain name change (Special)</td>
</tr>
<tr>
<td>620</td>
<td>Budget adoption for water department for 1968 (Special)</td>
</tr>
<tr>
<td>621</td>
<td>Budget adoption for electric department for 1968 (Special)</td>
</tr>
<tr>
<td>622</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>623</td>
<td>Agreement with Bay Center fire district (Special)</td>
</tr>
<tr>
<td>624</td>
<td>Underground electrical distribution policy (Repealed by 978)</td>
</tr>
<tr>
<td>625</td>
<td>Reimbursement of commissioners for expenses (Repealed by 1080)</td>
</tr>
<tr>
<td>626</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>627</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>628</td>
<td>Minimum electric rates (Repealed by 978)</td>
</tr>
<tr>
<td>629</td>
<td>Meter reading policy (Repealed by 978)</td>
</tr>
<tr>
<td>630</td>
<td>Appoints manager (Special)</td>
</tr>
<tr>
<td>631</td>
<td>Appoints auditor (Special)</td>
</tr>
<tr>
<td>632</td>
<td>Appoints deputy auditor (Special)</td>
</tr>
<tr>
<td>633</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>634</td>
<td>Budget adoption for electric department for 1969 (Special)</td>
</tr>
<tr>
<td>635</td>
<td>Budget adoption for water department for 1969 (Special)</td>
</tr>
<tr>
<td>636</td>
<td>Continuation of certain individual on group medical plan (Special)</td>
</tr>
<tr>
<td>637</td>
<td>Basic salary for deputy auditor position (Special)</td>
</tr>
<tr>
<td>638</td>
<td>Urges retention of certain power line by Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>639</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>640</td>
<td>Retirement age (Repealed by 978)</td>
</tr>
<tr>
<td>641</td>
<td>Political activities of District employees (Repealed by 1006)</td>
</tr>
<tr>
<td>642</td>
<td>Reimbursement of travel expenses (Repealed by 978)</td>
</tr>
<tr>
<td>643</td>
<td>Underground service drops (Repealed by 978)</td>
</tr>
<tr>
<td>644</td>
<td>Commissioners’ salaries (Special)</td>
</tr>
<tr>
<td>645</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>646</td>
<td>Ten-year hydro-thermal plan (Special)</td>
</tr>
<tr>
<td>647</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>648</td>
<td>Line extension and underground policy (Repealed by 978)</td>
</tr>
<tr>
<td>649</td>
<td>Preliminary feasibility study of underground wiring (Repealed by 978)</td>
</tr>
<tr>
<td>650</td>
<td>Budget adoption for electric department for 1970 (Special)</td>
</tr>
<tr>
<td>651</td>
<td>Budget adoption for water department for 1970 (Special)</td>
</tr>
<tr>
<td>652</td>
<td>Amends Res. 613, disconnect policy (Repealed by 978)</td>
</tr>
<tr>
<td>653</td>
<td>Purchase of regulator for Henkle substation (Special)</td>
</tr>
<tr>
<td>654</td>
<td>Participation in hydro-thermal program (Special)</td>
</tr>
<tr>
<td>655</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>656</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>657</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>658</td>
<td>Amends residential electric rates schedule and reconnect regulations (Repealed by 978)</td>
</tr>
<tr>
<td>659</td>
<td>Construction and acquisition of electric utility system improvements; issuance of revenue bonds (Special)</td>
</tr>
<tr>
<td>660</td>
<td>Amends §§ 6 and 20 of Res. 659, issuance of bonds (Special)</td>
</tr>
<tr>
<td>661</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>662</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>663</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>664</td>
<td>Authorizes certain loan (Special)</td>
</tr>
<tr>
<td>665</td>
<td>Budget adoption for electric department for 1971 (Special)</td>
</tr>
<tr>
<td>666</td>
<td>Budget adoption for water department for 1971 (Special)</td>
</tr>
<tr>
<td>667</td>
<td>Maximum per diem compensation for commissioners; repeals Res. 504 (Repealed by 935)</td>
</tr>
<tr>
<td>668</td>
<td>Benefit coverage for dependents of deceased employees (3.32)</td>
</tr>
<tr>
<td>669</td>
<td>Application for membership in WPPSS (Special)</td>
</tr>
<tr>
<td>670</td>
<td>Net billing agreement with Bonneville Power Administration regarding WPPSS Nuclear Project No. 2 (Special)</td>
</tr>
<tr>
<td>671</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>672</td>
<td>Execution of net billing agreement (Special)</td>
</tr>
<tr>
<td>673</td>
<td>Advance of funds to WPPS for Nuclear Project No. 2 (Special)</td>
</tr>
<tr>
<td>674</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>675</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>676</td>
<td>Salaries of certain nonunion employees (Special)</td>
</tr>
<tr>
<td>677</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>678</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>679</td>
<td>Budget adoption for electric department for 1972 (Special)</td>
</tr>
<tr>
<td>680</td>
<td>Budget adoption for water department for 1972 (Special)</td>
</tr>
<tr>
<td>681</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>682</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>Resolution</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>683</td>
<td>Power sales contract with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>684</td>
<td>Mileage allowance on District business (Repealed by 978)</td>
</tr>
<tr>
<td>685</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>686</td>
<td>Agreement with Bonneville Power Administration to provide replacement energy during curtailment of nonfirm energy (Special)</td>
</tr>
<tr>
<td>688</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>689</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>690</td>
<td>Application for federal disaster relief funds (Special)</td>
</tr>
<tr>
<td>691</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>692</td>
<td>Defines “same kind of materials, equipment and supplies” (4.12)</td>
</tr>
<tr>
<td>693</td>
<td>Approves WPPSS preliminary financing plan; execution of revenue note agreement (Special)</td>
</tr>
<tr>
<td>694</td>
<td>Hanford nuclear project (Special)</td>
</tr>
<tr>
<td>695</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>696</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>697</td>
<td>Repeals cable allowance for all-electric homes (Repealed by 978)</td>
</tr>
<tr>
<td>698</td>
<td>Budget adoption for electric department for 1973 (Special)</td>
</tr>
<tr>
<td>699</td>
<td>Budget adoption for water department for 1973 (Special)</td>
</tr>
<tr>
<td>700</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>701</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>702</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>703</td>
<td>Net billing agreement with Bonneville Power Administration regarding WPPSS Nuclear Project No. 1 (Special)</td>
</tr>
<tr>
<td>704</td>
<td>Net billing agreement with Bonneville Power Administration regarding WPPSS Nuclear Project No. 1 (Special)</td>
</tr>
<tr>
<td>705</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>706</td>
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</tr>
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<td>707</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>708</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>709</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>710</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>711</td>
<td>Revenue note agreement for WPPSS Nuclear Project No. 3 (Special)</td>
</tr>
<tr>
<td>712</td>
<td>Sale or loan of District property and equipment (2.36)</td>
</tr>
<tr>
<td>713</td>
<td>Amendments to rules of WPPSS board (Special)</td>
</tr>
<tr>
<td>714</td>
<td>Approves WPPSS Nuclear Project No. 3 (Special)</td>
</tr>
<tr>
<td>715</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>716</td>
<td>Approves SEPA (Repealed by 766)</td>
</tr>
<tr>
<td>717</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>718</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>719</td>
<td>Urges conservation of electric energy (Special)</td>
</tr>
<tr>
<td>720</td>
<td>Budget policy (4.08)</td>
</tr>
<tr>
<td>721</td>
<td>Revises electric energy rates and charges (Repealed by 978)</td>
</tr>
<tr>
<td>722</td>
<td>Appoints manager (Special)</td>
</tr>
<tr>
<td>723</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>724</td>
<td>Amends electric rate schedules for street lighting and irrigation pumping (Repealed by 978)</td>
</tr>
<tr>
<td>725</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>726</td>
<td>Budget adoption for electric department for 1974 (Special)</td>
</tr>
<tr>
<td>727</td>
<td>Budget adoption for water department for 1974 (Special)</td>
</tr>
<tr>
<td>728</td>
<td>Issuance of refunding bonds (Special)</td>
</tr>
<tr>
<td>729</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>730</td>
<td>Purchase of underground wire (Special)</td>
</tr>
<tr>
<td>731</td>
<td>Revenue note agreement regarding issuance of WPPSS bonds (Special)</td>
</tr>
<tr>
<td>732</td>
<td>Mileage allowance on District business (Repealed by 815)</td>
</tr>
<tr>
<td>733</td>
<td>Electric rate revisions (Repealed by 978)</td>
</tr>
<tr>
<td>734</td>
<td>Amends net billing agreement with Bonneville Power Administration regarding WPPSS Nuclear Project No. 1 (Special)</td>
</tr>
<tr>
<td>735</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>736</td>
<td>Purchase of conductor (Special)</td>
</tr>
<tr>
<td>737</td>
<td>WPPSS revenue note agreement (Special)</td>
</tr>
<tr>
<td>738</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>739</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>740</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>741</td>
<td>Purchase of conductor (Special)</td>
</tr>
<tr>
<td>742</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>743</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>744</td>
<td>Approves WPPSS Nuclear Project Nos. 4 and 5 and Skagit Project units 1 and 2 (Special)</td>
</tr>
<tr>
<td>745</td>
<td>Board meeting times and location (Repealed by 978)</td>
</tr>
<tr>
<td>746</td>
<td>Purchase of cable (Special)</td>
</tr>
<tr>
<td>747</td>
<td>Budget adoption for electric department for 1975 (Special)</td>
</tr>
<tr>
<td>748</td>
<td>Budget adoption for water department for 1975 (Special)</td>
</tr>
<tr>
<td>749</td>
<td>Electric rate revisions (Repealed by 978)</td>
</tr>
<tr>
<td>750</td>
<td>Board meeting times and location (Repealed by 978)</td>
</tr>
<tr>
<td>751</td>
<td>Electric rate revisions (Repealed by 978)</td>
</tr>
<tr>
<td>Resolution Number</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>752</td>
<td>Option and services agreement with WPPSS regarding Nuclear Project Nos. 4 and 5 and Skagit Project (Special)</td>
</tr>
<tr>
<td>753</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>754</td>
<td>Amendments to rules of WPPSS board (Special)</td>
</tr>
<tr>
<td>755</td>
<td>Amendatory agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>756</td>
<td>Budget amendment for electric department (Special)</td>
</tr>
<tr>
<td>757</td>
<td>Establishes and fills positions of certifying officer and deputy certifying officer (Special)</td>
</tr>
<tr>
<td>758</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>759</td>
<td>Budget adoption for electric department for 1976 (Special)</td>
</tr>
<tr>
<td>760</td>
<td>Budget adoption for water department for 1976 (Special)</td>
</tr>
<tr>
<td>761</td>
<td>Amendatory agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>762</td>
<td>Exemptions from state threshold determination and environmental impact statement requirements; adopts WAC 197-10-170-(1-20) (Repealed by 766)</td>
</tr>
<tr>
<td>763</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>764</td>
<td>Interim regulations for SEPA implementation (Repealed by 766)</td>
</tr>
<tr>
<td>765</td>
<td>Participants’ agreement and approval of WPPSS Nuclear Project Nos. 4 and 5 (Special)</td>
</tr>
<tr>
<td>766</td>
<td>Policy for SEPA implementation (Repealed by 978)</td>
</tr>
<tr>
<td>767</td>
<td>Amends general service electric rate schedule (Repealed by 978)</td>
</tr>
<tr>
<td>768</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>769</td>
<td>Reciprocal operating and emergency repair agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>770</td>
<td>Assignment agreement regarding WPPSS Nuclear Project Nos. 4 and 5 (Special)</td>
</tr>
<tr>
<td>771</td>
<td>Absences of commissioners (2.04)</td>
</tr>
<tr>
<td>772</td>
<td>Check handling policy (Repealed by 978)</td>
</tr>
<tr>
<td>773</td>
<td>Budget adoption for electric department for 1977 (Special)</td>
</tr>
<tr>
<td>774</td>
<td>Budget adoption for water department for 1977 (Special)</td>
</tr>
<tr>
<td>775</td>
<td>Self-insurance through Washington Public Utility Districts’ Utilities System (Not codified)</td>
</tr>
<tr>
<td>776</td>
<td>Appoints attorneys for District (Special)</td>
</tr>
<tr>
<td>777</td>
<td>Appoints deputy treasurer (Special)</td>
</tr>
<tr>
<td>778</td>
<td>Amendments to assignment agreement regarding WPPSS Nuclear Project Nos. 4 and 5 (Special)</td>
</tr>
<tr>
<td>779</td>
<td>Water service rates and charges (7.08)</td>
</tr>
<tr>
<td>780</td>
<td>Amends residential and optional residential rate schedules (Repealed by 978)</td>
</tr>
<tr>
<td>781</td>
<td>Appoints manager (Special)</td>
</tr>
<tr>
<td>782</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>783</td>
<td>Liability self-insurance program regulations (2.32)</td>
</tr>
<tr>
<td>784</td>
<td>Northwest agencies agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>785</td>
<td>Wage and benefit schedule to be implemented in event of failure of labor negotiations with IBEW (Special)</td>
</tr>
<tr>
<td>786</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>787</td>
<td>Salaries of certain nonunion employees (Special)</td>
</tr>
<tr>
<td>788</td>
<td>Public records (Repealed by 976)</td>
</tr>
<tr>
<td>789</td>
<td>Salaries of certain nonunion employees (Special)</td>
</tr>
<tr>
<td>790</td>
<td>Purchasing procedures (4.12)</td>
</tr>
<tr>
<td>791</td>
<td>Amendment to power sales contract with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>792</td>
<td>Budget adoption for electric department for 1978 (Special)</td>
</tr>
<tr>
<td>793</td>
<td>Budget adoption for water department for 1978 (Special)</td>
</tr>
<tr>
<td>794</td>
<td>Water service rates and charges (7.08)</td>
</tr>
<tr>
<td>795</td>
<td>Policies governing customer service, service extension, and sale and use of electric service (6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.32)</td>
</tr>
<tr>
<td>796</td>
<td>Revised electric service rate schedules (Not codified)</td>
</tr>
<tr>
<td>797</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>798</td>
<td>Electric service rate schedule for large industrial users (Not codified)</td>
</tr>
<tr>
<td>799</td>
<td>Compensation of nonunion monthly personnel in excess of normal working hours (Repealed by 978)</td>
</tr>
<tr>
<td>800</td>
<td>Appoints attorney for District (Special)</td>
</tr>
<tr>
<td>801</td>
<td>Establishes position of commercial representative (Special)</td>
</tr>
<tr>
<td>802</td>
<td>Amendatory contact to Hanford exchange contact (Special)</td>
</tr>
<tr>
<td>803</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>804</td>
<td>Salaries for certain nonunion personnel (Special)</td>
</tr>
<tr>
<td>805</td>
<td>Appoints auditor (Special)</td>
</tr>
<tr>
<td>806</td>
<td>Appoints certifying officer and deputy certifying officer (Repealed by 870)</td>
</tr>
<tr>
<td>807</td>
<td>Salary of manager (Special)</td>
</tr>
</tbody>
</table>
Resolution Table

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>808</td>
<td>Temporary increase in contingency fund (Special)</td>
</tr>
<tr>
<td>809</td>
<td>Mandatory retirement age (3.40)</td>
</tr>
<tr>
<td>810</td>
<td>Budget adoption for electric department for 1979 (Special)</td>
</tr>
<tr>
<td>811</td>
<td>Budget adoption for water department for 1979 (Special)</td>
</tr>
<tr>
<td>812</td>
<td>Approves WPPSS resolution calling for draft of subordinate lien bonds for nuclear power plant construction projects (Special)</td>
</tr>
<tr>
<td>813</td>
<td>Request to Bonneville Power Administration regarding computation of transformation facility charge (Special)</td>
</tr>
<tr>
<td>814</td>
<td>Salaries for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>815</td>
<td>Mileage allowance on District business (Repealed by 849)</td>
</tr>
<tr>
<td>816</td>
<td>Salary of area supervisor (Special)</td>
</tr>
<tr>
<td>817</td>
<td>Salaries for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>818</td>
<td>Temporary increase in contingency fund (Special)</td>
</tr>
<tr>
<td>819</td>
<td>Authorizes manager to conduct labor negotiations with IBEW Local No. 77 (3.04)</td>
</tr>
<tr>
<td>820</td>
<td>Raises contingency fund amount (Special)</td>
</tr>
<tr>
<td>821</td>
<td>Establishes position of general superintendent (Special)</td>
</tr>
<tr>
<td>822</td>
<td>Changes depository for District funds in Ilwaco area (Special)</td>
</tr>
<tr>
<td>823</td>
<td>Salary of manager (Special)</td>
</tr>
<tr>
<td>824</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>825</td>
<td>Agreement with Bonneville Power Administration regarding payments to WPPSS under net billing agreements (Special)</td>
</tr>
<tr>
<td>826</td>
<td>Establishes position of data processing supervisor (Special)</td>
</tr>
<tr>
<td>827</td>
<td>Budget adoption for electric department for 1980 (Special)</td>
</tr>
<tr>
<td>828</td>
<td>Budget adoption for water department for 1980 (Special)</td>
</tr>
<tr>
<td>829</td>
<td>Revised electric service rate schedules (Not codified)</td>
</tr>
<tr>
<td>830</td>
<td>Increases retainer fee for attorney (Special)</td>
</tr>
<tr>
<td>831</td>
<td>Amends § 170 of Res. 829, temporary residential electric rate for low-income elderly (Repealed by 837)</td>
</tr>
<tr>
<td>832</td>
<td>Salaries for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>833</td>
<td>Board meeting times, dates, locations (Repealed by 978)</td>
</tr>
<tr>
<td>834</td>
<td>Decreases contingency fund amount (Special)</td>
</tr>
<tr>
<td>835</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>836</td>
<td>Establishes position of Ilwaco office manager (Special)</td>
</tr>
<tr>
<td>837</td>
<td>Amends § 170 of Res. 829, temporary residential electric rate for low-income elderly; repeals Res. 831 (Expired)</td>
</tr>
<tr>
<td>838</td>
<td>Budget adoption for electric department for 1981 (Special)</td>
</tr>
<tr>
<td>839</td>
<td>Budget adoption for water department for 1981 (Special)</td>
</tr>
<tr>
<td>840</td>
<td>Small wind data collection program agreement with BPA (Special)</td>
</tr>
<tr>
<td>841</td>
<td>Amendments to WPPSS board rules (Special)</td>
</tr>
<tr>
<td>842</td>
<td>Increases retainer fee of attorney (Special)</td>
</tr>
<tr>
<td>843</td>
<td>Board meeting times, dates, locations (Repealed by 978)</td>
</tr>
<tr>
<td>844</td>
<td>Revised electric service rate schedules (Not codified)</td>
</tr>
<tr>
<td>845</td>
<td>Amends § 2 of Res. 837, low-income elderly residential rate (Expired)</td>
</tr>
<tr>
<td>846</td>
<td>Supplemental agreement to participants’ agreement regarding WPPSS Nuclear Project Nos. 4 and 5 (Special)</td>
</tr>
<tr>
<td>847</td>
<td>Co-generation and small power production facility policy (6.36)</td>
</tr>
<tr>
<td>848</td>
<td>Salaries for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>849</td>
<td>Mileage allowance on District business; repeals Res. 815 (Repealed by 1037)</td>
</tr>
<tr>
<td>850</td>
<td>Extends time limit of low-income elderly rate relief program (Special)</td>
</tr>
<tr>
<td>851</td>
<td>Board meeting times, dates, locations (2.04)</td>
</tr>
<tr>
<td>852</td>
<td>Revised electric service rate schedules (Not codified)</td>
</tr>
<tr>
<td>853</td>
<td>Appoints acting auditor (Special)</td>
</tr>
<tr>
<td>854</td>
<td>Changes 3rd Tuesday board meeting location to Long Beach county building (2.04)</td>
</tr>
<tr>
<td>855</td>
<td>Personnel policy and procedures (Repealed by 1006)</td>
</tr>
<tr>
<td>856</td>
<td>Energy conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>857</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>858</td>
<td>Amendment to energy conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>859</td>
<td>Amendment to WPPSS board rules (Special)</td>
</tr>
<tr>
<td>860</td>
<td>Amendment to BPA power sales contract (Special)</td>
</tr>
<tr>
<td>861</td>
<td>Salaries for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>862</td>
<td>Budget adoption for electric department for 1982 (Special)</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Description</td>
</tr>
<tr>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td>863</td>
<td>Budget adoption for water department for 1982 (Special)</td>
</tr>
<tr>
<td>864</td>
<td>Adds low income elderly residential rate schedule to § 170 of Res. 852, electric rates (Expired)</td>
</tr>
<tr>
<td>865</td>
<td>(Missing)</td>
</tr>
<tr>
<td>866</td>
<td>Amendments to energy conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>867</td>
<td>Intervention in budget and rate hearings of Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>868</td>
<td>Citizens advisory committee (2.20)</td>
</tr>
<tr>
<td>869</td>
<td>Salaries for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>870</td>
<td>Appoints certifying officer and deputy certifying officer; repeals Res. 806 (Special)</td>
</tr>
<tr>
<td>871</td>
<td>Power sales contract with Bonneville Power Administration (Void)</td>
</tr>
<tr>
<td>872</td>
<td>Appoints auditor and deputy auditors (Special)</td>
</tr>
<tr>
<td>873</td>
<td>Amends liability self-insurance agreement (2.32)</td>
</tr>
<tr>
<td>874</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>875</td>
<td>Residential purchase and sale agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>876</td>
<td>Amendments to energy conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>877</td>
<td>Water service rates and charges (7.08)</td>
</tr>
<tr>
<td>878</td>
<td>Revises electric service rates (Expired)</td>
</tr>
<tr>
<td>879</td>
<td>Repayment of District share of WPPSS obligations (Special)</td>
</tr>
<tr>
<td>880</td>
<td>Amends general provisions of exchange contracts with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>881</td>
<td>Amends Res. 878, electric service rates (Expired)</td>
</tr>
<tr>
<td>882</td>
<td>Budget adoption for water department for 1983 (Special)</td>
</tr>
<tr>
<td>883</td>
<td>Budget adoption for electric department for 1983 (Special)</td>
</tr>
<tr>
<td>884</td>
<td>Defense of employees against claims relating to performance of duties (2.24)</td>
</tr>
<tr>
<td>885</td>
<td>Revised electric service rate schedules (Not codified)</td>
</tr>
<tr>
<td>886</td>
<td>Irrigation and crop pumping service rate schedule (Not codified)</td>
</tr>
<tr>
<td>887</td>
<td>Exchange transmission credit agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>888</td>
<td>Salaries for certain nonunion positions (Special)</td>
</tr>
<tr>
<td>889</td>
<td>Investment of funds (Special)</td>
</tr>
<tr>
<td>890</td>
<td>Amends §§ 15, 17 and 19 of Res. 795, customer service policy (6.08)</td>
</tr>
<tr>
<td>891</td>
<td>Increases contingency fund amount (Repealed by 1153)</td>
</tr>
<tr>
<td>892</td>
<td>Appoints auditor (Special)</td>
</tr>
<tr>
<td>893</td>
<td>Defense of certain employees against claims relating to District participation in WPPSS (Special)</td>
</tr>
<tr>
<td>894</td>
<td>Defense of certain employee against claims relating to District participation in WPPSS (Special)</td>
</tr>
<tr>
<td>895</td>
<td>Conservation agreements with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>896</td>
<td>Defense of certain employee against claims relating to District participation in WPPSS (Special)</td>
</tr>
<tr>
<td>897</td>
<td>Adds low income elderly residential rate schedule to § 170 of Res. 885, electric rates (Expired)</td>
</tr>
<tr>
<td>898</td>
<td>1984 electric department budget (Special)</td>
</tr>
<tr>
<td>899</td>
<td>1984 water department budget (Special)</td>
</tr>
<tr>
<td>900</td>
<td>Distribution of contingency fund (4.24)</td>
</tr>
<tr>
<td>901</td>
<td>Appoints general manager (Special)</td>
</tr>
<tr>
<td>902</td>
<td>Amends §§ 15, 19 and 21 of Res. 795, customer service policy (6.08)</td>
</tr>
<tr>
<td>903</td>
<td>Appoints auditor/commercial manager (Special)</td>
</tr>
<tr>
<td>904</td>
<td>Revises customer service policy (6.08)</td>
</tr>
<tr>
<td>905</td>
<td>Amends Res. 898, 1984 budget for electric department (Special)</td>
</tr>
<tr>
<td>906</td>
<td>Salary of Ilwaco operations supervisor (Special)</td>
</tr>
<tr>
<td>907</td>
<td>Revises credit policy (6.08)</td>
</tr>
<tr>
<td>908</td>
<td>Travel policy (Repealed by 1006)</td>
</tr>
<tr>
<td>909</td>
<td>Investment of funds (Repealed by 978)</td>
</tr>
<tr>
<td>910</td>
<td>Advance travel fund (Repealed by 1337)</td>
</tr>
<tr>
<td>911</td>
<td>Revises credit policy (6.08)</td>
</tr>
<tr>
<td>912</td>
<td>Computer maintenance reserve fund (4.28)</td>
</tr>
<tr>
<td>913</td>
<td>Amendments to weatherization program conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>914</td>
<td>Amends § 15 of credit policy (6.08)</td>
</tr>
<tr>
<td>915</td>
<td>Power sales contract with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>916</td>
<td>Amends § 170 of Res. 885, electric service rates (Expired)</td>
</tr>
<tr>
<td>917</td>
<td>Budget adoption for electric department for 1985 (Special)</td>
</tr>
<tr>
<td>918</td>
<td>Budget adoption for water department for 1985 (Special)</td>
</tr>
<tr>
<td>919</td>
<td>Street light electric rate for cities (Not codified)</td>
</tr>
<tr>
<td>920</td>
<td>Procedure for resolution of labor disputes not subject to collective bargaining agreement (Repealed by 933)</td>
</tr>
<tr>
<td>Resolution</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>921</td>
<td>Amendments to weatherization program conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>922</td>
<td>Amendments to street and area lighting program conservation agreement with Bonneville Administration (Special)</td>
</tr>
<tr>
<td>923</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>924</td>
<td>Amends 1985 electric department budget (Special)</td>
</tr>
<tr>
<td>925</td>
<td>Defense of certain employees against claims relating to District participation in WPPSS (Special)</td>
</tr>
<tr>
<td>926</td>
<td>Appoints acting manager (Special)</td>
</tr>
<tr>
<td>927</td>
<td>Defense of certain employees against claims relating to District participation in WPPSS (Special)</td>
</tr>
<tr>
<td>928</td>
<td>Maximum accrued vacation time prior to retirement (Not codified)</td>
</tr>
<tr>
<td>929</td>
<td>Appoints commercial manager/auditor (Special)</td>
</tr>
<tr>
<td>930</td>
<td>Opposes proposed agreement between Bonneville Power Administration and certain power companies (Special)</td>
</tr>
<tr>
<td>931</td>
<td>Amends street and yard lighting electric rate schedule (Not codified)</td>
</tr>
<tr>
<td>932</td>
<td>Amendments to street and area lighting program conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>933</td>
<td>Repeals Res. 920 (Repealer)</td>
</tr>
<tr>
<td>934</td>
<td>Salary for energy analyst/inspector position (Special)</td>
</tr>
<tr>
<td>935</td>
<td>Maximum per diem for commissioners; repeals Res. 667 (Repealed by 1080) (Number not used)</td>
</tr>
<tr>
<td>936</td>
<td>Amendment to weatherization program conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>937</td>
<td>Amendments to weatherization program conservation agreement with Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>938</td>
<td>Investment of funds (Repealed by 978)</td>
</tr>
<tr>
<td>939</td>
<td>Transfer of funds (Special)</td>
</tr>
<tr>
<td>940</td>
<td>Self-insurance dental plan (Repealed by 978)</td>
</tr>
<tr>
<td>941</td>
<td>Procedure for resolution of labor disputes under collective bargaining agreement (3.08)</td>
</tr>
<tr>
<td>942</td>
<td>Amends 1985 electric department budget (Special)</td>
</tr>
<tr>
<td>943</td>
<td>Opposes altering Federal Power Act (Special)</td>
</tr>
<tr>
<td>944</td>
<td>Appoints acting manager (Special)</td>
</tr>
<tr>
<td>945</td>
<td>Contract closeout agreement for short-term energy conservation agreement (Special)</td>
</tr>
<tr>
<td>946</td>
<td>Appoints general manager (Special)</td>
</tr>
<tr>
<td>947</td>
<td>Amends § 170 of Res. 885, electric rates (Expired)</td>
</tr>
<tr>
<td>948</td>
<td>Hourly rates of certain attorneys for District (Special)</td>
</tr>
<tr>
<td>949</td>
<td>Request for participation in state medical/dental insurance plan (Special)</td>
</tr>
<tr>
<td>950</td>
<td>Salaries for certain nonunion employees (Special)</td>
</tr>
<tr>
<td>951</td>
<td>Payment of medical deductibles for nonunion employees (Expired)</td>
</tr>
<tr>
<td>952</td>
<td>Establishes position of administrative secretary (Special)</td>
</tr>
<tr>
<td>953</td>
<td>Reaffirms appointment of manager (Special)</td>
</tr>
<tr>
<td>954</td>
<td>Changes position of energy auditor/inspector to manager of conservation/energy auditor/inspector; increases salary of appointee (Special)</td>
</tr>
<tr>
<td>955</td>
<td>Overtime compensation for employees exempt from provisions of Fair Labor Standards Act (Repealed by 978)</td>
</tr>
<tr>
<td>956</td>
<td>Payment to employees to offset tax for personal use of District vehicles (Special)</td>
</tr>
<tr>
<td>957</td>
<td>Special reserve fund (Special)</td>
</tr>
<tr>
<td>958</td>
<td>PUD vehicle use (2.44)</td>
</tr>
<tr>
<td>959</td>
<td>Overtime compensation (3.24)</td>
</tr>
<tr>
<td>960</td>
<td>Salary (Special)</td>
</tr>
<tr>
<td>961</td>
<td>Benefits for nonunion employees; repeals Res. 422 (3.12)</td>
</tr>
<tr>
<td>962</td>
<td>Investment of funds (Repealed by 973)</td>
</tr>
<tr>
<td>963</td>
<td>Property damage claims (2.40)</td>
</tr>
<tr>
<td>964</td>
<td>Appoints deputy auditor (Special)</td>
</tr>
<tr>
<td>965</td>
<td>Amends 1986 electric budget (Special)</td>
</tr>
<tr>
<td>966</td>
<td>Appoints deputy auditor (Special)</td>
</tr>
<tr>
<td>967</td>
<td>Appoints and changes salary for conservation/energy auditor/inspector (Special)</td>
</tr>
<tr>
<td>968</td>
<td>Overtime compensation (3.24)</td>
</tr>
<tr>
<td>969</td>
<td>Salary (Special)</td>
</tr>
<tr>
<td>970</td>
<td>Reaffirms appointment of manager (Special)</td>
</tr>
<tr>
<td>971</td>
<td>Appoints treasurer, establishes salary and removes deputy auditor (Special)</td>
</tr>
<tr>
<td>972</td>
<td>Investment of funds; repeals Res. 964 (Repealed by 1337)</td>
</tr>
<tr>
<td>973</td>
<td>Public records; repeals Res. 788 (2.28)</td>
</tr>
<tr>
<td>974</td>
<td>Emergency fund; repeals Res. 490 (4.28)</td>
</tr>
</tbody>
</table>
| 975 | Repeals Res. 3, §§ 1, 2 and 9 of Res. 10 and Resos. 17A, 15, 53 – 55, 63, 64, 77, 79, 82, 85, 90 – 92, 94, 95, 97, 98, 103, 117, 120, 150, 152, 166, 168, 176, 182, 185, 202, 206A, 207, 211, 212, 215, 222, 249, 251, 268, 275 – 277, 300, 305, 315, 322, 323, 329 – 331,
<table>
<thead>
<tr>
<th>Resolution Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>979</td>
<td>Adopts Super Good Cents Program (Special)</td>
</tr>
<tr>
<td>980</td>
<td>Amends § 170 of Res. 885, revised electric service rate schedules (Not codified)</td>
</tr>
<tr>
<td>981</td>
<td>1987 water department budget (Special)</td>
</tr>
<tr>
<td>982</td>
<td>1987 electrical department budget (Special)</td>
</tr>
<tr>
<td>983</td>
<td>Opposes Bonneville Power Administration budget and rate increases (Special)</td>
</tr>
<tr>
<td>984</td>
<td>Salary for chief of engineering and operations manager (Special)</td>
</tr>
<tr>
<td>985</td>
<td>Adopts rates, charges and fees for water department (7.08)</td>
</tr>
<tr>
<td>986</td>
<td>Liability program (2.32)</td>
</tr>
<tr>
<td>994</td>
<td>Amends § 11 of Res. 976, public records (2.28)</td>
</tr>
<tr>
<td>997</td>
<td>Low-income senior citizen electric rates (Expired)</td>
</tr>
<tr>
<td>998</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>999</td>
<td>Revises electric rates (Not codified)</td>
</tr>
<tr>
<td>1000</td>
<td>Revises electric rates (Not codified)</td>
</tr>
<tr>
<td>1001</td>
<td>1988 electrical department budget (Special)</td>
</tr>
<tr>
<td>1002</td>
<td>1988 water department budget (Special)</td>
</tr>
<tr>
<td>1003</td>
<td>Travel expense authorization (Special)</td>
</tr>
<tr>
<td>1004</td>
<td>Appoint general manager (Special)</td>
</tr>
<tr>
<td>1005</td>
<td>Amends customer service policies, lighting and irrigation (6.34)</td>
</tr>
<tr>
<td>1006</td>
<td>Employee personnel policy; repeals Resos. 641, 855 and 908 (Repealed by 1222)</td>
</tr>
<tr>
<td>1007</td>
<td>Revises customer service policy, service conductors and construction equipment (6.20)</td>
</tr>
<tr>
<td>1008</td>
<td>Amends 1988 electrical budget (Special)</td>
</tr>
<tr>
<td>1009</td>
<td>Appoints conservation manager (Special)</td>
</tr>
<tr>
<td>1010</td>
<td>Appoints customer service manager (Special)</td>
</tr>
<tr>
<td>1011</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1012</td>
<td>Appoints auditor (Special)</td>
</tr>
<tr>
<td>1013</td>
<td>Authorizes sale of property (Special)</td>
</tr>
<tr>
<td>1014</td>
<td>Amends joint self-insurance agreement (Special)</td>
</tr>
<tr>
<td>1015</td>
<td>Low-income senior citizen electric rates (Expired)</td>
</tr>
<tr>
<td>1016</td>
<td>Approves settlement, Washington Public Power Supply System Securities litigation (Special)</td>
</tr>
<tr>
<td>1017</td>
<td>1989 electrical department budget (Special)</td>
</tr>
<tr>
<td>1018</td>
<td>1989 water department budget (Special)</td>
</tr>
<tr>
<td>1019</td>
<td>Nonunion personnel salaries (Special)</td>
</tr>
<tr>
<td>1020</td>
<td>Establishes Raymond operations manager (Special)</td>
</tr>
<tr>
<td>1021</td>
<td>Raymond operations manager salary (Special)</td>
</tr>
<tr>
<td>1022</td>
<td>Electric revenue bond issuance (Special)</td>
</tr>
<tr>
<td>1023</td>
<td>Electric revenue bond contract for purchase (Special)</td>
</tr>
<tr>
<td>1024</td>
<td>Revises electric rates (Not codified)</td>
</tr>
<tr>
<td>1025</td>
<td>Amends travel policy (3.20)</td>
</tr>
<tr>
<td>1026</td>
<td>Amends Res. 1022, electric revenue bond issuance (Special)</td>
</tr>
<tr>
<td>1027</td>
<td>Authorizes withdrawal from Washington Public Power Supply System (Not codified)</td>
</tr>
<tr>
<td>1028</td>
<td>Disbands citizen advisory committee (Special)</td>
</tr>
<tr>
<td>1029</td>
<td>Sets attorney retainer fee (Special)</td>
</tr>
<tr>
<td>1030</td>
<td>Low-income senior citizen electric rates (Expired)</td>
</tr>
<tr>
<td>1031</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1032</td>
<td>Bond redemption fund (Special)</td>
</tr>
<tr>
<td>1033</td>
<td>Revises electric rates (Not codified)</td>
</tr>
<tr>
<td>1034</td>
<td>1990 electrical department budget (Special)</td>
</tr>
<tr>
<td>1035</td>
<td>1990 water department budget (Special)</td>
</tr>
<tr>
<td>1036</td>
<td>Washington Public Power Supply System litigation proceeds (Special)</td>
</tr>
<tr>
<td>1037</td>
<td>Mileage allowance; repeals Res. 849 (Repealed by 1042)</td>
</tr>
<tr>
<td>1038</td>
<td>Establishes positions and grades for administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1039</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1040</td>
<td>Approves Grays Harbor County PUD electric service agreement (Special)</td>
</tr>
<tr>
<td>1041</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1042</td>
<td>Mileage allowance; repeals Res. 1037 (Repealed by 1051)</td>
</tr>
<tr>
<td>1043</td>
<td>Distribution of contingency fund (4.24)</td>
</tr>
<tr>
<td>1044</td>
<td>Low-income senior citizen electric rates (Expired)</td>
</tr>
<tr>
<td>1045</td>
<td>Amends 1990 electric budget (Special)</td>
</tr>
<tr>
<td>1046</td>
<td>1991 electrical department budget (Special)</td>
</tr>
<tr>
<td>1047</td>
<td>1991 water department budget (Special)</td>
</tr>
<tr>
<td>1048</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1049</td>
<td>Amendatory agreement, Contract No. DE-MS79-84BP91945 (Special)</td>
</tr>
</tbody>
</table>
1050 State disaster assistance contract (Special)
1051 Mileage allowance; repeals Res. 1042 (Repealed by 1064)
1052 Proclaims public power week (Special)
1053 Revises electric rates (Not codified)
1054 Low-income senior citizen electric rates (Expired)
1055 Electric districts joint operating agency (CARES) (2.14)
1056 Deferred compensation (3.24)
1057 Establishes positions and grades for administrative and nonunion employees (Special)
1058 Salaries, administrative and nonunion employees (Special)
1059 Deferred compensation (3.24)
1060 Sets attorney retainer fee (Special)
1061 Amends 1991 electrical budget (Special)
1062 1992 electrical department budget (Special)
1063 1992 water department budget (Special)
1064 Mileage allowance (3.20)
1065 Establishes positions and grades for administrative and nonunion employees (Special)
1066 Amends travel policy (3.20)
1067 Local government investment pool (4.32)
1068 Authorized Monohan Landing Road contract (Special)
1069 Amends administration, customer service and service extension policies (2.04, 2.08, 4.20, 4.24, 6.08, 6.24, 6.28)
1070 Proclaims public power week (Special)
1071 Amends 1992 electric budget (Special)
1072 1993 electrical department budget (Special)
1073 1993 water department budget (Special)
1074 Local government investment pool (4.32)
1075 Salaries, administrative and nonunion employees (Special)
1076 Reporting and protection policy (3.48)
1077 Sets attorney retainer fee (Special)
1078 Appoints deputy auditor (Special)
1079 District boundaries (Not codified)
1080 Maximum per diem for commissioners; repeals Resos. 562, 625 and 935 (2.04)
1081 Conservation resource acquisition enabling contract (Special)
1082 Indemnification of CARES representative (2.14)
1083 Amends Res. 1079, District boundaries (Not codified)
1084 Revises electric rates (6.28)
1085 Approves CARES/Bonneville conservation project agreement (Special)
1086 1994 electrical department budget (Special)
1087 1994 water department budget (Special)
1088 District conservation policy (6.14)
1089 Salaries, administrative and nonunion employees (Special)
1090 Amends 1993 electric budget (Special)
1091 Columbia Wind Farm No. 1 Project (Special)
1092 Appoints interim general manager (Special)
1093 Funds transfer (Special)
1094 Establishes positions and grades for administrative and nonunion employees (Special)
1095 Purchase of electric revenue bonds (Special)
1096 Amends lighting fee schedule (6.32, 6.34)
1097 Establishes positions and grades for administrative and nonunion employees (Special)
1098 Proclaims public power week (Special)
1099 1995 electrical department budget (Special)
1100 1995 water department budget (Special)
1101 Building fund (4.28)
1102 Salaries, administrative and nonunion employees (Special)
1103 Joint liability self-insurance fund (2.32)
1104 Funds transfer (Special)
1105 Appoints general manager (Special)
1106 Amends Res. 1103, joint liability self-insurance fund (2.32)
1107 Proclaims public power week (Special)
1108 1996 electrical department budget (Special)
1109 1996 water department budget (Special)
1110 Water service policy and rates (7.04, 7.08, 7.12, 7.16, 7.20, 7.24, 7.28, 7.32, 7.34)
1111 Salaries, administrative and nonunion employees (Special)
1112 Controlled substance and alcohol use testing (3.16)
1113 Amends 1995 electric department budget (Special)
1114 Designates disaster assistance contract representative (Special)
1115 Funds transfer (Special)
1116 Amends electric department fee schedule (6.32)
1117 Electric service connection fee waiver (6.08)
1118 Bonneville power sales contract (Special)
1119 Powers sales agreement, LG&E power marketing (Special)
1120 Proclaims public power week (Special)
1121 1997 electrical department budget (Special)
1122 1997 water department budget (Special)
1123 Salaries, administrative and nonunion employees (Special)
1124 Sets attorney retainer fee (Special)
<table>
<thead>
<tr>
<th>Resolution Table-19</th>
<th>Resolution Table-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>1125 WPUDUS joint self-insurance agreement (2.32)</td>
<td>1159 Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1126 Establishes positions and grades for administrative and nonunion employees (Special)</td>
<td>1160 Communications rates (Repealed by 1207)</td>
</tr>
<tr>
<td>1127 Bonneville Power Administration service agreement (Special)</td>
<td>1161 Northwest Open Access Network interlocal cooperation agreement (Special)</td>
</tr>
<tr>
<td>1128 Approves CARES’ undertaking of energy service enterprise (Special)</td>
<td>1162 Repayment agreement, Northwest Open Access Network (Special)</td>
</tr>
<tr>
<td>1129 Substation purchase (Special)</td>
<td>1163 PURMS self-insurance program (2.32)</td>
</tr>
<tr>
<td>1130 Proclaims public power week (Special)</td>
<td>1164 Local purchase of goods and services (4.12)</td>
</tr>
<tr>
<td>1131 Bond issue reimbursement (Special)</td>
<td>1165 Financing, CARES’ energy service enterprise (Special)</td>
</tr>
<tr>
<td>1132 Digital parcel data interlocal agreement with Pacific County (Special)</td>
<td>1166 Establishes positions and grades for administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1133 1998 water department budget (Special)</td>
<td>1167 Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1134 1998 electrical department budget (Special)</td>
<td>1168 Repayment agreement, Northwest Open Access Network (Special)</td>
</tr>
<tr>
<td>1135 Electric revenue bonds issuance (Special)</td>
<td>1169 2001 water department budget (Special)</td>
</tr>
<tr>
<td>1136 Salaries, administrative and nonunion employees (Special)</td>
<td>1170 2001 electrical department budget (Special)</td>
</tr>
<tr>
<td>1137 Amends 1997 electrical department budget (Special)</td>
<td>1171 Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1138 Amends 1997 water department budget (Special)</td>
<td>1172 Revises communications rates (Repealed by 1207)</td>
</tr>
<tr>
<td>1139 Establishes positions and grades for administrative and nonunion employees (Special)</td>
<td>1173 Revises communications rates (Repealed by 1207)</td>
</tr>
<tr>
<td>1140 Bonneville Power Administration sales contract (Special)</td>
<td>1174 Revenue bonds repayment agreement (Special)</td>
</tr>
<tr>
<td>1141 Proclaims public power week (Special)</td>
<td>1175 Electric revenue bonds issuance (Special)</td>
</tr>
<tr>
<td>1142 1999 water department budget (Special)</td>
<td>1176 Power purchase agreement, Nine Canyon Wind Farm project (Special)</td>
</tr>
<tr>
<td>1143 1999 electrical department budget (Special)</td>
<td>1177 Revises electric rates (6.34)</td>
</tr>
<tr>
<td>1144 Salaries, administrative and nonunion employees (Special)</td>
<td>1178 Electric service customer service and service extension policies (2.04, 2.08, 2.32, 3.12, 3.20, 3.28, 4.12, 4.20, 4.24, 6.08, 6.20, 6.24, 6.28, 6.32, 6.34, 6.36)</td>
</tr>
<tr>
<td>1145 Sets attorney retainer fee (Repealed by 1199)</td>
<td>1179 Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1146 Amends 1998 water department budget (Special)</td>
<td>1180 Low-income senior or disabled citizens electric discount program (6.35)</td>
</tr>
<tr>
<td>1147 Financing, CARES’ energy service enterprise (Special)</td>
<td>1181 Damage claims agent (2.42)</td>
</tr>
<tr>
<td>1148 Authorizes property sale (Special)</td>
<td>1182 2002 electrical department budget (Special)</td>
</tr>
<tr>
<td>1149 Deferred compensation plan, Hartford Life Insurance Company (Special)</td>
<td>1183 2002 water department budget (Special)</td>
</tr>
<tr>
<td>1150 Supports PUD telecommunications authority (Special)</td>
<td>1184 Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1151 Nonunion employee benefits (Special)</td>
<td>1185 Amends 2001 electrical budget (Special)</td>
</tr>
<tr>
<td>1152 Surety indemnity agreement, CARES’ energy service enterprise (Special)</td>
<td>1186 Amends PURMS self-insurance fund (Special)</td>
</tr>
<tr>
<td>1153 Increases contingency fund (4.24)</td>
<td>1187 Approves water system plan (Special)</td>
</tr>
<tr>
<td>1154 Proclaims public power week (Special)</td>
<td>1188 Bonneville Power Administration wholesale rate containment (Special)</td>
</tr>
<tr>
<td>1155 Surety indemnity agreement, CARES’ energy service enterprise (Special)</td>
<td>1189 WPUDA Olympia office project funding (Special)</td>
</tr>
<tr>
<td>1156 2000 water department budget (Special)</td>
<td>1190 District boundaries (Not codified)</td>
</tr>
<tr>
<td>1157 2000 electrical department budget (Special)</td>
<td>1191 Joint operating agency agreement, Energy Northwest (Special)</td>
</tr>
<tr>
<td>1158 Amends 1999 electrical department budget (Special)</td>
<td></td>
</tr>
<tr>
<td>Resolution ID</td>
<td>Description</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------</td>
</tr>
<tr>
<td>1192</td>
<td>Opposes proposed Northwest electricity system changes (Special)</td>
</tr>
<tr>
<td>1193</td>
<td>Supports state water law reform (Special)</td>
</tr>
<tr>
<td>1194</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1195</td>
<td>2003 electrical department budget (Special)</td>
</tr>
<tr>
<td>1196</td>
<td>2003 water department budget (Special)</td>
</tr>
<tr>
<td>1197</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1198</td>
<td>Amends 2002 electrical department budget (Special)</td>
</tr>
<tr>
<td>1199</td>
<td>Sets attorney retainer fee; repeals Res. 1145 (Repealed by 1216)</td>
</tr>
<tr>
<td>1200</td>
<td>Authorizes PCN NextGen membership (Special)</td>
</tr>
<tr>
<td>1201</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1202</td>
<td>Appoints auditor (Special)</td>
</tr>
<tr>
<td>1203</td>
<td>Approves undertaking of wind project (Special)</td>
</tr>
<tr>
<td>1204</td>
<td>Approves PURMS self-insurance fund board resolution (Special)</td>
</tr>
<tr>
<td>1205</td>
<td>Twelve-month service connection fee waiver, Lebam water system (Special)</td>
</tr>
<tr>
<td>1206</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1207</td>
<td>Communications rates; rescinds Resos. 1160, 1172 and 1173 (Repealed by 1386)</td>
</tr>
<tr>
<td>1208</td>
<td>Approves sale of Internet access operation (Special)</td>
</tr>
<tr>
<td>1209</td>
<td>2004 electrical department budget (Special)</td>
</tr>
<tr>
<td>1210</td>
<td>2004 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1211</td>
<td>2004 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1212</td>
<td>Amends 2003 electrical department budget (Special)</td>
</tr>
<tr>
<td>1213</td>
<td>2003 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1214</td>
<td>Lebam water rates (Repealed by 1414)</td>
</tr>
<tr>
<td>1215</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1216</td>
<td>Sets attorney retainer fee; repeals Res. 1199 (Special)</td>
</tr>
<tr>
<td>1217</td>
<td>Funds transfer (Special)</td>
</tr>
<tr>
<td>1218</td>
<td>Privacy officer (2.32)</td>
</tr>
<tr>
<td>1219</td>
<td>PURMS privacy rules amendments (2.32)</td>
</tr>
<tr>
<td>1220</td>
<td>Electronic media and services policy (3.18)</td>
</tr>
<tr>
<td>1221</td>
<td>Bay Center residential water rates (7.34)</td>
</tr>
<tr>
<td>1222</td>
<td>Employee personnel policy; repeals Res. 1006 (Repealed by 1373)</td>
</tr>
<tr>
<td>1223</td>
<td>Adds §§ 6.08.245 and 6.24.060; amends §§ 6.04.010, 6.08.030, 6.08.040, 6.08.050, 6.08.100, 6.08.120, 6.08.130, 6.08.190, 6.08.250, 6.08.330, 6.08.340, 6.12.040, 6.20.060, 6.36.070 and 6.36.120, electrical service customer service policies (6.04, 6.08, 6.12, 6.20, 6.24, 6.36)</td>
</tr>
<tr>
<td>1224</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1225</td>
<td>2005 electrical department budget (Special)</td>
</tr>
<tr>
<td>1226</td>
<td>2005 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1227</td>
<td>2005 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1228</td>
<td>Opposes approval of Grid West developmental bylaws (Special)</td>
</tr>
<tr>
<td>1229</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1230</td>
<td>District investment policy (4.36)</td>
</tr>
<tr>
<td>1231</td>
<td>Power diversion policy (6.22)</td>
</tr>
<tr>
<td>1232</td>
<td>Approves undertaking integrated gasification combined cycle project (Special)</td>
</tr>
<tr>
<td>1233</td>
<td>Approves amendments to the articles of incorporation and bylaws of NoaNet (Special)</td>
</tr>
<tr>
<td>1234</td>
<td>Calls for Bonneville Power Administration to set wholesale power target rate (Special)</td>
</tr>
<tr>
<td>1235</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1236</td>
<td>Approves undertaking of Reardon Twin Buttes wind project (Special)</td>
</tr>
<tr>
<td>1237</td>
<td>2006 electrical department budget (Special)</td>
</tr>
<tr>
<td>1238</td>
<td>2006 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1239</td>
<td>2006 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1240</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1241</td>
<td>Adopts interconnection of electric generating facilities with nameplate of not more than 25 kilowatts policy (6.36)</td>
</tr>
<tr>
<td>1242</td>
<td>Approves undertaking of Nine Canyon Phase III wind project (Special)</td>
</tr>
<tr>
<td>1243</td>
<td>Water service policy and rates (7.04, 7.08, 7.12, 7.16, 7.20, 7.24, 7.28, 7.32, 7.34)</td>
</tr>
<tr>
<td>1244</td>
<td>Designates representative to enter into public assistance grant agreement with State of Washington Military Department Division of Emergency Management (Special)</td>
</tr>
<tr>
<td>1245</td>
<td>Authorizes condemnation and purchase (Special)</td>
</tr>
<tr>
<td>1246</td>
<td>Amends credit card procedure (Repealed by 1392)</td>
</tr>
<tr>
<td>1247</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1248</td>
<td>Authorizes establishment of health reimbursement arrangement/voluntary employees’ beneficiary association (HRA VEBA) plan (3.52)</td>
</tr>
<tr>
<td>Resolution Number</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>1249</td>
<td>Amends structure of salary ranges for administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1250</td>
<td>2007 electrical department budget (Special)</td>
</tr>
<tr>
<td>1251</td>
<td>2007 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1252</td>
<td>2007 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1253</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1254</td>
<td>Amends low-income senior or disabled citizens electric discount program (6.35)</td>
</tr>
<tr>
<td>1255</td>
<td>Amends electric rate schedules for area lighting and irrigation and crop pumping service (6.34)</td>
</tr>
<tr>
<td>1256</td>
<td>Pole attachment rates (6.37)</td>
</tr>
<tr>
<td>1257</td>
<td>Electric system revenue refunding bond issuance and sale (Special)</td>
</tr>
<tr>
<td>1258</td>
<td>Supporting Northwest RiverPartners’ “Green Dams, Blue Skies” campaign relating to the Northwest’s federal dams and hydrosystems (Special)</td>
</tr>
<tr>
<td>1259</td>
<td>Amends § 6.08.120, security deposits for commercial accounts (6.08)</td>
</tr>
<tr>
<td>1260</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1261</td>
<td>2008 electrical department budget (Special)</td>
</tr>
<tr>
<td>1262</td>
<td>2008 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1263</td>
<td>2008 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1264</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1265</td>
<td>Risk management policy (3.34)</td>
</tr>
<tr>
<td>1266</td>
<td>Deferred compensation (3.24)</td>
</tr>
<tr>
<td>1267</td>
<td>Accounts receivable policy (4.18)</td>
</tr>
<tr>
<td>1268</td>
<td>Adds §§ 6.08.075, 6.20.055 and 6.20.185; amends Ch. 2.28, § 3.28.070 and Ch. 4.12, §§ 6.08.210, 6.08.245, 6.08.260, 6.12.040, 6.12.050, 6.20.010, 6.20.050, 6.20.180, 6.32.010 and App. C of Ch. 6.36, customer service policies and conditions regulating the use and sale of electrical service (2.28, 3.28, 4.12, 6.08, 6.12, 6.20, 6.32, 6.36)</td>
</tr>
<tr>
<td>1269</td>
<td>Commissioner compensation policy (2.06)</td>
</tr>
<tr>
<td>1270</td>
<td>Recognizes administrative employees (Special)</td>
</tr>
<tr>
<td>1271</td>
<td>Repayment agreement, Northwest Open Access Network (Special)</td>
</tr>
<tr>
<td>1272</td>
<td>Proclaims public power week (Special)</td>
</tr>
<tr>
<td>1273</td>
<td>Identity theft prevention program (2.46)</td>
</tr>
<tr>
<td>1274</td>
<td>Authorizes slice/block power sales agreement with the U.S. Department of Energy, acting by and through the Bonneville Power Administration (Special)</td>
</tr>
<tr>
<td>1275</td>
<td>2009 electrical department budget (Special)</td>
</tr>
<tr>
<td>1276</td>
<td>2009 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1277</td>
<td>2009 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1278</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1279</td>
<td>Adopts interconnection of electric generating facilities with maximum generating capacity of less than or equal to 100 kilowatts policy; supersedes Res. 1241 (6.36)</td>
</tr>
<tr>
<td>1280</td>
<td>Customer-generator systems incentives program for renewable energy development (6.40)</td>
</tr>
<tr>
<td>1281</td>
<td>Records management (2.30)</td>
</tr>
<tr>
<td>1282</td>
<td>Repayment agreement, Northwest Open Access Network (Special)</td>
</tr>
<tr>
<td>1283</td>
<td>Appoints general manager (Special)</td>
</tr>
<tr>
<td>1284</td>
<td>Risk assessment procedure (6.50)</td>
</tr>
<tr>
<td>1285</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1286</td>
<td>Nonunion employees benefits (Special)</td>
</tr>
<tr>
<td>1287</td>
<td>Declares winter storm emergency (Special)</td>
</tr>
<tr>
<td>1288</td>
<td>2010 electrical department budget (Special)</td>
</tr>
<tr>
<td>1289</td>
<td>2010 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1290</td>
<td>2010 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1291</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1292</td>
<td>Positions and grades for administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1293</td>
<td>2010 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1294</td>
<td>Amends water service policy and rates (Repealed by 1414)</td>
</tr>
<tr>
<td>1295</td>
<td>Positions and grades for administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1296</td>
<td>Funding of Tokeland broadband project costs (Special)</td>
</tr>
<tr>
<td>1297</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1298</td>
<td>Funding of Tokeland broadband project costs (Special)</td>
</tr>
<tr>
<td>1299</td>
<td>All hazard mitigation plan (2.48)</td>
</tr>
<tr>
<td>1300</td>
<td>2011 electrical department budget (Special)</td>
</tr>
<tr>
<td>1301</td>
<td>2011 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1302</td>
<td>2011 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1303</td>
<td>2011 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1304</td>
<td>Declares approval for public utility risk management services self-insurance fund (Special)</td>
</tr>
<tr>
<td>1305</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>Resolution Number</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>1306</td>
<td>Cellular telephone policy (3.16)</td>
</tr>
<tr>
<td>1307</td>
<td>Adopts primary metered small industrial customer classification policy and rates (Special)</td>
</tr>
<tr>
<td>1308</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1309</td>
<td>Wholesale power and transmission risk management policy (6.54)</td>
</tr>
<tr>
<td>1310</td>
<td>Hedging contracts (6.54)</td>
</tr>
<tr>
<td>1311</td>
<td>Revises electric energy rates and charges (6.34)</td>
</tr>
<tr>
<td>1312</td>
<td>2012 electrical department budget (Special)</td>
</tr>
<tr>
<td>1313</td>
<td>2012 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1314</td>
<td>2012 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1315</td>
<td>2012 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1316</td>
<td>Abolishes advance travel fund (Special)</td>
</tr>
<tr>
<td>1317</td>
<td>Amends contingency fund levels (Special)</td>
</tr>
<tr>
<td>1318</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1319</td>
<td>Lebam water rates (Repealed by 1414)</td>
</tr>
<tr>
<td>1320</td>
<td>Commissioner district boundary realignment (Special)</td>
</tr>
<tr>
<td>1321</td>
<td>Approval of PURMS interlocal agreement (Special)</td>
</tr>
<tr>
<td>1322</td>
<td>Appoints deputy auditor (Special)</td>
</tr>
<tr>
<td>1323</td>
<td>Appoints deputy treasurer (Special)</td>
</tr>
<tr>
<td>1324</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1325</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1326</td>
<td>Repayment agreement, Northwest Open Access Network (Special)</td>
</tr>
<tr>
<td>1327</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1328</td>
<td>Issuance of electric system revenue note (Special)</td>
</tr>
<tr>
<td>1329</td>
<td>Amends 2012 electrical department budget (Special)</td>
</tr>
<tr>
<td>1330</td>
<td>2013 electrical department budget (Special)</td>
</tr>
<tr>
<td>1331</td>
<td>2013 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1332</td>
<td>2013 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1333</td>
<td>2013 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1334</td>
<td>Wholesale power and transmission risk management policy (6.54)</td>
</tr>
<tr>
<td>1335</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1336</td>
<td>Cross-connection control (7.36)</td>
</tr>
<tr>
<td>1337</td>
<td>Revises customer service policies and electric service regulations (2.04, 2.06, 2.08, 2.28, 2.30, 2.32, 2.40, 2.46, 3.12, 3.16, 3.20, 3.24, 3.28, 3.32, 3.34, 3.40, 4.08, 4.16, 4.18, 4.20, 4.24, 4.28, 4.36, 6.04, 6.08, 6.12, 6.14, 6.16, 6.20, 6.24, 6.28, 6.32, 6.34, 6.35)</td>
</tr>
<tr>
<td>1338</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1339</td>
<td>Amends Res. 1328, issuance of electric system revenue note (Special)</td>
</tr>
<tr>
<td>1340</td>
<td>Revises customer service policies and electric service regulations (3.28, 6.08)</td>
</tr>
<tr>
<td>1341</td>
<td>2014 electrical department budget (Special)</td>
</tr>
<tr>
<td>1342</td>
<td>2014 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1343</td>
<td>2014 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1344</td>
<td>2014 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1345</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1346</td>
<td>Adopts interconnection of electric generating facilities with maximum generating capacity of less than or equal to 200 kilowatts policy; supersedes Res. 1279 (6.36)</td>
</tr>
<tr>
<td>1347</td>
<td>Appoints attorney for District (Special)</td>
</tr>
<tr>
<td>1348</td>
<td>Electric system revenue bond issuance and sale (Special)</td>
</tr>
<tr>
<td>1349</td>
<td>Local government investment pool (4.32)</td>
</tr>
<tr>
<td>1350</td>
<td>Amends Res. 1348, electric system revenue bond issuance and sale (Special)</td>
</tr>
<tr>
<td>1351</td>
<td>Video monitoring policy (2.56)</td>
</tr>
<tr>
<td>1352</td>
<td>Repayment agreement, Northwest Open Access Network (Special)</td>
</tr>
<tr>
<td>1353</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1354</td>
<td>Adds Art. X to Ch. 6.28 and § 6.34.130; amends §§ 6.04.010, 6.04.050, 6.08.120, 6.08.140, 6.12.030, 6.20.020, 6.20.030, 6.20.040, 6.20.050, 6.20.060, 6.20.090, 6.24.110, 6.28.190, 6.28.250, 6.32.010, 6.34.121, 6.34.122, 6.34.123, 6.34.124 and 6.34.125, new large load policy (6.04, 6.08, 6.12, 6.20, 6.24, 6.28, 6.32, 6.34)</td>
</tr>
<tr>
<td>1355</td>
<td>Amends Resos. 1328 and 1339, extension of electric system revenue note (Special)</td>
</tr>
<tr>
<td>1356</td>
<td>2015 electrical department budget (Special)</td>
</tr>
<tr>
<td>1357</td>
<td>2015 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1358</td>
<td>2015 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1359</td>
<td>2015 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1360</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1361</td>
<td>Appoints treasurer for District (Special)</td>
</tr>
<tr>
<td>1362</td>
<td>Amends low-income senior or disabled citizens electric discount program (6.35)</td>
</tr>
<tr>
<td>1363</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>Resolution</td>
<td>Description</td>
</tr>
<tr>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>1364</td>
<td>Pole attachment rates (6.37)</td>
</tr>
<tr>
<td>1365</td>
<td>2016 electrical department budget (Special)</td>
</tr>
<tr>
<td>1366</td>
<td>2016 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1367</td>
<td>2016 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1368</td>
<td>2016 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1369</td>
<td>Amends Resos. 1328, 1339 and 1355, extension of electric system revenue note (Special)</td>
</tr>
<tr>
<td>1370</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1371</td>
<td>Arc flash hazard policy (2.52)</td>
</tr>
<tr>
<td>1372</td>
<td>Hazard mitigation plan (2.48)</td>
</tr>
<tr>
<td>1373</td>
<td>Employee personnel policy; repeals Res. 1222 (3.16, 3.24, 3.28, 3.32, 3.40, 3.44)</td>
</tr>
<tr>
<td>1374</td>
<td>Customer privacy policy (2.60)</td>
</tr>
<tr>
<td>1375</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1376</td>
<td>Appoints general manager for District (Special)</td>
</tr>
<tr>
<td>1377</td>
<td>2017 electrical department budget (Special)</td>
</tr>
<tr>
<td>1378</td>
<td>2017 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1379</td>
<td>2017 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1380</td>
<td>2017 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1381</td>
<td>Amends Resos. 1328, 1339, 1355 and 1369, extension of electric system revenue note (Special)</td>
</tr>
<tr>
<td>1382</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1383</td>
<td>Revises basic charge for water service, Bay Center water department (7.34)</td>
</tr>
<tr>
<td>1384</td>
<td>Repeals and replaces § 9, travel, of employee personnel policy (Repealed by 1392)</td>
</tr>
<tr>
<td>1385</td>
<td>Supports operation of Columbia Generating Station (Special)</td>
</tr>
<tr>
<td>1386</td>
<td>Wholesale telecommunications rates and regulations policy; repeals Res. 1207 (8.04)</td>
</tr>
<tr>
<td>1387</td>
<td>Amends §§ 6.34.160 and 6.34.161, electric energy rates (6.34)</td>
</tr>
<tr>
<td>1388</td>
<td>Supports H.R. 3144 addressing Federal Columbia River Power System biological opinion (Special)</td>
</tr>
<tr>
<td>1389</td>
<td>Amends §§ 6.34.120, 6.34.121, 6.34.122, 6.34.123, 6.34.124, 6.34.125, 6.34.170 and 6.34.180, electric energy rates (6.34)</td>
</tr>
<tr>
<td>1390</td>
<td>Purchasing and formal bid policy (4.12)</td>
</tr>
<tr>
<td>1391</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1392</td>
<td>Repeals and replaces § 9, travel, of employee personnel policy (3.20)</td>
</tr>
<tr>
<td>1393</td>
<td>2018 electrical department budget (Special)</td>
</tr>
<tr>
<td>1394</td>
<td>2018 Bay Center water department budget (Special)</td>
</tr>
<tr>
<td>1395</td>
<td>2018 Lebam water department budget (Special)</td>
</tr>
<tr>
<td>1396</td>
<td>2018 Wilson Point water department budget (Special)</td>
</tr>
<tr>
<td>1397</td>
<td>Establishes general reserve fund (4.28)</td>
</tr>
<tr>
<td>1398</td>
<td>Salaries, administrative and nonunion employees (Special)</td>
</tr>
<tr>
<td>1399</td>
<td>District treasurer crime shield policy (2.08)</td>
</tr>
<tr>
<td>1400</td>
<td>Appoints auditor for District (Special)</td>
</tr>
<tr>
<td>1401</td>
<td>Small and attractive assets policy (4.40)</td>
</tr>
<tr>
<td>1402</td>
<td>Reserve policy (4.44)</td>
</tr>
<tr>
<td>1403</td>
<td>Capitalization policy (4.48)</td>
</tr>
<tr>
<td>1404</td>
<td>Revised personnel policy (3.16, 3.20, 3.24, 3.28, 3.32, 3.40, 3.44)</td>
</tr>
<tr>
<td>1405</td>
<td>Arc flash hazard policy (2.52)</td>
</tr>
<tr>
<td>1406</td>
<td>Amends §§ 6.20.050 and 6.20.055, electricity service (6.20)</td>
</tr>
<tr>
<td>1407</td>
<td>Amends §§ 6.08.150, 6.08.330, 6.20.040, 6.20.050, 6.20.060, 6.20.110, 6.24.110, 6.32.010, 6.34.120, 6.34.121, 6.34.122 and 6.34.170, electricity (6.08, 6.20, 6.24, 6.32, 6.34)</td>
</tr>
<tr>
<td>1408</td>
<td>Authorizes application for Community Economic Revitalization Board rural broadband program (Special)</td>
</tr>
<tr>
<td>1409</td>
<td>Authorizes interlocal agreement and contract for purchase of TransBanker (Special)</td>
</tr>
<tr>
<td>1410</td>
<td>Declares approval for public utility risk management services self-insurance fund agreement amendment (Special)</td>
</tr>
<tr>
<td>1411</td>
<td>Recognizes public power week (Special)</td>
</tr>
<tr>
<td>1412</td>
<td>Approves Energy Northwest’s undertaking of Horn Rapids solar, storage and training project (Special)</td>
</tr>
<tr>
<td>1413</td>
<td>Opposes Initiative 1631, carbon emissions fee (Special)</td>
</tr>
<tr>
<td>1414</td>
<td>Adds §§ 6.08.245 [6.08.242], 7.08.245 and 7.34.035; amends §§ 6.08.240, 6.08.245, 6.08.250, 6.08.330, 6.32.010, 7.08.240, 7.08.250, 7.08.330, 7.32.010, 7.34.005, 7.34.010, 7.34.020 and 7.34.030; repeals §§ 7.34.105 through 7.34.230, electricity and water policies (6.08, 6.32, 7.08, 7.32, 7.34)</td>
</tr>
<tr>
<td>1415</td>
<td>Consolidation of water system into electric system (1.04)</td>
</tr>
</tbody>
</table>
— A —

**Accounts receivable**
- Accounts assigned 4.18.090
- Collection on past due 4.18.080
- Billing types 4.18.020
- Customer callouts, after hours 4.18.040
- Other damage 4.18.050
- Payment arrangements 4.18.070
- Terms 4.18.060
- Purpose 4.18.010
- Vehicular damage 4.18.030

**Arc flash hazard policy**
- Definitions
  - Affected employees 2.52.040
  - Arc flash 2.52.040
  - Arc flash hazard assessment 2.52.040
  - Arc rating 2.52.040
  - Arc thermal performance value (ATPV) 2.52.040
  - Calories per square centimeter (calories/cm²) 2.52.040
  - District-provided clothing 2.52.040
  - Flame resistant 2.52.040
  - Flame retardant 2.52.040
  - Work area 2.52.040
  - Working distance 2.52.040
- Engineering support 2.52.050
- Flame-resistant clothing
  - Employee responsibilities 2.52.080
  - Issuance 2.52.110
  - Procedures 2.52.070
  - Repair, laundering 2.52.090
  - Replacement 2.52.100
- Objective 2.52.030
- Purpose 2.52.010
- Requirements generally 2.52.060
- Scope 2.52.020

**Auditor, district**
- Claims against district, duties 4.16.015
- Contingency fund custodian 4.24.020

**Affirmative action** See under Personnel

— B —

**Board of commissioners**
- Compensation expenses 2.04.060
- Policy purpose 2.06.010
- Requirements 2.06.020
- Meetings generally 2.04.010

— C —

**Capitalization policy**
- Assets
  - Additions 4.48.040
  - Destroyed 4.48.080
  - Lost, stolen 4.48.070
- Definitions
  - Attractive assets 4.48.020
  - Capital asset class 4.48.020
  - Capital assets 4.48.020
  - Depreciation 4.48.020
  - Group-life depreciation 4.48.020
  - Infrastructure assets 4.48.020
  - Intangible asset 4.48.020
  - Land 4.48.020
  - Obsolescence 4.48.020
  - Useful life 4.48.020
- Employee role 4.48.090
- Inventory, condition assessment 4.48.050
- Junk, disposal 4.48.060
- Scope, purpose 4.48.010
- Threshold 4.48.030

**CARES** See Conservation and Renewable Energy System

**Claims** See Payment procedures

**Collective bargaining** See under Personnel

**Communications** See Telecommunications

**Conservation and Renewable Energy System**
- Application 2.14.030
- Financing 2.14.040
- Findings 2.14.020
- Indemnification 2.14.050
- Membership 2.14.010

**Contingency fund**
- Custodian 4.24.020
Customer privacy policy

Disbursements 4.24.030
Distribution 4.24.040
Rules, regulations 4.24.010

Cross-connections See under Water service

Customer privacy policy
Affirmative customer consent 2.60.050
Aggregated data 2.60.060
Appeals 2.60.180
Breach notice 2.60.130
Confidentiality, nondisclosure agreement 2.60.160
Contract work manager
nondisclosure agreement checklist 2.60.150
responsibilities 2.60.080, 2.60.090
Customer rights statement 2.60.140
Customer transactions 2.60.110
Disclosure summary 2.60.140
Generally 2.60.010
Personally identifiable information
definition 2.60.030
contractors
disclosure to 2.60.070
transmittal to 2.60.100
law enforcement
disclosure to 2.60.120
request form 2.60.190
protection 2.60.030
release
authorization 2.60.170
primary purpose 2.60.040, 2.60.080
secondary purpose 2.60.040, 2.60.090
Scope 2.60.020

— D —

District
Address designation 2.28.120
Boundaries 1.04.020
Incorporation 1.04.010
Water system, consolidation into electric system 1.04.030

— E —

Electric service
Abandoned facilities
electrical inspection required 6.20.185
generally 6.20.180
Accounts
application 6.08.010
billing See Billing
change of occupancy, notice requirements 6.08.040
contract effective date 6.08.020
deposit See Security deposit
fees, charges See Fees, charges

rental property 6.08.030
transfer 6.08.310
Attachment to facilities 6.20.140
Billing
collection 6.08.300
generally 6.08.220
incomplete payment 6.08.280
insolvency 6.08.290
payment
arrangement 6.08.242
generally 6.08.240
methods 6.08.245
taxes 6.08.230
Charges See Fees, charges
Classification 6.20.020
Cogeneration, small-scale power production
facilities
applicability 6.36.030
costs
ergy 6.36.040
generator 6.36.070
metering 6.36.050
operations 6.36.080
system protection 6.36.060
policy 6.36.020
purpose 6.36.010
Conductors See Equipment, conductors
Conflicts 6.04.040
Conservation programs
established 6.14.010
reimbursement conditions 6.14.020
Construction equipment 6.20.190
Conversions, overhead to underground 6.20.120
Customer-generator systems incentives program for
time and renewable energy development
application procedure 6.40.080
background 6.40.010
cost recovery incentive schedule 6.40.040
metering requirements 6.40.050
program fees 6.40.060
qualifications 6.40.030
specific requirements 6.40.070
Customer responsibilities
compliance with standards 6.12.060
district property
access 6.12.010
damage prevention, liability 6.12.020
load
equipment protection 6.12.040
increase 6.12.030
reduced voltage starter installation 6.20.110
notice requirements 6.12.050
Definitions
applicant 6.04.010, 6.36.110
application 6.36.110
(Revised 12/18)
automatic clearing house (ACH) 6.04.010
class of service 6.04.010
demand 6.04.010
developer 6.04.010
disabled citizens 6.35.010
district 6.04.010, 6.36.110
dwelling 6.04.010
electric service 6.04.010
electric system 6.36.110
generating facility 6.36.110
generator 6.36.120
governing board 6.36.110
grid network distribution system 6.36.110
in-service date 6.36.110
industrial service 6.04.010
initial operation 6.36.110
interconnection 6.36.110
interconnection agreement 6.36.110
interconnection customer 6.36.110
interconnection facilities 6.36.110
living unit 6.04.010
load 6.04.010
low-income 6.08.085
manager 6.04.010
mobile home 6.04.010
model interconnection agreement 6.36.110
month 6.04.010
multiple dwelling 6.04.010
nameplate rating 6.36.110
net metering 6.36.110
new large load 6.04.010
operate in parallel 6.36.110
parallel operation 6.36.110
PCC 6.36.110
point of common coupling 6.36.110
point of delivery 6.04.010
power factor 6.04.010
premises 6.04.010
primary 6.04.010
purchase power agreement 6.04.010
recreation vehicle 6.04.010
renewable energy system 6.40.020
schedule 6.04.010
seasonal 6.04.010
secondary 6.04.010
senior citizens 6.35.010
service 6.04.010
service extension 6.04.010
service lines 6.04.010
solar energy system 6.40.020
speculative 6.04.010
spot network distribution system 6.36.110
subdivision 6.04.010
third-party owner 6.36.110
tiered rate structure 6.04.010
utility 6.36.110
Disconnection
appeal, hearing 6.08.260
decision 6.08.270
notice 6.08.250	
temporary 6.20.170
Discontinuance
customer request 6.08.320
determination 6.08.330
Discount program
automatic rate adjustment 6.35.020
established 6.35.010
supporting material 6.35.015
District responsibilities
metering 6.16.040
radio interference correction 6.16.030
service
abnormal, voltage tests 6.16.020
continuity 6.16.010
Employees
personal compensation prohibited 6.04.060
written agreements 6.04.070
Equipment, conductors
ownership, maintenance 6.20.040
point of delivery 6.20.030
Existing service revision 6.20.055
Extensions See Electric service extensions
Fees, charges
account
applicability 6.08.060
nonpayment, extensions 6.08.070
payment 6.08.050
connection, waiver 6.08.085
new service 6.08.080
new service capacity 6.08.075
NSF 6.08.100
reconnection 6.08.090
schedule 6.32.010
Interconnection standards
adoption by reference 6.36.160
applicability 6.36.100
application 6.36.120
definitions
applicant 6.36.110
Electric service extensions

- application 6.36.110
- automatic sectionalizing device 6.36.110
- business day 6.36.110
- certificate of completion 6.36.110
- district 6.36.110
- electric system 6.36.110
- generating facility 6.36.110
- governing board 6.36.110
- grid network distribution system 6.36.110
- in-service date 6.36.110
- initial operation 6.36.110
- interconnection 6.36.110
- interconnection agreement 6.36.110
- interconnection customer 6.36.110
- interconnection facilities 6.36.110
- model interconnection agreement 6.36.110
- nameplate rating 6.36.110
- operate in parallel 6.36.110
- parallel operation 6.36.110
- PCC 6.36.110
- point of common coupling 6.36.110
- spot network distribution system 6.36.110
- third-party owner 6.36.110
- utility 6.36.110
- filings 6.36.150
- general terms, conditions 6.36.140
- project tiers, technical requirements 6.36.130
- purpose, scope 6.36.090

Lighting fixtures 6.20.150

Meters

- demand 6.20.080
- installation, maintenance 6.16.040
- primary 6.20.070
- reactive 6.20.090
- readings 6.08.210
- requirements 6.20.060

Property, district 6.20.160

Rate schedule

- commercial
  - large 6.34.121
  - primary metered 6.34.122
  - small 6.34.120
- industrial
  - large 6.34.123
  - primary metered small 6.34.125
  - small 6.34.124
- irrigation, crop pumping 6.34.180
- lighting
  - area 6.34.160
  - street 6.34.161
- new large loads 6.34.130
- renewable resource 6.34.190
- residential, farm 6.34.170

Refusal 6.12.070

Relocation 6.20.130

Risk management

- cyber security 6.50.010
- wholesale power and transmission hedging contracts 6.54.020
- policy adopted 6.54.010

Schedules, service policies 6.04.030

Scope 6.04.020

Seasonal 6.08.340

Security deposit

- amount 6.08.140
- billing indicator points 6.08.190
- existing customers 6.08.130
- guarantor agreement 6.08.200
- new customers
  - industrial 6.08.120
  - residential 6.08.110
- nonpayment, disconnection 6.08.180
- refund 6.08.150
- special 6.08.170
- transfer 6.08.160

Service entrance requirements 6.20.050

Supply, use 6.04.050

Type 6.20.010

Violation, penalty 6.04.080

Electric service extensions

Apartment buildings See Multiple residences

Campgrounds, parks, overnight travel trailer facilities

- additional customers 6.28.405
- aid to construction 6.28.420
- applicability 6.28.370
- application 6.28.375
- compliance 6.28.400
- contract 6.28.415
- fees 6.28.380
- installation, maintenance
  - customer 6.28.395
  - district 6.28.390
- point of delivery 6.28.385
- policy 6.28.365

Commercial facilities

- additional customers 6.28.225
- aid to construction 6.28.240
- applicability 6.28.190
- application 6.28.195
- compliance 6.28.220
- contract 6.28.235
- fees 6.28.200
- installation, maintenance
  - customer 6.28.215
  - district 6.28.210
- point of delivery 6.28.205
- policy 6.28.185

Condominiums See Multiple residences

Expenditures 6.24.010
Industrial facilities
   additional customers 6.28.285
   aid to construction 6.28.300
   applicability 6.28.250
   application 6.28.255
   compliance 6.28.280
   contract 6.28.295
   fees 6.28.260
   installation, maintenance
      customer 6.28.275
      district 6.28.270
   point of delivery 6.28.265
   policy 6.28.245
Installation requirements
   application fee 6.24.060
   excessive service 6.24.120
   generally 6.24.020
   lighting fixtures 6.24.090
   nonmetered 6.24.100
   overhead facilities 6.24.030
   poles 6.24.080
   service conductors 6.24.110
   standby, emergency 6.24.070
   temporary service 6.24.050
   underground facilities 6.24.040
Irrigation, pumping facilities
   additional customers 6.28.345
   aid to construction 6.28.360
   applicability 6.28.310
   application 6.28.315
   compliance 6.28.340
   contract 6.28.355
   fees 6.28.320
   installation, maintenance
      customer 6.28.335
      district 6.28.330
   point of delivery 6.28.325
   policy 6.28.305
Mobile home parks
   additional customers 6.28.165
   aid to construction 6.28.180
   applicability 6.28.130
   application 6.28.135
   compliance 6.28.160
   contract 6.28.175
   fees 6.28.140
   installation, maintenance
      customer 6.28.155
      district 6.28.150
   point of delivery 6.28.145
   policy 6.28.125
Moorage, ports
   additional customers 6.28.465
   applicability 6.28.430
   application 6.28.435
   compliance 6.28.460
   contract 6.28.475
   fees 6.28.440
   installation, maintenance
      customer 6.28.455
      district 6.28.450
   point of delivery 6.28.445
   policy 6.28.425
Multiple residences
   additional customers 6.28.105
   aid to construction 6.28.120
   applicability 6.28.070
   application 6.28.075
   compliance 6.28.100
   contract 6.28.115
   fees 6.28.080
   installation, maintenance
      customer 6.28.095
      district 6.28.090
   point of delivery 6.28.085
   policy 6.28.065
New large loads
   applicant or customer facilities 6.28.575
   application for service 6.28.555
   availability 6.28.550
   compliance 6.28.580
   contract provisions 6.28.590
   customer aid to construction 6.28.595
   district facilities 6.28.570
   fees 6.28.560
   generally 6.28.545
   point of delivery 6.28.565
   subsequent customer additions 6.28.585
Single residences
   additional customers 6.28.045
   aid to construction 6.28.060
   applicability 6.28.010
   application 6.28.015
   compliance 6.28.040
   contract 6.28.055
   fees 6.28.020
   installation, maintenance
      customer 6.28.035
      district 6.28.030
   point of delivery 6.28.025
   policy 6.28.005
Subdivisions, developments
   additional customers 6.28.525
   aid to construction 6.28.540
   applicability 6.28.490
   application 6.28.495
   compliance 6.28.520
   contract 6.28.535
   fees 6.28.500
Finance department

installation, maintenance
customer 6.28.515
district 6.28.510
point of delivery 6.28.505
policy 6.28.485
Employees See Personnel

Finance department
Duties 4.16.010
Funds
See also Specific Fund
Disposition 4.20.010

General reserve fund
Established 4.28.030

Hazard mitigation plan
Adopted 2.48.010

Identity theft prevention
Background 2.46.020
Policy 2.46.030
Purpose 2.46.010
Improper governmental actions See Reporting
improper governmental actions under Personnel
Insurance See Personnel
Investment policy
Authorized dealers, institutions 4.36.060
Authorized investments 4.36.070
Diversification 4.36.080
Internal controls 4.36.100
Maturity, cash flow requirements 4.36.090
Objectives 4.36.030
Operating procedures
funds transfer 4.36.130
generally 4.36.110
investments 4.36.140
new accounts 4.36.150
transactions 4.36.120
Prudence standard 4.36.030
Scope 4.36.020
Statement 4.36.010
Treasurer authority 4.36.050

Legal defense
Officers, employees, authorized 2.24.010
Local government investment pool
Deposit, withdrawal 4.32.010
Officers authorized 4.32.020
Local purchasing policy See Purchasing

Payment procedures
Auditor duties 4.16.015
Damage claims
filing 4.16.020
payment 4.16.025
Finance department duties 4.16.010
Methods 4.16.030
Replacement checks 4.16.040
Treasurer duties 4.16.005
Personnel
See also Specific Officer
Absence 3.16.090
Accidents, report required 3.16.100
Affirmative action 3.16.260
Alcohol, drugs
See also Substance abuse program
driving commercially licensed vehicles 3.16.070
prohibited 3.16.060
Appearances, public 3.16.420
Arbitration
See also Collective bargaining
arbitrator
appointment 3.08.030
authority, powers 3.08.040
hearing duties 3.08.060
establishment 3.08.010
expenses, compensation 3.08.070
guidelines 3.08.050
notice to invoke 3.08.020
procedures 3.08.060
Benefits
See also Compensation; Insurance; Leave;
Retirement
equal union, nonunion employees 3.12.010
Check cashing 3.24.080
Collective bargaining
See also Arbitration
conducting 3.04.010
understandings, executing, authority 3.04.020
Compensation
advance pay 3.24.050
continuing education 3.24.070
delayed compensation plan 3.24.060
hours 3.24.020

(Revised 12/18)
overtime
management personnel 3.24.010
rate 3.24.030
pay days 3.24.040
payroll deductions 3.24.060
Conduct
ethical 3.16.390
improper 3.16.140
Confidential information 3.16.440
Controlled substances See Alcohol, drugs
Crime shield policy 2.08.020
 Destruction of property 3.16.020
Discipline
applicability 3.16.150
determination 3.16.180
discharge 3.16.250
procedure 3.16.200
purpose of provisions 3.16.170
responsibilities 3.16.190
review 3.16.240
suspension 3.16.230
warning
oral 3.16.210
written 3.16.220
Discrimination 3.16.290
Dress, appearance 3.16.160
Electronic media, services policy
acceptable uses 3.18.050
e-mail 3.18.030
guidelines 3.18.040
liability 3.18.080
misuse, reporting 3.18.070
privacy disclosure 3.18.020
purpose of provisions 3.18.010
unacceptable uses 3.18.060
user agreement 3.18.100
violations 3.18.090
Employment of relatives 3.16.335
Examination 3.16.330
Facility use, district 3.16.460
Fair, equal treatment 3.16.450
Firearms, weapons 3.16.080
Fitness program 3.24.090
Fraud, dishonesty 3.16.040
Garnishment prohibition 3.16.110
Gifts, favors 3.16.400
Grievances 3.16.380
Health information privacy 3.16.340
Health reimbursement arrangement/voluntary
employees’ beneficiary association (HRA VEBA)
plan
authorization to proceed 3.52.030
district participation 3.52.010
plan funding 3.52.020
HIPAA 3.16.340
Holidays See Leave
Insubordination 3.16.050
Insurance
Consolidated Omnibus Budget Reconciliation
Act (COBRA) 3.32.040
continuance, dependents of deceased employees
3.32.010
coverage 3.32.030
crime shield policy 2.08.020
health, welfare program 2.32.050
industrial insurance, medical aid 3.32.020
privacy
officer 2.32.060
rules 2.32.070
self-insurance program
acceptance, authorization 2.32.010
amendment 2.32.020F
name change 2.32.040
property 2.32.030
Internet
See also Electronic media, services policy
use 3.16.490
Leave
absence without pay 3.28.110
accumulation
maximum 3.28.020
payable to beneficiary upon death 3.28.030
conversion to cash 3.28.060
donation 3.28.140
Family Medical Leave Act 3.28.115
holidays 3.28.070
jury duty, subpoenas 3.28.130
disability
long-term benefit 3.28.090
short-term benefit 3.28.040
maternity 3.28.120
military 3.28.100
program established 3.28.010
return to work/light duty program 3.28.080
supplemental leave bank 3.28.050
Legal defense 2.24.010
Medical exam 3.16.320
Outside employment
authorization required 3.16.410
prohibited when 3.16.120
Performance appraisals 3.16.360
Physically challenged workers 3.16.300
Political activity 3.16.430
Position descriptions 3.16.350
Probation 3.16.310
Promotions 3.16.370
Purpose of provisions 3.16.010
Reporting improper governmental actions
agencies 3.48.060
Pole attachment rates

Established, effective date 6.37.010

Power diversion policy

Definitions
- inverted meters 6.22.040
- lost or stolen meter 6.22.040
- meter seals 6.22.040
- metering equipment 6.22.040
- power diversion 6.22.040
- tamper 6.22.040

Discussion 6.22.010
Overview 6.22.050
Procedures 6.22.030
Security 6.22.020

Property, district

Damage claims
- administration 2.40.020
- agent designated 2.42.010
- compensation 2.40.002
- customer responsibilities 2.40.001
- electrical service supply 2.40.000
- forms 2.40.003
- payment 2.40.010
- release 2.40.004

Sale, loan 2.36.010

Public Utility District No. 2 See District

Purchasing

Credit card 4.12.050

Daily purchasing activities
- exceptions 4.12.110
- procedures 4.12.040

District personnel responsibility 4.12.030

Formal bidding
- exceptions 4.12.110
- process 4.12.080

In-store credit accounts 4.12.060

Materials, equipment, supplies 4.12.090

Petty cash purchases 4.12.070

Public works projects 4.12.100

Purpose 4.12.010

Request for proposals 4.12.130
Request for qualifications 4.12.130

Requirements 4.12.020

Services 4.12.120

Records, public

Address designation 2.28.120
Administration 2.28.030
Availability 2.28.040

Definitions
- public record 2.28.020
- PUD 2.28.020
- writing 2.28.020
Index 2.28.110
Inspection, copying
exemptions, denials
denial review procedure 2.28.100
permitted when 2.28.090
fees 2.28.080
hours 2.28.060
procedures 2.28.070
request form 2.28.130
Management
administration 2.30.020
employees' responsibilities 2.30.030
implementation 2.30.050
policy 2.30.010
procedures 2.30.040
Purpose of provisions 2.28.010
Responsibility 2.28.050
Reserve policy
Assumptions, factors 4.44.020
General reserve fund 4.44.040
Long-term average balances 4.44.050
Objective 4.44.010
Savings fund 4.44.030
Retirement See under Personnel
Risk management
See also under Electric service
Administration 3.34.020
Employees' responsibilities 3.34.030
Implementation 3.34.050
Inquiries 3.34.070
Insurance/risk retention 3.34.060
Policy 3.34.010
Risk avoidance/safety program 3.34.040
Seal
Description 1.08.020
Established 1.08.010
Sexual harassment See under Personnel
Small, attractive assets
Generally 4.40.030
Intent of provisions 4.40.010
Policy 4.40.020
Telecommunications
General notes 8.04.080
Miscellaneous charges, information 8.04.060
Rates
co-location 8.04.040
internet port 8.04.050
longer term commitment reductions 8.04.070
network port 8.04.030
policy 8.04.010
RSP port 8.04.020
wholesale 8.04.010
Regulation policy 8.04.010
Travel policy See under Personnel
Treasurer, district
Crime shield policy 2.08.020
Payment procedures duties 4.16.005
Position established 2.08.010
Utilities See under Electric service; Water service
Vehicles
Management personnel use
compensation 2.44.020
mandated 2.44.010
Video monitoring policy
Overview 2.56.010
Purpose 2.56.020
Requirements 2.56.030
Water service
Additional premises
charges 7.20.150
prohibited 7.20.140
Apartment buildings See under Multiple residences
Application
contractual obligation 7.08.020
required 7.08.010
Backflow prevention 7.20.080
Billing
collection 7.08.300
general 7.08.220
incomplete payment 7.08.280
indicator points 7.08.190
insolvency 7.08.290
payment
arrangements 7.08.245
generally 7.08.240
taxes 7.08.230
Campgrounds, parks, overnight travel trailer facilities
additional customers 7.28.405
aid to construction 7.28.420
applicability 7.28.370
application 7.28.375
compliance 7.28.400
contract 7.28.415
fees 7.28.380
installation, maintenance
  customer 7.28.395
  district 7.28.390
point of delivery 7.28.385
policy 7.28.365
Change 7.20.120
Change of occupancy 7.08.050
Charges See Fees, charges
Commercial facilities
  additional customers 7.28.225
  aid to construction 7.28.240
  applicability 7.28.190
  application 7.28.195
  compliance 7.28.220
  contract 7.28.235
  facilities
    customer 7.28.215
    district 7.28.210
  fees 7.28.200
  point of delivery 7.28.205
  policy 7.28.185
Conditions required 7.24.010
Condominiums See Multiple residences
Conflicts 7.04.040
Connection
  authority 7.20.020
  requirements 7.20.010
Continuity 7.16.010
Cross-connections
  contamination prevention 7.36.030
  definitions 7.36.020
  established 7.36.010
  implementation 7.36.050
  service conditions 7.36.040
Customer responsibilities
  compliance with standards 7.12.060
  notice of trouble 7.12.050
Definitions
  applicant 7.04.010
  billing period 7.04.010
  class of service 7.04.010
  commercial service 7.04.010
  commission 7.04.010
  consumer-customer 7.04.010
  cross-connection 7.04.010
  developer 7.04.010
  development 7.04.010
  district 7.04.010
dwelling 7.04.010
gender 7.04.010
line extension 7.04.010, 7.24.020
living unit 7.04.010
main lines 7.04.010
manager 7.04.010
month 7.04.010
multiple dwelling 7.04.010
point of delivery 7.04.010
premises 7.04.010
schedule 7.04.010
seasonal 7.04.010
service area 7.04.010
service, service lines 7.04.010
speculative 7.04.010
subdivision 7.04.010
water consumption 7.04.010
water service 7.04.010
water service installation 7.04.010
water system 7.04.010
Deposit See Security deposit
Disconnection
  appeal, hearing 7.08.260
  decision 7.08.270
  notice 7.08.250
Discontinuance
  customer request 7.08.320
  determination 7.08.330
Disturbances by customer 7.20.090
Effective date 7.08.030
Employees 7.04.060
  personal compensation prohibited 7.04.060
  written agreement 7.04.070
Equipment
  access 7.12.010
  pipes
    regulations 7.20.050
    repair 7.20.100
  responsibility 7.12.020
Excess use adjustment 7.20.115
Extensions
  construction 7.24.070
  contractor requirements 7.24.080
  expenditures 7.24.030
  lines, facilities 7.24.040
Failure 7.20.110
Fees, charges
  account
    applicability 7.08.070
    payment 7.08.060
  new service 7.08.080
  NSF check 7.08.100
  reconnection 7.08.090
  schedule 7.32.010
Fire protection
  commercial 7.28.545
  hydrants 7.28.555
  residential 7.28.550
Industrial facilities
  additional customers 7.28.285
  aid to construction 7.28.300
  applicability 7.28.250

(Revised 12/18)  Index-10
application 7.28.255
compliance 7.28.280
contract 7.28.295
fees 7.28.260
installation, maintenance
customers 7.28.275
district 7.28.270
point of delivery 7.28.265
policy 7.28.245
Interference
connection to main 7.24.060
driveway 7.24.050
Irrigation, pumping facilities
applicability 7.28.310
policy 7.28.305
Meters
damage by hot water 7.20.170
installation, maintenance 7.16.040
protection 7.20.160
reading
automatic 7.20.180
monthly, bimonthly 7.08.210
sizes 7.20.040
Mobile home parks
additional customers 7.28.165
aid to construction 7.28.180
applicability 7.28.130
application 7.28.135
compliance 7.28.160
contract 7.28.175
fees 7.28.140
installation, maintenance
customer 7.28.155
district 7.28.150
point of delivery 7.28.145
policy 7.28.125
Moorage, port facilities
additional customers 7.28.465
aid to construction 7.28.480
applicability 7.28.430
application 7.28.435
compliance 7.28.460
contract 7.28.475
fees 7.28.440
installation, maintenance
customer 7.28.455
district 7.28.450
point of delivery 7.28.445
policy 7.28.425
Multiple residences
additional customers 7.28.105
aid to construction 7.28.120
applicability 7.28.070
application 7.28.075
compliance 7.28.100
contract 7.28.115
fees 7.28.080
installation, maintenance
customer 7.28.095
district 7.28.090
point of delivery 7.28.085
policy 7.28.065
Pipes See Equipment
Point of delivery 7.20.030
Policies 7.04.030
Rates
commercial, industrial 7.34.020
Lebam service area assessment 7.34.035
residential 7.34.010
service connection fee 7.34.030
water system service areas 7.34.005
Refusal 7.12.070
Rental property 7.08.040
Scope 7.04.020
Seasonal 7.08.340
Security deposit
amount 7.08.140
existing customer 7.08.130
guarantor agreement 7.08.200
new customers
commercial, industrial 7.08.120
residential 7.08.110
nonpayment 7.08.180
refund 7.08.150
special 7.08.170
transfer 7.08.160
Single residences
additional customers 7.28.045
aid to construction 7.28.060
applicability 7.28.010
application 7.28.015
compliance 7.28.040
contract 7.28.055
fees 7.28.020
installation, maintenance
customer 7.28.035
district 7.28.030
point of delivery 7.28.025
policy 7.28.005
Sprinkling, lawn 7.20.190
Subdivisions, developments
additional customers 7.28.525
aid to construction 7.28.540
applicability 7.28.490
application 7.28.495
compliance 7.28.520
contract 7.28.535
fees 7.28.500
installation, maintenance
customer 7.28.515

Index-11  (Revised 12/18)
Water service

district 7.28.510
point of delivery 7.28.505
policy 7.28.485
Supply, use 7.04.050
Temporary 7.20.070
Transfer of accounts 7.08.310
Unlawful use 7.20.130
Violation, penalty 7.04.080