AMERICAN SAMOA ADMINISTRATIVE CODE
TITLE 12
Chapter 02
ELECTRIC

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§12.0200 Definitions.

(a) "Delivery point," as used in this chapter, is defined as the point where the Utility's service drop wires attach to the customer's structure.

(b) "Due date," as used in this chapter, is defined as the stated due date on a Utility bill for payment by a customer of a utility bill. A utility bill shall be considered delinquent if not paid on or before the due date.

(c) "Fuel," as used in this chapter, is defined as a liquid or liquefiable petroleum product or other consumable substance that is used to generate heat or power, including, but not limited, to fuel oil and lube oil.

(d) "Fuel Surcharge Multiplier ("FSM")," as used in this chapter, is defined as a constant factor of 0.08032.

(e) "Infrastructure," as used in this chapter, is defined as equipment necessary to provide electric power to the people of American Samoa, including, but not limited to, power poles, towers, underground and overhead electric, telephone and communication lines, wires or cables, pad and pole mounted transformers, guy wires, anchors, switches, vaults, junction boxes, and conduits.

(f) "Maximum Allowable Price ("MAP")," as used in this chapter, is defined as the weighted average maximum allowable price per gallon of fuel oil as determined by the ASG Office of Petroleum Management ("OPM").

(g) "Terminate electric facilities" or "Termination of electric facilities," as used in this chapter, is defined as the complete removal by the Utility of the Utility's kilowatt hour meter, metering equipment and facilities, and any and all electric distribution facilities from the premises of the customer.

(h) "Billing demand," as used in this chapter, is defined as Maximum Demand.

(i) "Maximum demand," as used in this chapter, is defined as the average kilowatt delivery during the 15-minute period in which the consumption of energy is greatest during the month for which the determination is made. A customer's maximum demand shall ordinarily be determined by a recording demand meter. In the absence of such demand meter, or if the meter fails to register, the Utility shall estimate maximum demand from the best information available to the Utility.

(j) "Terminate service" or "Termination of service," as used in this chapter, is defined as the disconnection of electric service by means of the Utility's removal of its kilowatt hour meter from the customer's premises, but does not rise to the level of termination of electric facilities.

(k) "Utility," as used in this chapter, is defined as the American Samoa Power Authority.

(l) "Working hours," as used in this chapter, is defined as the hours the Utility's customer service centers are open to the public.

§12.0201 Service generally – Rate review.

(a) The Utility is mandated by A.S.C.A. § 15.0102(7) to provide for the generation and distribution of electric energy.

(b) It is the desire of the Utility to render adequate electric services at rates that are as economical as possible. The Utility provides overhead facilities only as far as the delivery point. The meter loop, including the meter socket, must be installed by the owner of the property or the customer. The wiring, to be done by the owner of the property or the customer, shall be coordinated with the Utility. The enactment of this chapter does not create any specific rights to products or services. All products or services mentioned or listed in this chapter are provided by the Utility at the Utility's sole discretion.

(c) Service will be provided in the order in which applications are received. For this reason and in the interest of good business principles, the rules set out in this chapter have been adopted.

(d) Any per-gallon discount received by the Utility for its purchase of fuel oil shall be retained by the Utility.

(e) The rules set out in this chapter are not intended as construction guides for any purpose except:

(1) to locate the delivery point where proper connection to the distribution system is possible;

(2) to locate the meter where it can be read conveniently during normal working hours; and

(3) to provide code clearance for service wires.

(f) Electrical service will be provided and billed according to the rate schedule codified in section 12.0230 of this chapter, as applicable to the customer based on the established classes.

§12.0202 Bill payment – Late penalty.

(a) Payment shall be due upon the Utility's issuance of an invoice or utility bill and shall be delinquent if not paid on or before the due date specified on the invoice or utility bill. The due date for each account shall fall on a regular working day or Saturday, however, a customer's failure to receive a bill shall not excuse a late payment.

(b) For rate classes B through F, rates as listed on the bill are net, the gross being 5% higher. If the customer does not pay the utility bill on or before the due date, the gross rate shall apply and service may be terminated after proper termination notice to the customer.

§12.0203 Termination of service – Termination of electric facilities – Reconnection.

(a) If a bill becomes delinquent, the Utility shall, at its sole discretion, terminate utility service or terminate facilities after proper notice has been provided to the customer as provided by law in A.S.C.A. § 15.0202. Default on any amount owed to the Utility shall be construed as default on all services and shall entitle the Utility to terminate service or terminate facilities for any or all utility services. The Utility shall have the option to demand the full amount of both delinquent and current bills be paid in full. If any account is delinquent, utility services to all locations may be terminated. If the Utility has terminated service, the Utility will not reconnect service until the customer has paid all arrears and applicable reconnection fees.

(b) If a field call is made by Utility personnel to reconnect service because of termination of service, a reconnection fee shall apply for all field calls during normal working hours. If a field call is made after normal working hours, an additional fee shall apply.

(c) If the Utility has terminated service, it shall not be reconnected until the delinquent bill, all fees and charges for services, and all fees and charges for reconnection, connection, and other field trips have been paid in full. If reconnection occurs after the end of six months then, the reconnection shall be treated as a new service connection. ASPA may require the customer to obtain a DPW Building Branch Certificate prior to reconnection.

(d) If the Utility has terminated electric facilities, a reconnection shall be treated as a new service connection after all old and/or delinquent bill, fees and charges have been paid in full.

§12.0204 Connections.

All final connections, whether permanent or temporary, between the Utility's lines and the customer's wiring shall be made by the Utility, and the Utility shall not permit or tolerate unauthorized connections.

§12.0205 Tampering with meters and conductors – Breaking seals.

(a) Tampering with the meter, tampering with conductors carrying unmetered current, or breaking the Utility's seal without the Utility's express written authorization is prohibited and will not be tolerated.

(b) Where electricity has been diverted by breaking the Utility's meter seals or by bypassing the meter or by any other means, the Utility, at its sole discretion, shall immediately terminate service or terminate electric facilities. Before service is reconnected, the customer shall pay for diverted usage, estimated by the Utility from the best available data and evidence, and shall pay a tampering fee and a reconnection service fee. In the event of recurring instances of the diversion of electricity, tampering, or other wrongdoing, the Utility reserves the right to refuse service to anyone.

§12.0206 Alterations and additions to electrical equipment installations.

When a customer contracts with the Utility to connect a customer's installation to the Utility's electric system, arrangements are made by the Utility for meters, transformers, and other equipment to supply the installation as it is at the time of contract. It is required that the customer notify the Utility of any material change in equipment which is to be connected to the wiring system. Any and all material changes may delay installation.

§12.0207 Liability limits of Utility – Single and three-phase circuits.

(a) The Utility will endeavor to furnish continuous service, but does not guarantee uninterrupted service. The Utility is not liable for any damage, except in cases of gross negligence or negligent workmanship by the Utility, that the customer may sustain by reason of the failure or the partial failure of the power, or the failure or the reversal of phases, or variation in service characteristics, whether caused by accident, repairs, acts of God, or other causes; nor is the Utility liable for damage that may be incurred by the use of any service wiring, connections, instruments, service, or electrical appliances installed by or for the customer; nor is the Utility liable for damage that may be incurred due solely to the presence of the Utility's personnel or property on the customer's premises.

(b) The customer is solely responsible for protection of appliances, equipment, and electric facilities on the customer side of the delivery point against disturbances (including but not limited to power surges and sags) on the electric system. The Utility strongly urges its customers to use surge protection devices to protect its appliances and equipment against disturbances.

(c) In the event the customer requires three-phase service, the installation and maintenance of adequate starters with circuit breakers and protection devices to protect against single-phase conditions and phase reversal is advisable, and their installation and maintenance is the responsibility of the customer.

(d) In the event a customer experiences property damage allegedly caused by the failure or the partial failure of power, by failure or reversal of phases, or by variation in service characteristics, the Utility shall, upon formal written request by the customer made not more than five (5) business days from the date of the incident, initiate an investigation to determine if the property damage was the result of the Utility's gross negligence or negligent workmanship. Within thirty (30) days of the completion of the Utility's investigation, the Utility will notify the claimant in writing of its findings and the progress of the resolution of the claim (the "Notice"). Within thirty (30) days of the customer's receipt of the Notice, the Utility shall inform the customer in writing of its final decision. In the event that the Utility finds the damage was due to the Utility's gross negligence or negligent workmanship, the Utility shall refund the current value of the damaged item(s). In the event that the Utility finds the damaged property was not due to the Utility's gross negligence or negligent workmanship, the claim will be denied.

(e) Upon denial of a claim, the claimant may elect, at no cost to the Utility, to have the damaged property examined by an independent electrician. Upon written report by the independent electrician, the Utility will reexamine and reevaluate its initial decision. The Utility will consider the independent electrician's findings when reexamining its initial decision, but is not bound by the electrician's findings.

(f) In no event shall the Utility be liable for consequent damage, punitive damages, or interest prior to or after the Utility's final decision.

(g) It is the intention of the Utility that, in accordance with ASCA § 43.1203(b)(4), this section provides a remedy for the types of claims established herein.

§12.0208 Phasing failure and protection.

Delivery of single-phase power to a three-phase motor is possible at any time on any system. Most of the load on the Utility's system is single-phase; therefore, the Utility's system is protected by single-phase cutout fuses and reclosers. For customers to properly protect three-phase motors from overload, the Utility suggests that customers use motor starters that have three thermal elements. Customers may enhance this protection by installing electronic motor saver devices.

§12.0209 Resale of energy.

It shall be unlawful for the customer to resell any of the electric energy received from the Utility; nor shall a customer be permitted to connect his service with that of any other customer or in any way supply any other person or premises with electricity through the customer's service, except as approved by the Utility.

§12.0210 Power purchasing agreements.

The Utility may, at it sole discretion, choose to negotiate and enter into one or more power purchasing agreements with one or more customers classified under rate classes C, D, E, and F, which shall govern the customer's applicable rates, charges, standby capacity, fees, and other related services of the Utility. Power purchasing agreements shall be bilateral agreements between the Utility and the customer and shall not exceed seven (7) years in duration. Power purchasing agreements shall not be binding on the Utility until implemented in accordance with the Administrative Procedures Act, A.S.C.A. §§ 4.1001 et. seq. Power purchasing agreements shall not be renewed or extended unless re-implemented in accordance with A.S.C.A. §§ 4.1001 et. seq.

§12.0211 Trouble calls.

The Utility is responsible for maintaining electric service only up to the delivery point. The customer should, therefore, determine that the problem is not the building wiring or equipment before requesting trouble call service from the Utility. The Utility's telephone operators and customer service agents are neither engineers nor electricians and therefore it is not reasonable for customers to rely upon any electrical advice given over the telephone.

§12.0212 Meter calibration.

Upon request, the Utility will test a customer's meter, free of charge, for correct calibration once every 365 days. A fee shall be applied for each subsequent test occurring within the 365 day period. Any meter shown by test to have an average error of more than 2.0% will result in an adjustment of the billing for the last billing period. Adjustments shall be based upon the best available data and evidence of the Utility.

§12.0213 Public information and requests.

The public shall be afforded a reasonable opportunity to inspect the Utility's rules, final orders, decisions, and opinions at the utilities administrative/operations office during regular working hours.

§12.0214 Current specifications – Three-phase availability – Equipment – Purchase warning.

(a) Power is normally delivered at a system frequency of 60 hertz and is available at the following voltages:

(1) Single phase service voltages:

(A) 120 Volt, Two Wire, Grounded Neutral;

(B) 120/240 Volt, Three Wire, Grounded Neutral; or

(C) 120/208 Volt, Three Wire, Grounded Neutral.

(2) Three phase service voltages:

(A) 120/208 Volt, Wye, four wire, Grounded Neutral;

(B) 120/240 Volt, Delta, Four Wire, Grounded Neutral;

(C) 240/480 Volt, Delta, Three Wire, Grounded Neutral;

(D) 240/480 Volt, Delta, Four Wire, Grounded Neutral; or

(E) 277/480 Volt, Wye, Four Wire, Grounded Neutral.

(b) Availability of three-phase service is limited. It should not be assumed that three-phase power will be available unless a contract has been signed for such service, which contract may require the owner to make a prepayment to cover construction costs.

(c) It is recommended that the customer buy no electrical equipment until an application for service has been made and the available delivery voltage has been agreed upon and verified.

§12.0215 Application for service – Changes in service.

(a) Customers and prospective customers should inform the Utility in writing as early as possible of contemplated installations in order to allow the Utility to plan details to provide service. This is particularly true with respect to persons desiring service beyond the existing electric distribution lines of the Utility; written applications for such service should be made before wiring installations have begun.

(b) Customers must make written applications for electric service and execute the Utility's standard form(s) when the Utility determines it to be necessary. Customers shall pay the necessary deposits and connection charges. No application is complete until all payments have been made and the Utility's standard form(s) have been executed.

(c) In the case of rented or leased property, for all customer classes, the landlord or owner of said property must co-sign for the tenant or renter on the initial application or transfer of an account. Cosigners shall be held financially responsible for payment of any past due utility bills of the tenant. This applies to all rate classes. Utility service will be disconnected and not be restored until payments or a payment plan is made to resolve past due utility accounts.

(d) The Chief Executive Officer and the Chief Operations Officer, in consultation with Engineering and Customer Service division managers, are empowered to authorize connections and/or furnish electricity in emergency circumstances. No promise, agreement, or representation of any employee or agent of the Utility, with reference to furnishing electricity, shall be binding on the Utility unless it is authorized by the Chief Executive Officer or the Chief Operations Officer.

§12.0216 Easement requirement.

To accomplish the Utility's duties and purposes codified in A.S.C.A § 15.0102, including the design, installation, operation, and maintenance of American Samoa's electric utility infrastructure, it is essential that the Utility obtain the right to install and maintain equipment

necessary to provide electric power to the people of American Samoa, including, but not limited to, power poles, towers, underground and overhead electric, telephone and communication lines, wires or cables, pad and pole mounted transformers, guy wires, anchors, switches, vaults, junction boxes, and conduits. The customer shall execute, or have the property owner execute, the Utility's standard form easement at no cost to the Utility. The Utility or its duly authorized agents shall at all reasonable times have the right to enter and remain on the customer's premises for any purpose properly connected with the service, connection, or termination of water or electric service to any customer.

The area of the Utility's easement shall be equal to the minimum required clearance or setback prescribed by the most current version of the National Electric Safety Code ("NESC") for that particular item of equipment or Infrastructure.

Damaging Infrastructure within the easement, or encroachment upon the Utility's easement or interference with the Utility's right-of-way granted by this chapter, including, but not limited to, erecting buildings, structures, or improvements upon the Utility's easement and right of way is prohibited. If the landowner damages or causes damage to Infrastructure within the easement, or constructs or causes the construction of buildings, structures, or improvements upon or within the Utility's easement in violation of this chapter, the landowner shall reimburse the Utility for any and all expenses associated with or arising from replacing the Utility's Infrastructure, relocating the Utility's Infrastructure, or removing the building, structure, or improvement, whichever the Utility deems to be in its best interest. Infrastructure replacement or relocation costs shall include, but are not limited to those specified in section 12.0231 of this chapter. The costs required to remove the landowner's building, structure, or improvement shall be borne by the landowner.

§12.0217 Deposits.

(a) For classes A, B, C, and E, a deposit shall be required. The amount required for a deposit shall be as specified in section 12.0231 of this chapter, and may be increased on a per-customer basis as necessary to protect the interests of the Utility.

(b) All existing deposits shall be reviewed at the discretion of the Utility. Deposits may be refunded if upon review the Utility determines that the customer's credit standing is satisfactory. Additional deposits may be required if the Utility determines that the customer's credit standing is not satisfactory.

§12.0218 Power line extension fees.

A fee shall apply to cover the Utility's costs and expenses incurred in extending any and all high-voltage distribution lines for the electrical servicing of a particular building, residence, or subdivision. This fee is levied to cover expenditures to supply any and all electrical requirements for annexations and building sites not previously served. The power line extension fee will also be levied when an existing high-voltage line is not adequate to supply the requirements of new construction or development.

The Utility shall not be required to construct any distribution extension under this or other applicable policies if such extension is, in the reasonable judgment of the Utility, economically infeasible or impractical. Service may, however, be provided to customers on terms which require payment of any amount sufficient to justify the Utility's investment in facilities.

§12.0219 Delivery point.

(a) With the exception of the meter, the Utility shall have no responsibility to own, construct, operate, repair, or maintain any facilities, appliances, or equipment beyond the delivery point. The delivery point must be in clear view of a power pole. The delivery point must be approved by the Utility before building wiring is installed.

(b) The Utility will provide only one delivery point per building. Where the building provides for multiple occupancy, one service connection per building must supply all meters for all tenants in the building. Should the landlord or building owner desire multiple meters for each tenant, the meters shall be grouped or ganged at one central point.

§12.0220 Delivery point – Designation – Anchorage for connections.

(a) Prior to connection, the customer shall ascertain from the Utility to what point on the customer's structure the Utility's service drop wires will be attached. Upon inquiry by the customer, the Utility will designate a location for the service drop wires and the point of attachment to the building. The Utility will assume no responsibility to change the location of its service drop wires if an improper location is chosen without consultation with the Utility or if the designated location is not utilized.

(b) The point selected for the attachment of the service drop wires must be such as to make it unnecessary to install more than one set of wire attachments on the customer's structure. Service drop wires shall not interfere with windows, doors, awnings, or other parts of the buildings or be readily accessible to persons at windows and doors or other accessible areas.

(c) Safe and adequate anchorage structures for the Utility's service connections are required of the customer, and in no case will be the Utility be responsible for damage to any of the customer's buildings or structures to which service wires are attached or have been attached.

(d) Where service wires are to be installed on buildings with stucco, hollow tile, stone brick veneer, plaster, stone coated or sheet iron exteriors, or where there is no surface available that is suitable for the attachment of service knobs having a screw fastening, the customer shall install suitable anchorage bolts or spool racks.

(e) Where the load to be served is sufficiently large to require the use of overhead service conductors on No. 3 AWG and larger, 5/8-inch galvanized bolts, one for each wire, are required. Where the service conductors are smaller than No. 3 AWG, the bolts may be smaller than 5/8 inch but in no case smaller than 3/8 inch in diameter. The bolts are to be spaced to conform to the rack supplied by the Utility and should extend through the wall and be anchored on the inside surface to a substantial washer not less than 1/8 inch thick and two inches square. The threaded portions of the bolts are to project at lease 2 inches beyond the outer surface of the building wall. Racks will be supplied by the Utility.

§12.0221 Separate conductors with single drop.

Where no accessible common meter location is available for buildings, such as duplex houses, apartment buildings, etc., separate sets of service entrance conductors brought out to a common point on the building wall, to be connected to a single service drop, are necessary.

§12.0222 Meter location.

(a) For businesses normally open during normal business hours, meters may be located inside. All other meters shall be outside. The meter must be located not less than five feet nor more than seven feet above the ground or floor level from which the meter is to be read. The meter cannot be located on locked porches or in any area that is not readily accessible by the Utility. The Meter must be accessible to the Utility and there must be adequate clearance around the meter.

(b) Meters may not be installed in locations where the meter readers or service men may inadvertently damage flower beds or shrubbery, or where it will be necessary for them to climb over fences or other obstructions to read or service the meters, or in locations where they will extend unguarded into alleys or driveways, or where they will cause inconvenience either to the customer or the Utility's representatives.

§12.0223 Number of services and meters.

The Utility will connect only one set of service conductors to a building for each set of services rendered except where special permission is obtained. Any building which is to have more than one set of service conductors must have a service wiring plan approved by the Utility. If the building is occupied by one customer, only one meter for each class of service rendered will be installed. If occupied by several customers, each one shall become a customer of the Utility and a meter for this respective class of service will be installed.

§12.0224 Grounding requirement.

The customer shall be required to install ground wires in accordance with the requirements and specifications of the most current version of the National Electrical Code (NEC). This section shall be a necessary requirement of all service entrance installations.

§12.0225 Inspection before energization.

All wiring in all buildings must be inspected before initial energization. All major additions to the wiring must be inspected. The Utility will not provide service to any building which has not been inspected by the ASG and for which a certificate of inspection has not been issued. The Utility assumes no responsibility for the condition of any wiring beyond the delivery point.

§12.0226 Noncompliance with rules.

The Utility reserves the right to refuse service to any customer who does not comply with the rules set out in this chapter, or with the most current version of the NESC and/or NEC.

§12.0227 Temporary services.

(a) When temporary service is desired, the prospective customer must make arrangements directly with the Utility well in advance of the requested service date. Temporary installations requiring special service, meter, or other work, such as for construction purposes, exhibits of short duration, etc., are made at the expense of the customer. In all such cases, an advance payment sufficient to cover the estimated construction expense will be required.

(b) Service entrances, meters, and other wiring on temporary installations are installed in the same manner as for permanent installations, whether indoor or outdoor. When no building is available for the installation of service conductors and service equipment, it will be necessary to consult the Utility for recommendations as to suitable support for service drop wires, the meter, and weatherproof housing for the service equipment. Service entrance wiring and equipment will be supplied and installed by the customer just as for permanent installations and in the location designated by the Utility.

§12.0228 Termination of service – Termination of electric facilities.

(a) Once service is established, the customer shall be responsible for the payment for the power which is registered on the meter assigned to the customer until such service is ordered terminated by the customer in writing and such service is finally terminated by the Utility. All outstanding bills, fees and charges must be settled upon the termination of service or termination of electric facilities.

(b) When notice for termination of service or termination of electric facilities is ordered on Saturday or Sunday, service will not be terminated until the next working day and the meter reading at the time of termination shall determine the final bill.

§12.0229 Variable fuel surcharge.

A variable fuel surcharge shall apply to all classes of customers as those classes are set forth in section 12.0230 of this chapter. At a minimum, the variable fuel surcharge shall recover all fuel expenses incurred by the Utility in producing the total kilowatt hours the Utility produces

per month. The variable fuel surcharge rate is calculated by multiplying the Fuel Surcharge Multiplier by the Maximum Allowable Price.

§12.0230 Rate schedule.

(a) Class A. Residential Service.

CLASS A
RESIDENTIAL SERVICE

APPLICABILITY:

Applicable to domestic customers for residential use, the major use of which is for lighting and household appliances for the personal comfort of those residing therein; provided, however that if the demand is over 25 kW, the customer may be billed under the rate class entitled "Large General Service," at the sole option of the Utility.

TYPE OF SERVICE:

Sixty cycle, single phase at Utility's standard voltage.

RATES & CHARGES:

The rates and charges applicable to the customer in Class A are as follows:

(a) Monthly Customer Service Charge,
(b) Base Energy Rate, and
(c) Variable Fuel Surcharge.

Monthly Customer Service Charge:

$4.00 per month until June 30, 2010;
$6.00 per month from July 1, 2010 and thereafter.

Base Energy Rate:

$0.0954 per kWh per month for all kWhs used.

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

DELIVERY POINT:

The above rates are based upon the supply of service to the entire premises through a single meter at single phase voltage. Separate supply for the same customer at other points of consumption or meters or at a different voltage shall be separately metered and billed.

PAYMENT:

The current bill is due in full on the due date specified in the bill.

SERVICE CONDITIONS:

(a) The rated capacity of single-phase motors shall not be in excess of 10hp.
(b) Service under this class is limited to customers whose load requirements can be met by transformers having a capacity not to exceed 25kW.
(c) Service is subject to the rules of the Utility.

(b) Class B. Small General Service.

CLASS B
SMALL GENERAL SERVICE

APPLICABILITY:

Applicable to nonresidential customers and 3-phase customers; provided, however that if the demand is over 25 kW, the customer may be billed under rate class Large General Service, at the sole option of the Utility.

TYPE OF SERVICE:

Sixty cycle, single-phase, and/or three-phase, where available, at the Utility's standard voltage.

RATES & CHARGES:

The rates and charges applicable to the customer in class B are as follows:

(a) Monthly Customer Service Charge,
(b) Base Energy Rate, and
(c) Variable Fuel Surcharge.

Monthly Customer Service Charge:

(a) Single-phase service: $5.00 per month
(b) Three-phase service: $10.00 per month

Base Energy Rate:

$0.1045 per kWh per month for all kWhs used.

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

DELIVERY POINT:

The above rates are based upon the supply of service to the entire premises through a single meter at either single or three phase voltage. Separate supply for the same customer at other points of consumption or meters or at a different voltage shall be separately metered and billed.

PAYMENT:

Above rates are net, the gross bill being 5% higher. In event the current bill is not paid by the due date specified in the bill, the gross rate shall apply.

SERVICE CONDITIONS:

(a) The rated capacity of single-phase motors shall not be in excess of 10hp.
(b) Service under this class is limited to customers whose load requirements can be met by transformers having a capacity not to exceed 25kW.
(c) Service is subject to the rules of the Utility.

(c) Class C. Large General Service.

CLASS C
LARGE GENERAL SERVICE

APPLICABILITY:

Applicable to customers using 3-phase lines and Class A and Class B customers exceeding demand of 25 kW.

TYPE OF SERVICE:

Sixty cycle, single phase or three-phase, at the Utility's standard voltage.

SECONDARY METERED SERVICE RATES & CHARGES:

The rates and charges applicable to the customer in class C are as follows:

(a) Monthly Customer Service Charge,
(b) Base Energy Rate,
(c) Demand Charge,
(d) Variable Fuel Surcharge, and
(e) Power Factor Charge.

Monthly Customer Service Charge:

$25.00 per month.

Base Energy Rate:

$0.0876 per kWh per month for all kWhs used.

Demand Charge:

$5.00 per kW per month of billing demand. Billing demand is defined as highest of:

(a) 25 Kilowatts (kW), or
(b) Maximum demand (kW).

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

Power Factor Charge:

When the electricity delivered to the customer has an average monthly power factor of less than 0.95, the Utility may, at its sole discretion, install reactive kVArh meters and increase the demand charge by a power factor charge as set forth in section 12.0234 of this chapter.

MAXIMUM DEMAND:

"Maximum demand" is the average kilowatt delivery during the 15-minute period in which the consumption of energy is greatest during the month for which the determination is made. The maximum demand shall normally be determined by a recording demand meter. In the absence of such demand meter, or if the meter fails to register, the maximum demand shall be estimated from the best information available.

DELIVERY POINT:

The above rates are based upon the supply of electric service to the entire premises of the customer through a single delivery and metering point at three-phase, 60 cycles at the Utility's standard voltage. Separate supply for the same customer at other points of consumption or meters or at a different voltage shall be separately metered and billed.

PAYMENT:

Above rates are net, the gross bill being 5% higher. In event the current bill is not paid by the due date specified in the bill, the gross rate shall apply.

SERVICE CONDITION:

Service is subject to the rules of the Utility.

(d) Class D. Industrial Service.

CLASS D
INDUSTRIAL SERVICE

APPLICABILITY:

Applicable to customers using three-phase lines and who have a demand greater than 1000 kW per month.

TYPE OF SERVICE:

Sixty cycle, three-phase, at the Utility's standard voltage.

PRIMARY METERED SERVICE RATES & CHARGES:

The primary metered service rates and charges applicable to customers in class D are as follows:

(a) Monthly Customer Service Charge,
(b) Base Energy Rate,
(c) Demand Charge,
(d) Variable Fuel Surcharge, and
(e) Power Factor Charge.

Monthly Customer Service Charge:

$25.00 per month.

Base Energy Rate:

Same as the secondary metered service base energy rate less a reduction of 3.5%.

Demand Charge:

Same as the secondary metered service demand charge less a reduction of 3.5%.

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

Power Factor Charge:

When electricity delivered to the customer has an average monthly power factor of less than 0.95, the Utility may, at its sole discretion, install reactive kVArh meters and increase the demand charge by a power factor charge as set forth in section 12.0234 of this chapter.

SECONDARY METERED SERVICE RATES & CHARGES:

The secondary metered service rates and charges applicable to the customer in class D are as follows:

(a) Monthly Customer Service Charge,
(b) Base Energy Rate,
(c) Demand Charge,
(d) Variable Fuel Surcharge, and
(e) Power Factor Charge.

Monthly Customer Service Charge:

$25.00 per month.

Base Energy Rate:

First 1,000,000 kWh per month: $0.0700 per kWh for all kWhs used ("Tier 1").
Over 1,000,000 kWh per month: $0.0650 per kWh for all kWhs used ("Tier 2").

Demand Charge:

$8.25 per kW per month of billing demand
Billing demand is defined maximum demand (kW)

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

Power Factor Charge:

When electricity delivered to the customer has an average monthly power factor of less than 0.95, the Utility may, at its sole discretion, install reactive kVArh meters and increase the demand charge by a power factor charge as set forth in section 12.0234 of this chapter.

DELIVERY POINT:

The above rates are based upon the supply of electric service to the entire premises of the customer through a single delivery and metering point at three-phase, 60 cycles at the Utility's standard voltage. Separate supply for the same customer at other points of consumption or meters or at a different voltage shall be separately metered and billed.

PAYMENT:

Above rates are net, the gross bill being 5% higher. In event the current bill is not paid by the due date specified in the bill, the gross rate shall apply.

SERVICE CONDITION:

Service is subject to the rules of the Utility.

(e) Class E. Standby Service – Large General Service.

CLASS E
STANDBY SERVICE
LARGE GENERAL SERVICE

APPLICABILITY:

Applicable to standby or breakdown service for non-residential customers using three-phase lines, who have a demand greater than 100 kW per month, and where all or a part of the customer's electrical requirements on the customer's premises are supplied by a source of generation other than the Utility's. This section is not meant to apply to Class C customers with backup or reserve generators who periodically disengage from the Utility's system to test or perform routine maintenance on their backup power source.

TYPE OF SERVICE:

Sixty cycle, three-phase, at the Utility's standard voltage.

RATES AND CHARGES:

The rates and charges applicable to the customer in class E are as follows:

(a) Monthly Customer Service Charge,
(b) Standby Charge,
(c) Base Energy Rate,
(d) Demand Charge,
(e) Variable Fuel Surcharge, and
(f) Power Factor Charge.

Monthly Customer Service Charge:

$25.00 per month.

Standby Charge:

$5.00 per kW per month.

Standby capacity is based on the customer's highest maximum demand recorded by the Utility. Standby capacity is subject to the Utility's review and may be increased or decreased at the sole discretion of the Utility based on changes in the customer's maximum demand. The customer may request to enter into a power sales agreement with the Utility in order to reserve standby capacity.

Base Energy Rate:

$0.0876 per kWh per month for all kWhs used.

Demand Charge:

$5.00 per kW per month of billing demand. Billing demand is defined as maximum demand (kW).

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

Power Factor Charge:

When electricity delivered to the customer has an average monthly power factor of less than 0.95, the Utility may, at its sole discretion, install reactive kVArh meters and increase the demand charge by a power factor charge as set forth in section 12.0234 of this chapter.

MAXIMUM DEMAND:

"Maximum demand" is the average delivery during the 15-minute period in which the consumption of energy is greatest during the month for which the determination is made. The maximum demand shall normally be determined by a recording demand meter. In the absence of such demand meter, or if the meter fails to register, the maximum demand shall be estimated from the best information available.

DELIVERY POINT:

The above rates are based upon the supply of electric service to the entire premises of the customer through a single delivery and metering point at three-phase, 60 cycles at the Utility's standard voltage. Separate supply for the same customer at other points of consumption or meters or at a different voltage shall be separately metered and billed.

PAYMENT:

Above rates are net, the gross bill being 5% higher. In event the current bill is not paid by the date specified in the bill, the gross rate shall apply.

SERVICE CONDITION:

Service is subject to the rules of the Utility.

(f) Class F. Standby Service – Industrial Service.

CLASS F
STANDBY SERVICE
INDUSTRIAL SERVICE

APPLICABILITY:

Applicable to standby or breakdown service for non-residential customers using three-phase lines, who have a demand greater than 1000 kW per month, and where all or a part of the customer's electrical requirements on the customer's premises are supplied by a source of generation other than the Utility's.

PRIMARY METERED SERVICE RATES & CHARGES:

The primary metered service rates and charges applicable to the customer in class F are as follows:

(a) Monthly Customer Service Charge,
(b) Standby Charge,
(c) Base Energy Rate,
(d) Demand Charge,
(e) Variable Fuel Surcharge, and
(f) Power Factor Charge.

Monthly Customer Service Charge:

$25.00 per month.

Standby Charge:

$8.25 per kW per month.

Standby capacity is based on the customer's highest maximum demand recorded by the Utility. Standby capacity is subject to the Utility's review and may be increased or decreased at the sole discretion of the Utility based on changes in the customer's maximum demand. The customer may request to enter into a power sales agreement with the Utility in order to reserve standby capacity.

Base Energy Rate:

Same as the secondary metered service base energy rate less a reduction of 3.5%.

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

Demand Charge:

Same as the secondary metered service demand charge less a reduction of 3.5%.

Power Factor Charge:

When electricity delivered to the customer ha san average monthly power factor of less than 0.95, the Utility may, at its sole discretion, install reactive kVArh meters and increase the demand charge by a power factor charge as set forth in section 12.0234 of this chapter.

SECONDARY METERED SERVICE RATES & CHARGES:

The secondary metered service rates and charges applicable to the customer in class F are as follows:

(a) Monthly Customer Service Charge,
(b) Standby Charge,
(c) Base Energy Rate,
(d) Demand Charge,
(e) Variable Fuel Surcharge, and
(f) Power Factor Charge.

Monthly Customer Service Charge

$25.00 per month.

Standby Charge:

$8.25 per kW per month.

Standby capacity is based on the customer's highest maximum demand recorded by the Utility. Standby capacity is subject to the Utility's review and may be increased or decreased at the sole discretion of the Utility based on changes in the customer's maximum demand. The customer may request to enter into a power sales agreement with the Utility in order to reserve standby capacity.

Base Energy Rate:

First 1,000,000 kWh per month: $0.0700 per kWh for all kWhs used ("Tier 1").

Over 1,000,000 kWh per month: $0.0650 per kWh for all kWhs used ("Tier 2").

Demand Charge:

$8.25 per kW of billing demand.

Billing demand is define maximum demand (kW).

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

Power Factor Charge:

When electricity delivered to the customer has an average monthly power factor of less than 0.95, the Utility may, at its sole discretion, install reactive kVArh meters and increase the demand charge by a factor charge as set forth in section 12.0234 of this chapter.

MAXIMUM DEMAND:

"Maximum demand" is the average kilowatt delivery during the 15-minute period in which the consumption of energy is greatest during the month for which the determination is made. The maximum demand shall normally be determined by a recording demand meter. In the absence of such demand meter, or if the meter fails to register, the maximum demand shall be estimated form the best information available.

DELIVERY POINT:

The above rates are based upon the supply of electric service to the entire premises of the customer through a single delivery and metering point at three-phase, 60 cycles at the Utility's standard voltage. Separate supply for the same customer at other points of consumption or meters or at a different voltage shall be separately metered and billed.

PAYMENT:

Above rates are net, the gross bill being 5% higher. In event the current bill is not paid by the due date specified in the bill, the gross rate shall apply.

SERVICE CONDITION:

Service is subject to the rules of the Utility.

(g) Class G. Unmetered Small General Service.

CLASS G

UNMETERED SMALL GENERAL SERVICE

APPLICABILITY:

Applicable to the equipment, fixtures, appliances or facilities of customers using single-phase lines with a demand of less than 1 kW per month, that are connected to the Utility's system, including, but not limited to, small usage equipment, appliances, or facilities, repeaters, power supplies, neon lights, and illuminated signs.

TYPE OF SERVICE:

Sixty cycle, single phase, at the Utility's standard voltage.

RATES & CHARGES:

The rates and charges applicable to the customer in class G are as follows:

(a) Monthly Customer Service Charge,
(b) Base Energy Rate, and
(c) Variable Fuel Surcharge.

Monthly Customer Service Charge:

$5.00 per month.

Base Energy Rate:

$0.1045 per kWh per month for all kWhs used.

The total number of kWhs used is determined solely by the Utility based on the Utility's standard formula for determining kWh usage:

kWh usage =

$$\frac{\text{Volt. x current x 24 hours x monthly base energy rate x \# of days per billing cycle}}{1000}$$

Variable Fuel Surcharge:

A variable fuel surcharge as set forth in section 12.0229 of this chapter shall apply.

SINGLE POINT DELIVERY:

The above rates are based upon the supply of service to the entire premises through a single meter at single phase voltage. Separate supply for the same customer at other points of consumption or meters or at a different voltage shall be separately metered and billed.

PAYMENT:

The current bill is due on the due date specified in the bill.

SERVICE CONDITIONS:

Service is subject to the rules of the Utility.

(h) Class H. Outdoor lighting.

APPLICABILITY:

Applicable to outdoor lighting connected directly to the Utility's system, typically referred to as street lighting.

RATES & CHARGES:

The rates and charges applicable to the customer with lighting in class H are as follows:

(a) Monthly Rates.

Monthly Rates:

Type	*Monthly Rate*	*Description*
NSTL	$35.00	Illuminated Sign
Streetlight 70S	$7.50	70W Sodium Vapor Light
Streetlight 100	$10.50	100 Watts Light
Streetlight 170M	$18.50	170W Mercury Vapor Light
Streetlight 250	$27.00	250 Watts Light
Streetlight 400	$43.00	400 Watts Light

§12.0231 Fee schedule.

All fees for products or services described in this section must be prearranged with the Utility and prepaid by the customer. The listing of a fee within section does not guarantee availability of the associated service.

Service	*Applicable Customer Class*	*Amount*
Deposit	A	$75.00
Deposit	B	$500.00
Deposit	C & E	$1,000.00
Single phase electric installation / new connection	A	**Conventional meter:** $150.00 initial fee + excess. The Utility subsidizes the first $1200.00 and the customer is required to pay excess costs over $1200.00. **Prepayment meter:** $300.00 initial fee + excess. The Utility subsidizes the first $1200.00 and the customer is required to pay excess costs over $1200.00
Single phase electric installation / new connection	B, C, D, E, & F	$300.00 initial fee + all excess costs. The Utility provides no subsidy.
3-phase electric installation / new connection	B, C, D, E, & F	$600.00 initial fee + all excess costs. The Utility provides no subsidy
Single phase temporary Electric service	A	$150.00 + all excess costs. The Utility provides no subsidy. Customer is required to pay meter relocation fee + all excess costs at time of relocation and installation of permanent meter.
Meter Replacement	All	$150.00, plus actual costs in excess
Meter Relocation	All	$50.00 + all excess costs. The Utility provides no subsidy.
Temporary Switch for Single Phase	All	$250.00 + all excess costs
Temporary switch for Three-phase	All	$450.00 + all excess costs The Utility provides no subsidy.
Floodlight rental	All	$250.00 per week for two (2) floodlights

Pole rental for banner hanging	All	$150.00 per week for each banner
Streetlight installation/new connection; power pole already in place	All	$150.00
Streetlight installation/new connection; power pole required	All	$300.00 + all excess costs
Illegal Connection or Tampering	A	$500.00 for first offense, and $1,000.00 for each following offense
Illegal Connection or Tampering	B, C, D, E, & F	$1,000.00 for first offense; $1,500.00 for each following offense
Tampering Reconnection Fee	All	$100.00 plus estimated kWh usage based on average consumption within customer class
Unmetered usage	All	Estimated kWh usage based on average consumption within customer class
Energy audit/meter calibration - single phase	A,	Free once per year, $25.00 per meter thereafter
Energy audit/meter calibration - single phase	B	Free once per year, $50.00 per meter thereafter
Energy audit/meter calibration - 3-phase	B, C, D, E, & F	Free once per year, $100.00 per meter thereafter
Electric repairs	All	Actual cost to the Utility
Meter reconnection fee	All	$25.00 , if reconnection fee is paid before 12:00pm on a working day, if after 12:00pm on working day or after hours reconnection is requested then the fee is $25.00 plus actual costs
Reconnection to power pole or main line - single phase	All	$50.00 if past due accounts are brought current within one year of disconnection; otherwise, same as electric installation/new connection
Reconnection to power pole or main line - 3-phase	All	$100.00
Reconnection after termination of electric facilities	A, B, C, D, & E	Actual costs
Reconnection after termination of electric facilities	F	$100.00 x highest maximum demand capacity recorded by the Utility; and All costs to reconnect to the Utility's system
Returned/bounced check	All	$30.00
Damage to ASPA facilities or property	All	Actual costs to the Utility for materials, labor, overtime, equipment, rentals, line trucks, backhoes, etc.
Utility's loss of income due to accident/damage	All	Total costs of energy lost, assessed on loss of load at time of incident until power is restored, and including actual costs of material, equipment and labor used in restoration of power.

Power line extensions	All	Actual costs to the Utility for materials, labor, overtime, equipment, rentals, line trucks, backhoes, etc.
Specialized personnel services	All	$35.00 per hour per technician
Prepayment meter to conventional meter conversion	All	$50.00 plus special deposit
Conventional meter to prepayment meter conversion	All	$75.00 plus special deposit
Relocation of electric facilities	All	Actual cost, as determined by the Utility
After hours fee	All	$50.00, in addition to other applicable fees
After-hours vending for prepayment meters	All	$5.00 per occurrence, with a minimum purchase total of $15.00
Account transfer	All	$5.00
Utility service upgrade	All	Actual cost

§12.0232 Research and development fund for renewable energy projects.

(a) To reduce its dependence on fossil fuels for energy production, the Utility shall establish a research and development fund for renewable energy projects. All revenues collected pursuant to this section shall be deposited in a separate account of the Utility and used exclusively in connection with renewable and/or alternate energy projects of the Utility. An annual accounting of these funds shall be made by the Utility to the Governor and the Legislature on or before the first of October of each year.

(b) The Utility shall assess, in addition to the rates, charges and fees authorized under sections 12.0230 and 12.0231 of this chapter, an additional base energy rate of $0.002 per kWh to classes A, B, C, D, E, F, and G to finance the Utility's research and development fund for renewable energy projects unless a specific power purchasing agreement is in effect between customer and the Utility.

§12.0233 Operating, metering and protective relaying for cogenerators and small power producers.

(a) Introduction. This section sets forth the minimum requirements for safe and effective operation of customer-owned generation facilities that interface, or have the potential to interfere, in any way with the Utility's electric system. Under normal operating conditions, the Utility controls the only source of supply to a given line and therefore has the responsibility to install equipment which is adequate, under expected circumstances, to detect faulted equipment and de-energize it. Electric generators owned and/or operated by customers of the Utility, that are capable of being connected to the Utility's system or of backfeeding onto the Utility's system through customer circuits, must have adequate protective devices installed.

(b) Customer Generation. The Utility will permit customers to operate generating equipment in parallel with the Utility's electric system when this can be done without adversely affecting the general public or the Utility's system, equipment, or personnel. Certain protective devices (relays, circuit breakers, etc.) must be installed at any location where a customer has the capability of operating generation equipment in parallel with the Utility's system. The purpose of these devices is to promptly disconnect the customer's generating equipment from the Utility's system whenever faults or abnormal operations occur. The Utility will not be liable for, nor assume any responsibility for protection of the customer's generator(s) or any other portion of the customer's electrical equipment. The customer is fully responsible for protecting his/her equipment in such a manner that faults, outages, surges, and/or other disturbances on the Utility's system do not cause damage to the customer's equipment. The customer may elect to

run generation in parallel with the Utility's system or as a separate system with the capability of non-parallel load transfer between the two independent systems. Connection to the Utility's system requires the generation of 60 Hz alternating current.

(c) Separate Systems. A separate system is defined as a system in which there is no possibility of connecting the customer's generating equipment to or in parallel with the Utility's system. To protect against the possibility of backfeeding onto the Utility's system, the customer shall furnish and install a load break disconnection safety switch on the customer's side of the metering. If the customer's generation unit is capable of isolated operation from the Utility's system, the customer shall furnish and install two such switches. The disconnect switch or switches shall be located adjacent to the Utility's meters and shall be of the visible break type in metal enclosure which can be secured in an open position by the Utility's padlock. The Utility shall have the right to lock such switch or switches open, whenever, in the sole judgment of the Utility, it is necessary to maintain safe electrical operating conditions, or a system emergency or abnormal condition exists. This switching agreement shall allow the transfer of load between the two systems in an open transition or non-parallel mode. For customers having separate systems the Utility will require verification that the load transfer switching arrangement meets the non-parallel requirements. This verification will be accomplished by approval of drawings by the Utility and/or field inspection of the load transfer switchgear. The Utility will not be responsible for approving the customer's generating equipment and assumes no responsibility for its design or operation. Unless customer generation specifically meets separate system criteria (i.e., cannot backfeed onto Utility system) or an approved non-parallel load transfer switching arrangement is installed, the generation source will be considered capable of backfeeding and will be required to meet the protection specifications for parallel operation.

(d) Parallel Systems. Parallel systems are defined as systems in which the customer's generation can be connected to a bus that is common to the Utility's system and wherein a direct transfer of power between the two systems is possible. Customers are required to provide sufficient relaying to detect phase and ground faults in the customer's equipment. This relaying shall coordinate with the Utility's relays.

(1) Design Requirements.

(A) The customer's installation shall meet or exceed all applicable construction and safety codes.

(B) The customer shall furnish and install a load break disconnect safety switch which shall be of the visible break type in a metal enclosure which can be secured in an open position by the Utility's padlock. The Utility shall have the right to lock such switch or switches open whenever, in the sole judgment of the Utility, it is necessary to maintain safe electrical operating conditions, or a system emergency or abnormal conditions exists.

(C) The customer shall furnish voltage regulation equipment sufficient to maintain voltage within normal Utility operating limits.

(D) The Utility reserves the right to require and approve drawing and schematics of the customers interconnecting equipment and the right to conduct field inspection to verify compliance with the approved design.

(E) The customer shall furnish instrumentation and metering in accordance with these rules and the Utility's operating practices and procedures.

(F) For customers with the generation facilities that can maintain output when disconnected from the Utility's system, generator breakers or system interface breakers must be equipped with the following appropriately sized and coordinated protection devices:

(1) Individual phase overcurrent trip devices for three-phase fault protection;

(2) Sensitive ground detection relaying for single-phase-to-ground fault protection (particular attention must be paid to the method of grounding customer

generators and Utility transformers (if included in circuit) to be certain that the appropriate relays are installed to detect and clear all Utility and customer ground faults);

(3) Undervoltage trip devices necessary to protect the Utility's system for low generator output voltage;

(4) Underfrequency relays to detect when the customer's generator is supplying the Utility's system in excess of the generator's capacity;

(5) Overvoltage and/or overfrequency relays to protect the Utility's other customers from overvoltage; and

(6) Synchronizing equipment to ensure a smooth connection to the Utility's system (synchronizing automatically through check relays is preferred over manual synchronization).

(G) Customers with generation facilities that cannot maintain output when disconnected from the Utility system are required to equip generator breakers or interface breakers with the following protective devices:

(1) Individual phase overcurrent protection for three-phase and phase-to-phase fault protection;

(2) Ground fault protection relays for phase-to-ground fault protection; and

(3) Underfrequency, overfrequency, undervoltage, and overvoltage relays to protect the Utility's system if the induction generator separates from the Utility's power source at a point between the customer's main breaker and the Utility's substation. Induction generators could become self-excited from the Utility's line capacitors or customer's capacitors, causing excessively high or low voltage and subsequent damage to customer equipment (note: for small induction generators generating less than 50kW, the relays in subsection (d)(1)(G)(1) above are not required due to the fact that generators of this size would not normally supply sustained overcurrents).

(2) Operating Requirements.

(A) The customer must maintain the service voltage within the normal limits of the Utility. If high or low voltage complaints or flicker complaints result from operating the customer's generator, the Utility shall disconnect the customer's generating equipment until the problem is resolved.

(B) The customer's generator must not be reconnected in parallel with the Utility's system after a protection device trip due to Utility line trouble until the Utility has corrected the problem and energized the Utility's line to the customer's main breaker. During the period of Utility line trouble, the customer may operate the generator isolated from the Utility.

(C) The customer must notify the Utility before operating any generating of a significant size (as established by the Utility) in parallel. This notification shall be made before each connection and disconnection.

(D) The customer shall be required to discontinue parallel operation during maintenance or repair to Utility facilities.

(E) The customer shall be fully liable and responsible for damage caused to other customers or the Utility as a result of malfunction of the customer's generator or controls.

(F) The customer shall indemnify and hold harmless the Utility for any and all damage caused to third parties as a result of the customer's negligence and/or malfunction of the customer's generator(s), controls.

(G) The customer shall be required to contact the Utility before reconnecting the generator to the Utility's system on occasion when it has been disconnected by the protective relays due to abnormal conditions.

(H) All protective devices used by the customer and required by the Utility shall be tested by qualified Utility personnel at frequent intervals specified by the Utility. A fee for such testing shall apply.

(3) Utility Considerations for Parallel Operation.

(A) The operation of the customer's generation in parallel with the Utility makes backfeeding a distinct possibility. Protective devices incorporated onto the customer's equipment cannot be relied upon to prevent backfeed during faults on the Utility line connected to the customer. Backfeeding will also occur whenever the customer's generation exceeds the load.

(B) Utility Design Requirements.

(1) The Utility shall, at is sole discretion, have the ability and right to disconnect the customer's generation at the customer/Utility interface whenever necessary.

(2) Transformers feeding customer systems with parallel generation should be identified with a special tag attached to the transfer or pole. This will notify field crews of the possibility of backfeed.

(3) All maps or diagrams used by the system operator to direct switching operation should have sources of parallel generation identified.

(4) At the discretion of the Utility, a supervisory control and monitoring system may be incorporated for those customers with large generators.

(5) The Utility's distribution feeders automatically reclose following a line trip-out. To prevent damage to the customer's generating equipment, some form of reclose blocking or sync-check must be provided to block both automatic and manual reclosing until the customer's generating unit has separated from the line. This equipment shall be provided at the customer's sole expense.

(6) The connection of interfacing transformers between the customer and Utility, if required, should be given considerable attention. The relaying requirements and system operating characteristics can be greatly affected by the connection.

(7) The preferred transformer connection, from a Utility relaying standpoint, is for the interface transformer to be connected delta on the generator side and grounded wye on the Utility side. An overcurrent relay connected to a current transformer in the high voltage neutral will provide sensitive ground relaying for line-to-ground faults on the Utility system. Delta connected windings on the customers side may be objectionable because it leaves the customer's system ungrounded.

(C) Utility Operation Procedures.

(1) To maintain safe working conditions, strict adherence to these rules and the Utility's safety rules shall be required. Utility manuals for line crews must include safe working procedures applicable to parallel generation operation.

(2) The Utility may exercise direct control over customer generation that is of sufficient magnitude to affect Utility generation and/or voltage regulation.

(3) The Utility shall have discretionary control over all of a customer's parallel generation – no matter what the size – during outages, equipment maintenance and emergencies.

§12.0234 Power factor charge.

At the Utility's sole discretion, kVArh metering will be installed on the service of any new customer whose demand is expected to exceed 25 kilowatts and upon the service of any existing customer whose demand has exceeded 25 kilowatts for three consecutive months. When such power factor metering is installed on a customer's service, the total billed demand charge for any month's electric service shall be increased, according to the following formula:

$$\text{Billed Demand} = \frac{\text{Measured kW demand x Allowable P.F}}{\text{Average P.F.}}$$

[The ratio of Allowable PF over Average PF multiplied by the Measured (Max) kW Demand]

Allowable P.F. = 95%

Average power factor to be computed (to the nearest whole percent) from the ration of lagging kilovolt-ampere-hours to kilowatt-hours consumed during the month as follows:

$$\text{Average P.F.} = \frac{\text{Customer kWh}}{\sqrt{[(\text{Customer kWh})^2 + (\text{Customer kVArh})^2]}}$$

Before installing kVArh metering on an existing customer's service, the Utility will measure the customer's power factor and notify the customer of the result of the measurement. The customer shall then be allowed 60 days to enter into a mutually agreed upon power factor correction program. The program shall be based on the Utility's dollar estimate of the annual potential penalty. The customer shall agree to install power factor corrective devices on customer's system equivalent to the annual dollar value of the Utility's estimate of the power factor penalty. This program shall continue in effect until the customer's power factor reaches 95% or better for six (6) consecutive months, or one (1) year maximum time has elapsed. The power factor clause shall then become effective on the customer billing. During the time this agreement is in effect, the Utility shall not impose any other power factor penalty on the customer. If the above agreement is not implemented, kVArh metering shall be installed and the customer shall be billed in accordance with the above provisions.

§12.0235 Violations.

(a) The Utility reserves the right to refuse service to any customer that does not comply with the rules set forth in this chapter.

(b) If any person or entity responsible for complying with the provisions of this chapter violates any such provision, the Utility shall notify that person or entity in writing of said violation(s) and order that person or entity to correct the said violation(s). The Utility shall be entitled to assess fees and charges at its discretion, pursuant to this chapter.

(c) Notices of violations shall be served in person, posted upon the premises in a prominent place, or via first class mail to the account holder.

§12.0236 Noncompliance charge.

Any person or entity who fails to comply with the terms and provisions of this chapter may be subject to a noncompliance charge. The Utility shall have the right to issue a noncompliance charge of not less than twenty-five dollars ($25.00) per customer account, nor more than one thousand dollars ($1,000.00), based upon the severity and repetition, if any, of the violation.

§12.0237 Authority to adjust rates.

The Board of Directors of the American Samoa Power Authority may, by formal resolution adopted in accordance with its bylaws, adjust (reduce or increase) one or more rates, charges, and/or fees codified in sections 12.0230 and 12.0231, provided that such adjustment or adjustments do not exceed publicly filed rates, charges, and/or fees adopted under A.S.C.A. § 15.0102 and the Administrative Procedure Act, A.S.C.A. §§ 4.1001 et. seq. The Board, at a minimum, shall review the rate in the first quarter of each calendar year.

§12.0238 Severability.

If any section, subsection, sentence, clause, phrase, provision, or application of this chapter for any reason is held invalid, such invalidity shall not effect the validity and/or application of the remainder of this chapter as a whole or any part thereof other than the part so held invalid.

§12.0239 Effective date.

This chapter and all the provisions contained herein shall take effect and go into operation on May 31, 2010.