

ORIGINAL \_\_\_\_\_ Sheet No. 40

Replacing: \_\_\_\_\_ Sheet No. \_\_\_\_\_

The Empire District Electric Company d/b/a Liberty-Empire  
Name of CompanyKind of Service: Electric Class of Service: AllPart III Rate Schedule No. 19Title: **SERVICE CONDITION AND FACILITIES**

PSC File Mark Only

## 19. SERVICE CONDITION AND FACILITIES

## 19.1. CONDITION OF CUSTOMER'S FACILITIES:

19.1.1. The Company shall not be required to connect for service until Customer's wiring has been approved by local inspection where local municipal wiring regulations are in effect nor unless in compliance with the NEC where no local regulations apply.

19.1.2. The Company shall have the right to disconnect service to any installation which violates local, municipal, NEC, or NESC regulations or that is deemed by the Company to be detrimental or hazardous to the public, service to other Customers, or Company's facilities.

## 19.2. EQUIPMENT FURNISHED:

19.2.1. The Company will furnish and install the Company's service drop or lateral and the meter for residential and small commercial Customers. All other equipment will be furnished by Customer and installed by Customer's wireman according to Company specifications which are available at any Company office.

19.2.2. For large commercial or industrial installations the Company will furnish meter bases for a fee but will not install the meter base unless it is to be mounted on Company equipment. Specifications and division of responsibility with respect to installation of electrical service and the service entrance equipment are available to the Customer and/or the Customer's representative upon request at any Company office.

19.2.3. For farm Customers, on the initial installation the Company will furnish and install a central service pole and run a service drop to it from Company's distribution lines or transformers. The various feed wires, however, from the central service pole to the Customer's house, to the barn, and to the other out-buildings are the Customer's property and are to be furnished and installed by the Customer. The Customer shall so arrange his wiring that the meter socket and service disconnect is located on the central service pole.

## 19.3. UNDERGROUND DISTRIBUTION POLICY:

The Company's standard construction will be overhead. However, where feasible from engineering, operational, and economic considerations, new electric service to residential and commercial Customers may be installed underground. Installation of underground facilities shall be made in accordance with the following provisions:

ORIGINAL \_\_\_\_\_ Sheet No. 41

Replacing: \_\_\_\_\_ Sheet No. \_\_\_\_\_

The Empire District Electric Company d/b/a Liberty-Empire  
Name of CompanyKind of Service: Electric Class of Service: AllPart III Rate Schedule No. 19Title: **SERVICE CONDITION AND FACILITIES**

PSC File Mark Only

## 19.3.1. Underground Primary and Secondary Distribution Facilities:

- 19.3.1.A. When application is received from a developer for an extension of electric service to a subdivision in an area not served by existing facilities, the Company shall prepare a detailed estimate of the cost to install an overhead distribution system to the subdivision, including indirect costs of construction. The Company shall also perform a detailed estimate to determine the cost to install an underground distribution system of the same scope as the overhead distribution system to the same subdivision, including indirect costs. The Company shall be responsible for furnishing the less costly of the two alternatives, based on a Benefit/Cost analysis. If the underground system is more expensive than the overhead system, and the developer insists upon an underground system, the developer shall be required to pay the difference between the estimated cost of the underground system and the overhead system. The developer may make arrangements to pay a portion of the excess cost of the underground system by performing certain work such as trenching and back-filling. However, any work performed by the developer shall be done in accordance with Company requirements and specifications and shall be coordinated with the Company representative.
- 19.3.1.B. A copy of the Company's estimate of the cost of construction, including direct and indirect costs, shall be furnished to the Customer upon request prior to construction.
- 19.3.1.C. As a normal practice, only single-phase service will be provided for residential subdivisions. Three-phase service may be supplied, if available, at the developer's request, but where installed, the Company shall prepare a detailed estimate of the cost to install a single-phase system to the subdivision, including indirect costs of construction. The Company shall also perform a detailed estimate to determine the cost to install a three-phase system to the same subdivision, including indirect costs of construction. The Company shall be responsible for furnishing the less costly of the two alternatives. If the three-phase system is more expensive than the single-phase system, and the developer insists upon a three-phase system, the developer shall be required to pay the difference between the estimated cost of the single-phase system and the three-phase system. The developer will not be charged if three-phase construction is due to the Company's decision based upon sound engineering design criteria.
- 19.3.1.D. In all cases, the developer will be responsible for obtaining any easements or rights-of-way required by the Company and will have them indicated on the subdivision plot and filed with the proper authorities for dedication.

ORIGINAL \_\_\_\_\_ Sheet No. 42

Replacing: \_\_\_\_\_ Sheet No. \_\_\_\_\_

The Empire District Electric Company d/b/a Liberty-Empire  
Name of CompanyKind of Service: Electric Class of Service: AllPart III Rate Schedule No. 19Title: **SERVICE CONDITION AND FACILITIES**

PSC File Mark Only

## 19.3.2. Underground Services:

19.3.2.A. The Company will furnish and install cable sufficient to provide underground service runs to individual Customers from the Company's underground primary distribution systems, up to 100 feet in length. Any conduit required for the service trench will be the responsibility of the Customer. Where a service exceeds 100 feet in length, the Company shall prepare a detailed estimate of the cost to install the entire underground run, including indirect costs. The Customer will be required to pay the cost, including indirect costs of construction, of the underground service for that portion in excess of 100 feet. The developer may make arrangements to pay a portion of the excess cost of the underground service by performing certain work such as trenching and back-filling. However, any work performed by the Customer shall be done in accordance with Company requirements and specifications and shall be coordinated with the Company representative. After installation, the Company shall own and maintain the underground service.

19.3.2.B. Where the Company's existing distribution system is installed underground, only underground service conductors to individual Customers will be installed. Where the Company's existing facilities are overhead, the service will be overhead unless the Customer agrees to pay the estimated difference between the cost of underground and overhead service.

19.3.2.C. Customers having existing overhead service conductors from the Company's overhead distribution system may have underground service provided they compensate the Company for the unused life and removal costs less salvage value of the existing overhead service conductors in addition to meeting the requirements listed above.

19.3.2.D. A rural Customer whose point of delivery is located at a central service pole shall be responsible for all circuits beyond that point, whether overhead or underground. If the rural Customer does not have a central service pole, the Company policy for providing underground service shall be the same as described above for other residential Customers.

## 19.3.3. Underground Service to Commercial or Industrial Customers:

19.3.3.A. When application is received from a commercial or industrial Customer for underground electric service, the Company shall prepare a detailed estimate of the cost to install an overhead system to the Customer, including indirect costs of construction. The Company shall also perform a detailed estimate to determine the cost to install an underground system of the same scope as the overhead system to the same Customer, including indirect costs of construction. The Company shall be responsible for furnishing the less costly of the two alternatives. If the underground system is more expensive than the overhead system, and the Customer insists upon an underground system, the Customer shall be required to pay the difference between the estimated cost of the underground system and the overhead system. The Customer may make arrangements to pay a portion of the excess cost of the underground system by performing certain work such as trenching and backfilling. However, any work performed by the Customer shall be done in accordance with Company requirements and specifications and shall be coordinated with the Company representative.

ORIGINAL \_\_\_\_\_ Sheet No. 43

Replacing: \_\_\_\_\_ Sheet No. \_\_\_\_\_

The Empire District Electric Company d/b/a Liberty-Empire  
Name of CompanyKind of Service: Electric Class of Service: AllPart III Rate Schedule No. 19Title: **SERVICE CONDITION AND FACILITIES**

PSC File Mark Only

## 19.3.4. Underground Service to Authorized Public Street Lighting:

19.3.4.A. Any authorized street lighting lines installed in a subdivision with underground distribution will be installed underground. When public street lighting lines are installed underground, the estimated direct and indirect costs of construction to install the facilities shall be charged to the appropriate governing agency. The governing agency may make arrangements to pay a portion of the cost of the underground system by performing certain work such as trenching and back-filling. However, any work performed by the governing agency shall be done in accordance with Company requirements and specifications and shall be coordinated with the Company representative.

19.3.4.B. Arrangements for public street lighting, however, are made between the Customer and the governing agency in the area, such as a duly incorporated city, town, village, etc., which has the right to authorize public street lighting in the subdivision. This agency will then contract with the Company for public street lighting service.

19.3.4.C. If the street lighting lines are required to be installed underground where adequate overhead distribution already exists, then a charge of the estimated direct and indirect costs of construction for underground service to the street lighting, plus compensation for any unused life and the removal costs of any overhead distribution requiring removal, shall be charged to the appropriate governing agency. The governing agency may make arrangements to pay a portion of the cost of the underground system by performing certain work such as trenching and back-filling. However, any work performed by the governing agency shall be done in accordance with Company requirements and specifications and shall be coordinated with the Company representative.

## 19.3.5. Underground Distribution for Mobile Home Parks:

19.3.5.A. Underground distribution systems will be provided for mobile home parks in accordance with Section 19.3 of this rule when the Company is satisfied that the park will be permanent and where the developer guarantees to protect the investment of the Company in event the park closes or is not utilized sufficiently for revenues to cover the direct and indirect costs of construction. Upon request, the Company shall install underground services to each mobile home site from an overhead distribution system in accordance with the terms and provisions of Section 19.3.2 of this rule. A combination meter pedestal and power outlet box will be located at each mobile home location. The combination pedestal as well as the necessary meter will be furnished, owned and maintained by the Company. The mobile home park owner or operator will be expected to furnish the trenching and back-filling for underground services. In addition, the park owner or operator will be responsible for payment of the cost difference between the combination meter pedestal and a normal underground meter pedestal without a power supply box.

ORIGINAL \_\_\_\_\_ Sheet No. 44

Replacing: \_\_\_\_\_ Sheet No. \_\_\_\_\_

The Empire District Electric Company d/b/a Liberty-Empire  
Name of CompanyKind of Service: Electric Class of Service: AllPart III Rate Schedule No. 19Title: **SERVICE CONDITIONS AND FACILITIES**

PSC File Mark Only

## 19.3.6. Economic and Safety Considerations:

19.3.6.A. In those situations where the Company determines that, due to economic or safety concerns it would be in the Company's interest to install underground facilities, such facilities may be installed without cost to the Customer. When it appears that underground construction may be in the Company's economic interest, the Company shall prepare a detailed estimate of the cost to install an overhead system, including indirect costs of construction. The Company shall also perform a detailed estimate to determine the cost to install an underground system of the same scope as the overhead system, including indirect costs of construction. The Company shall be responsible for furnishing the less costly of the two alternatives.

19.3.6.B. If the Company determines that either employee or public safety will be affected in the case of reverse feed construction, airport runways, commercial traffic, or state and local codes, the Company will install underground facilities without cost to the Customer.

## 19.4. OVERHEAD DISTRIBUTION POLICY:

## 19.4.1. Electric Distribution Extensions:

19.4.1.A. The Company will make extensions to its distribution system to supply overhead single-phase electric service as and when necessary to serve any and all prospective Customers occupying permanent residences who apply for such service, provided, however, that the Company will not make any extension of its lines to serve any Customer who will be located more than one thousand (1,000) feet from existing facilities unless the Customer shall contract to pay the cost of the extension, including indirect costs of construction, in excess of one thousand (1,000) feet as a contribution in aid of construction. The Customer will pay a minimum of five percent (5%) at the time of application for such extension as evidence of good faith and the remainder on completion of the construction. With proper credit (as determined by the Company), the Customer may pay the remainder in no more than sixty (60) equal monthly payments with an interest charge of six percent (6%) on an annual basis on the unpaid portion of the original amount put on monthly payments. For a period of five (5) years the Company will pay the Customer or credit the Customer's unpaid extension cost balance for each new Customer added to the extension a prorata amount of the original cost of the extension, based on the ratio of 1,000 feet to the original length of the extension in excess of 1,000 feet.

19.4.1.B. A copy of the Company's estimate of the cost of construction, including direct and indirect costs, shall be furnished to the Customer upon request prior to construction.

19.4.1.C. The Company will not make any extension over 1,000 feet unless Customer, or owner of the property served by such extension, or some other responsible person, executes a contract in writing with suitable guarantee that he/she will use the service for at least two years and that he/she will pay any unpaid extension cost balance in full if service is disconnected at any time during the first five years of service.

ORIGINAL \_\_\_\_\_ Sheet No. 45

Replacing: \_\_\_\_\_ Sheet No. \_\_\_\_\_

The Empire District Electric Company d/b/a Liberty-Empire  
Name of CompanyKind of Service: Electric Class of Service: AllPart III Rate Schedule No. 19Title: **SERVICE CONDITIONS AND FACILITIES**

PSC File Mark Only

19.4.1.D. The Company will provide an overhead distribution extension to an individual non-residential Customer at no cost to the Customer provided the estimated revenue from three years operation equals or exceeds the estimated direct and indirect costs of construction of the distribution extension. The Company shall require contributions in aid of construction for the portion of the investment in the total extension of the service to the Customer that cannot be supported with the estimated revenues. In addition, if the Customer cannot establish adequate credit or accurately project revenues as determined by the Company, the entire cost of the construction shall be required from the Customer before the construction is commenced, in combination with minimum monthly or annual guarantees in term contracts to guarantee performance that the sales will develop or that the Company investment will be protected. At the end of five (5) years, the portion of the construction cost justified by the revenue will be refunded to the Customer.

19.4.1.E. The Company will not be required to obligate funds to secure private right-of-way for the purpose of making extension of distribution pole lines or other facilities to premises of prospective Customers.

19.4.2. Overhead Service Conditions:

19.4.2.A. Customer's service entrance shall be installed where it can be conveniently reached from Company's service drop without undue interference from trees, buildings and adjoining property, and in a location such that Company's service lines will have a clearance of not less than thirty-six (36) inches from windows, doors, porches or any building openings, as required by the NEC, for safety reasons. Where it appears impractical to provide thirty-six (36) inches clearance, Customer should consult with the Company for assistance in working out the problem.

19.4.2.B. Customer shall not erect any structure or swimming pool under Company service lines or within Company easements without written approval from the Company.

19.4.2.C. Complete instructions, specifications, construction requirements, and NEC standards are available at any office of the Company.

19.4.2.D. In order to permit proper operation of Company's service lines and feeder lines serving the Customer, the Company shall have the right, when and as necessary, to trim properly and keep trimmed any trees located upon the Customer's premises which may interfere with service to Customer or service to any other Customer.

**ARKANSAS PUBLIC SERVICE COMMISSION**

APSC FILED Time: 8/17/2020 12:05:55 PM: Recvd 8/17/2020 11:53:39 AM: Docket 20-045-TF-Doc. 3

ORIGINAL \_\_\_\_\_ Sheet No. 46

Replacing: \_\_\_\_\_ Sheet No. \_\_\_\_\_

The Empire District Electric Company d/b/a Liberty-Empire  
Name of CompanyKind of Service: Electric Class of Service: AllPart III Rate Schedule No. 19Title: **SERVICE CONDITIONS AND FACILITIES**

PSC File Mark Only

## 19.4.3. Temporary Distribution and Service Lines:

19.4.3.A. The Company shall not be required to provide service to temporary locations, such as for mobile homes, construction sites, etc., even though the line facilities are already in place, unless such Customer advances the sum stated in Rate Schedule 20, Charges Related to Customer Activity, as a construction payment for the cost of installation and removal of the meter, service, and other necessary facilities. The title to such property shall be and remain in the Company. Should the Customer utilize electric service at this location for a period of twelve consecutive months from the date of initial service, the above payment, plus interest as designated by State Law or Commission order, will be refunded to the Customer by the Company.

19.4.3.B. The Company shall not be required to provide electric service to temporary Customers at locations that require the extension of the Company's lines unless the full cost of erection and removal, including indirect costs of construction, of the extension be contributed by the Customer.

## 19.5. UNREGULATED COMPETITION:

19.5.1. Where the Company competes for business with unregulated competition, the Company may waive all or part of any charges associated with extensions of service and/or construction deposits provided for in this Electric Distribution Policy section, and any additional non-tariff charges required in order to effectively compete with offers made to developers and/or Customers by unregulated competition after notifying the Arkansas Public Service Commission and receiving an Order granting the waiver for good cause shown.