

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY  
(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_ Sheet \_\_\_\_\_  
which was filed \_\_\_\_\_

**RULES AND REGULATIONS**

Sheet 1 of 32 Sheets

SECTION I	DEFINITIONS	2
SECTION II	GENERAL CONDITIONS	
	A. Application for Service .....	6
	B. Refusal of Service .....	6
	C. Service Contract .....	7
	D. Service Policy .....	7
	E. Access for Service .....	8
	F. Type of Service and Rate .....	9
	G. Termination of Service .....	9
SECTION III	CREDIT AND SECURITY DEPOSIT REGULATIONS	
	A. Guarantee of Payment .....	10
SECTION IV	BILLING AND PAYMENT	
	A. Billing Standards .....	12
SECTION V	DISCONTINUATION OF SERVICE	
	A. Standards of Discontinuance.....	16
SECTION VI	CUSTOMER'S SERVICE OBLIGATIONS	
	A. Obligation of Customer.....	21
SECTION VII	COMPANY'S SERVICE OBLIGATIONS	
	A. General .....	22
SECTION VIII	LINE EXTENSION POLICY	
	A. Electric Distribution Policy .....	24
SECTION IX	METERING	
	A. Metering .....	28
SECTION X	GENERAL LANGUAGE	
	A. Power Supply .....	29
	B. Other .....	31

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THE STATE CORPORATION COMMISSION OF KANSAS

By: \_\_\_\_\_, Vice President  
Signature of Officer Title

By: \_\_\_\_\_, Secretary

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Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 2 of 32 Sheets

## SECTION I

## DEFINITION OF TERMS USED IN THESE RULES AND REGULATIONS

## Apartment House:

A structure which stands alone, enclosed with exterior walls or which is cut off from adjoining structures by fire walls, built for permanent use, erected, framed of component structural parts and unified in entirety, both physically and in operation for reasonably permanent occupancy as two or more single-family residences.

## Applicant:

Any person making application to the Company for service.

## Billing Period:

A utility service usage period of approximately one-twelfth of year, except for initial, corrected or final bills.

## Code:

The National Electrical Code, as published and revised by the National Fire Protection Association, and which, with municipal regulations, governs all electric installations and wiring by the customer.

## Class of Service:

Considered to cover, respectively, only one phase, voltage, nature of utilization or customer classification. By nature of utilization is meant: Lighting (and miscellaneous appliance load), Power, Combined Lighting and Power, Controlled Water Heating, etc. Customer classifications include: Residential, Rural, Commercial, Industrial, Public Street and Highway Lighting, Municipal or Governmental, Wholesale for Resale, etc. However, a single class of service may include more than one particular phase or voltage, where rendered in combination by means of a single service connection and meter.

## Commission:

Kansas Corporation Commission.

## Company:

The Empire District Electric Company.

## Company's Service Line:

That part of the Company's wiring which extends from the Company's distribution lines or transformers to the point where connection is made to the customer's service entrance, or to the electrical wiring of a building used for multiple occupancy by individual customers.

## Contract Year:

The term contract year shall refer, unless otherwise designated, to the period of time intervening between the effective date of the service contract and the next succeeding anniversary date, or the period between successive anniversary dates thereafter.

## Customer:

Any person taking service or having contracted to take service for use in a single enterprise at a single location.

## Cycle Billing:

A system employed by the Company which results in the rendition of bills for utility service to various customers on different days of any billing period.

## Delinquent Account:

A bill remaining unpaid by a customer beyond the delinquent date.

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The date after which a bill is considered delinquent.

**Deposit:**

A cash sum paid to the Company by the customer to guarantee payment for utility service rendered.

**Discontinuance of Service:**

An intentional cessation of service by the Company not requested by a customer.

**Electronic Bill (ebill)**

A bill delivered to an electronic address selected by the customer that can be viewed on a computer screen.

**Energy Adjustment Clause:**

The adjustment procedure approved by the Commission to recognize variations in the cost of fuel for electric generation or purchased power energy costs.

**Estimated Bill:**

A bill for utility service which is not based on an actual reading of the meter or other registering device for the period billed by an authorized utility representative.

**Failure to Pay:**

Nonpayment or inadequate payment, including payment by check that is dishonored for reasons other than bank error.

**House:**

A single structure roofed and enclosed with exterior walls, built for permanent use, erected, framed of component structural parts and unified in its entirety both physically and in operation for single-family residential occupancy.

**In Dispute:**

Any matter regarding a customer's utility service which is the subject of a disagreement or complaint by a customer and which the customer pursues under these rules.

**Location:**

The premises, owned or occupied by the customer where service is rendered to the customer by the Company, being one integral parcel of land.

**Month:**

The term month, as used in rate schedules, regulations and contracts, shall refer, unless otherwise designated, to a period of time equal to one-twelfth of a year usually identified by the calendar month in which a majority of the period of time falls.

**Payment:**

Payment means cash, check, money order, draft, automatic bank draft or credit card.

**Person:**

An individual, association, corporation, partnership, receiver, firm, trustee, or governmental agency.

**Point of Delivery:**

The point at the customer's building wall where the Company's service lines attach to the customer's service entrance, unless otherwise provided by mutual agreement between the Company and the customer.

**Rendition of Bill:**

The date of physical mailing, electronic posting or delivery, or hand-delivery of the bill by the Company.

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Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 4 of 32 Sheets**Residential Service:**

The provision of or use of electricity for household purposes.

**Seasonally Billed Customer:**

A customer billed on a seasonal basis in accordance with a utility tariff on file with the Commission.

**Service:**

The maintaining by the Company, at the point of delivery, of electrical power and energy in the form and under the provisions specified in the service contract and in these Rules and Regulations, available for the customer's use.

**Service Entrance:**

That part of the customer's wiring which extends from the point of connection with the Company's service line into customer's building or to the place where connection is made to the various branch circuits of customer's wiring installation. This includes the customer's service entrance conductors, the meter base, the main service switch where mounted separately, and the conduit or cable run on the exterior of the building or other support.

**Settlement Agreement:**

An agreement between a customer and the Company which purports to resolve any matter in dispute between the parties or provides for the payment of moneys not in dispute over a reasonable period of time.

**Special Services:**

Services not authorized by tariff or otherwise specifically regulated by the Commission, such as the sale of merchandise, insulation or services performed in connection therewith.

**Standards:**

Those instruments which have been calibrated to give exact measurements and are used for comparison with instruments being tested.

**Subdivision:**

A lot, tract, or parcel of land divided into two or more lots, plots, sites, or other divisions for use or new houses, or the land on which is constructed new apartment houses per a recorded plat thereof if such recordation is required by law.

**Termination of Service:**

A cessation of utility service requested by the customer.

**Utility:**

An electric, gas or water corporation.

**Utility Service:**

Service provided by a public utility, the rates for which are subject to the approval of the Commission. Unless otherwise indicated, the term "service" means utility service.

**Utility Charge:**

The rates for utility service and other charges authorized by the Commission as an integral part of utility service.

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Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 5 of 32 Sheets**Yard Pole:**

A pole furnished, installed and owned by the Company upon a farm customer's premises, for mutual use of the Company and the customer. The Company's service lines and the Company's meter measuring service to customer attach to the yard pole. The customer's service entrance also attaches to the yard pole and connects to the Company's service lines.

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**RULES AND REGULATIONS**Sheet 6 of 32 Sheets

SECTION II  
GENERAL CONDITIONS

**A. APPLICATION FOR SERVICE****1. Service Application:**

- a. Applications for commercial and industrial service shall be made upon the Company's standard application form, signed by an authorized representative of the commercial customer.
- b. Applications for residential service may be made orally to any authorized Company employee either by mail, by telephone or in person at any Company office.

**2. Application in Name of Customer:**

Each service application must be made in the true name of customer. Company may require applicant to produce proof of identity.

**3. Separate Service Application for Each Location and Each Class of Service:**

A separate service application must be made for each location and each class of service.

**4. How Application for Service Should be Made:****a. Residential or Small Commercial - Service Established to Premises:**

Where service is already established at the desired location, customer shall make application for service within five (5) days after date of initial use of service. If a Residential or Small Commercial Customer merely transfers from one location to another location, where service has not been disconnected, the customer shall notify the Company of date and final meter reading at location being vacated, and date of initial meter reading at location being occupied, and request that service contract, credit information, security deposit and unpaid charges be transferred from old to new address. Company may elect to dispatch Company personnel to secure final and initial meter readings. In the event service to the new location has been disconnected, Company shall dispatch personnel to the premises to activate meter and secure meter read.

- b. Residential or Small Commercial - New Location, or Large Commercial or Industrial: Any applicant in either of these classifications desiring to receive service from the Company should notify the nearest Company office. A representative of the Company will then consult with the customer as to available service, code requirements, location of customer's service entrance, Company facilities necessary for the class of service desired, etc. Company representatives are competent to render valuable advice and assistance to applicant in obtaining the proper service, and to avoid unnecessary delay or expense due to improper selection of equipment, installation or wiring. The Company desires especially to advise and assist the applicant with respect to location of meter or service entrance.

**B. REFUSAL OF SERVICE****1. Reasons for Refusal of Service:**

The Company may refuse to provide service to an applicant for service for one or more of the following reasons:

- a. Failure to comply with the terms and conditions of a settlement agreement or Commission Order entered with respect to service previously rendered by the Company to the applicant.
- b. Failure to post a deposit according to Section III.
- c. Misrepresentation of identity or facts for the purpose of obtaining service or failure to provide proper identification upon request by the Company.
- d. Unauthorized or fraudulent use or procurement of service or tampering with wires, pipes, meters, or other Company equipment.
- e. Violation of the rules and regulations of the Company which adversely affect safety.
- f. Hazards associated with the requested installation or equipment of the applicant.
- g. Owner of new structure has not certified compliance with thermal standards in Section VII.
- h. Public buildings have not certified compliance with maximum lighting standards in Section VII.

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Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 7 of 32 Sheets**2. Reasons Insufficient to Refuse Service:**

The Company shall not refuse to provide service to an applicant for service for any of the following reasons:

- a. Failure of a previous occupant of the premises to pay a delinquent account.
- b. Failure to pay for a different kind of service from that requested.
- c. Failure to pay a bill correcting a previous underbilling due to misapplication of rates, provided the applicant enters a settlement agreement pursuant to this tariff.
- d. Failure of a customer to pay for special services.

**3. Written Notification of Refusal to Provide Service:**

When the Company refuses to provide service to an applicant for service, the Company shall inform the applicant in writing of:

- a. The reasons for refusal to provide service.
- b. The conditions, if any, under which service would be provided.

**C. SERVICE CONTRACT****1. Service Contract:**

A service application, when accepted by the Company, becomes a service contract between the customer and the Company, whereby the customer will pay the Company for any service taken by the customer. A service contract may be written or oral. Company and customer ratification of a contract is evidenced when service is supplied by Company and taken by customer at customer premises. Even though a customer may not register usage from the service provided, customer is obligated to pay no less than the minimum charge of the rate schedule applicable for the class service made available by the Company.

- a. The customer may not assign any rights thereunder without written consent of the Company.
- b. These Rules and Regulations are made a part of any service contract, whether written or oral.

**2. Period of Contract:**

Unless otherwise specified, all service contracts, whether written or oral, shall be made effective for a period of one (1) year. When justified by exceptional service requirements, the Company may require a longer contract period commensurate with the customer's service requirements and the necessary Company facilities.

**D. SERVICE POLICY****1. One Service to a Building:**

The Code requires that, except for certain special conditions, there be only one set of Company's service lines to a building for each class of service furnished. Where more than one customer occupy the same building, more than one customer's service entrance may be installed, provided all such service entrances are connected to and supplied from the one set of Company's service lines.

**2. Number of Meters:**

Only one meter shall be installed for each class of service to each customer at each location and each meter shall be billed separately under the appropriate rate schedule of the Company. However, in cases where exceptional service conditions require more than one such meter, the Company shall have the right to install more than one such meter under one application for service.

Master metering will not be installed on residential dwellings, mobile home parks, or apartment complexes. Each unit will be metered individually. This prohibition applies both to new units and to renovated structures, where the renovation costs exceed the value of the building or structure by fifty (50) percent or more.

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**RULES AND REGULATIONS**

Sheet 8 of 32 Sheets

3. Service in Multiple-Occupancy Buildings:

Where service is rendered by the Company to individual customer located in a structure designed for multiple-occupancy, such as an office or professional building, apartment building, etc., the Company shall not be responsible for adequacy of electrical circuits or facilities not owned by the Company extending between the Company's service conductors to such building and the location of Company's meter for such customer service.

4. Service Policy - Residential and Small Commercial Premises:

For the convenience of Residential and Small Commercial customers, service to the premises will not be disconnected (except when the Company considers necessary) upon termination of usage and vacation of premises by the customer. Service may be maintained for the convenience of the next succeeding occupant. In order to continue to receive service, the customer must, without delay, make proper application for service.

5. Notice by Customer of Change in Conditions:

The customer shall give immediate written notice to the Company of any change in the amount of his load or nature of his service, such as would alter the amount of Company facilities necessary to provide the customer's service. In the event the customer shall fail so to notify the Company, the customer shall be held responsible for any damage to Company's meter and distribution transformer used in customer's service caused by any such increase in customer's load.

6. Continuity of Service:

The Company will exercise reasonable diligence and care in providing a regular and uninterrupted supply of service to the customer. Whenever the Company finds it necessary, in order to repair or improve its system facilities, the Company shall have the right temporarily to suspend service to the customer. It is understood and agreed that hazards to continuity of service are recognized by the customer before utilizing service. The Company will not be liable for any interruption, fluctuation, shortage or insufficiency of supply of service, or for any loss or damage occasioned thereby, if same is caused by strike, riot, civil commotion, hostile attack, storm, fire, accident, breakdown, unexpected or prolonged increase in usage of electricity, act of God, legal process, governmental interference, or any cause beyond its control. The Company shall issue instructions to its employees to the extent practical covering procedures to be followed in the event of an emergency in order to prevent or mitigate the interruption, fluctuation, shortage or insufficiency of supply of service as much as reasonable possibly. If, because of such emergency, it appears reasonably necessary to do so, the Company may interrupt, curtail or suspend electric service to all or some of its customers, and the selection by the Company of the customers to whom service is interrupted, curtailed or suspended shall not result in liability of the Company to any such customer if such action is taken by the Company in a good faith effort to prevent the impairment of service or reduce the number of persons affected thereby.

E. ACCESS FOR SERVICE

1. Right of Way:

Before service is connected, the customer shall, when requested by the Company, at his expenses, make or procure conveyance to Company of necessary easements for proper location upon premises owned or occupied by customer of Company's lines and facilities employed in serving the customer; and give or secure permission for necessary tree trimming by Company upon such premises.

2. Access to Customer's Premises:

Authorized employees of the Company shall have access to the premises of the customer at all reasonable times to read Company's meters measuring service to customer, to test the customer's metering or to inspect the customer's equipment or connections, or to repair, replace or remove Company property.

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**RULES AND REGULATIONS**

Sheet 9 of 32 Sheets

**F. TYPE OF SERVICE AND RATE**

1. Choice of Rate Schedule:

Representatives of the Company will gladly assist the customer, at any time, in his selection of the proper applicable rate schedule for his service. In the event any other applicable rate schedule of the Company shall become more advantageous to the customer for his service, he may select the other applicable rate schedule, except that having selected one applicable rate schedule, the customer may not choose another rate schedule within less than twelve (12) months. The Company shall not, at any time, be responsible, or be required to make any retroactive adjustment to bills for customer's service if it shall develop that the rate schedule applying to the customer's service is less advantageous to the customer than another rate schedule, except as determined in individual cases by proper regulatory authority.

2. Supplementary or Breakdown Service:

The Company's service shall not, at any instant, be used by the customer in multiple with any other source of electricity, without the express written consent of the Company, and shall not be maintained for use in event of breakdown of an alternative source of electricity or of power, except by written agreement between the Company and the customer.

3. Resale of Service:

Except where specifically provided by applicable schedule or special contract, no customer shall resell, redistribute or submeter, either directly or indirectly, to any person any service supplied to customer by the Company.

**G. TERMINATION OF SERVICE**

Written notice of termination must be given by the customer to an office of the Company. If the Company receives and accepts an oral connect or disconnect request, a record, utilizing a unique number and the Company employee's name or code, should be made of the request. The record should be retained for at least four (4) months. Customer will be responsible for payment for all service rendered until such notice is given and final meter readings of meters are made. Customer shall not, by such notice, be relieved of any accrued obligations under service contract and applicable rate schedule.

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**RULES AND REGULATIONS**

Sheet 10 of 32 Sheets

SECTION III

CREDIT AND SECURITY DEPOSIT REGULATIONS

A. GUARANTEE OF PAYMENT

1. Deposit Requirements:

The Company may request the customer to provide reasonable credit information to the Company before service is made available. The Company may require at least one form of positive identification from residential customers. Acceptable forms of positive identification include social security number, driver's license, other photo identification, or birth certificate. A social security number may be requested as one method of positive identification for residential customers, but shall not be required. If positive identification is not immediately available, a customer providing a full deposit should have at least 30 days to secure positive identification provided that said grace period does not conflict with any statutes or regulations relating to identity theft detection, prevention and mitigation. The Company may request the names of each adult occupant residing at the location where residential service is being provided. For non-residential non-incorporated applicants, the Company may require the name of the person (s) responsible for payment of the account and at least one form of positive identification, as well as the name of the business, type of business, and employer identification number as issued by the Internal Revenue Service, if available. The Company may at the time of application for service require an initial deposit to guarantee payment of bills for utility service rendered if:

- a. The Company establishes that the customer has an unsatisfactory credit rating, based on internal bill payment history or payment history with another utility, or has an insufficient prior credit history upon which a credit rating may be based. Payment history with another utility may only be obtained with the customer's approval.
- b. The customer has outstanding, with a utility, an undisputed and unpaid service account which accrued within the last five (5) years if the service agreement was signed or three (3) years if service was provided after an oral agreement.
- c. The customer has, in an unauthorized manner, interfered with, or diverted or used (meter bypass), the service of a utility within the last 5 years.

For the purposes of requiring applications for service and initial deposits under Subsection III.A(1);

- a. Customers who apply for new service at a concurrent and separate metering point, residence, or location may be considered new applicants.
- b. Residential customers who have been disconnected and reconnected to service at the same premise within 30 days shall be considered existing customers. Residential customers who have been lawfully disconnected for over 30 days may be considered new applicants.
- c. Nonresidential customers who have been disconnected, but not issued a final bill, shall be considered existing customers. Nonresidential customers who have been lawfully disconnected and issued a final bill may be considered new applicants.
- d. New owners or leaseholders of an existing premise may be considered new applicants. New owners of the corporate or business entity that is the customer may be considered new applicants.
- e. Existing customers who file for bankruptcy may be considered new applicants.

The Company may at any time after application for service, upon five (5) days written notice, require a new or modified deposit to guarantee payment of bills for utility service rendered if:

- aa. The customer fails to pay an undisputed bill before the bill due date for three (3) consecutive billing periods, one of which is at least 30 days in arrears – the first day of the arrearage period is the first day after the due date on the bill;
- bb. The customer is a nonresidential customer and has a change in the character of service – defined as a change in the nature or classification of use;
- cc. The customer was disconnected for non-payment two or more times within the most recent twelve month period;
- dd. The customer has defaulted on a payment agreement(s) two or more times within the most recent twelve month period;
- ee. The customer has tendered two or more insufficient funds payments within the most recent twelve month period;
- ff. The customer has sought debt restructuring relief under federal bankruptcy laws. Within 60 days after the bankruptcy has been discharged, if the deposit on file is less than the maximum security deposit requirement for the same premise, the Company may recalculate the customer's security deposit based on the most recent twelve months' of usage.

If the customer's existing security deposit is to be adjusted or modified, the customer's maximum security deposit requirement will be calculated in the same manner as an initial deposit. The entire deposit requirement will be treated as an initial deposit subject to Billing Standard rules for installment payments and retention.

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**RULES AND REGULATIONS**

Sheet 10a of 32 Sheets

2. Standards:

No deposit shall be required by the Company because of a customer's race, sex, creed, national origin, marital status, age, number of dependents, source of income or geographical area of residence.

3. Amount of Deposit:

The amount of cash deposit or surety bond required shall not exceed the amount of that customer's projected average two (2) months' bill(s) for residential and small nonresidential customers. For other customers, such deposit shall not exceed the amount of that customer's projected largest two (2) months' bills(s). If a customer has been documented to be diverting service (meter bypass), an additional deposit based on one (1) months' use may be assessed. For purposes of establishing deposits and projecting monthly bills, the Company shall consider the length of time the customer can reasonably be expected to take service, past consumption patterns, end use of the service, and consumption patterns of other similar customers.

The customer shall be informed of, and the Company shall permit, payment of any required residential or small nonresidential deposit in equal installments over a period of at least four (4) months when deposits are based on two (2) average months' usage and a period of at least six (6) months when deposits are based on three (3) average months' usage. An additional two (2) months shall be given to customers who have been assessed an additional deposit due to documented diversion (meter bypass). Disconnection for nonpayment of deposit shall be governed by Section V. For purposes of this section, a small nonresidential customer is one which uses no more than 3,240 kWh of electricity in an average month.

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**RULES AND REGULATIONS**

Sheet 11 of 32 Sheets

4. Records of Deposits:

- a. The Company shall maintain a record of all deposits received from customers, showing the name of each customer, the address of the premises for which the deposit is maintained, the date and amount of deposit, and the date and amount of interest paid.
- b. Whenever a security deposit is accepted, the utility will issue to the customer a non-assignable receipt containing the following minimum information:
  - (1) Name of customer.
  - (2) Place of deposit.
  - (3) Date of deposit.
  - (4) Amount of deposit.
  - (5) Company name and address, signature, and title of the Company employee receiving deposit.
  - (6) Current annual interest rate earned on deposit.
  - (7) Statement of the terms and conditions governing the use, retention and return of deposits as set forth in Section III.5.
- c. However, in lieu of a receipt, the Company may indicate on the monthly customer billing the amount of any security deposit retained by the Company, provided that the information required by Section A4b(6)&(7) above is otherwise individually given in writing to the customer. In all cases a receipt shall be given upon customer request.

5. Refund of Deposits:

Upon termination of service, if the deposit is not to be transferred, the Company will refund the deposit to the customer, less any unpaid utility bills due the Company. Deposits taken from residential customers shall be either credited with interest to their utility bills or, if requested refunded, after 12 months if the customer has paid ten (10) out of the last twelve (12) bills on time and no undisputed bill was unpaid after 30 days beyond due date. Deposits taken from small nonresidential customers shall be either credited with interest to their utility bills, or if requested, refunded after the customer has paid twenty (20) of the last twenty-four (24) bills on time and no undisputed bill was unpaid after 30 days beyond due date. The month(s) of a disputed bills(s) shall be ignored in this calculation. Large nonresidential customer security deposits will be retained by the utility until termination of service. Large nonresidential customers will have their deposit requirements recalculated every three years or when the non-cash security deposit expires. The maximum deposit requirement shall be increased or decreased as appropriate for each customer. Customers may request that the Company recalculate their deposit at a shorter interval. The Company and/or customers shall have 30 days to correct the deposit on file. A deposit need not be returned until all undisputed amounts are paid. When refunded or credited, the deposit shall include accrued simple interest at a rate not less than that provided by K.S.A. 1978. Supp. 12-822 and amendments.

6. Interest payments on residential or nonresidential deposits shall be credited to the customer's bill or refunded at least once a year.

7. Transfer of Deposits:

Service deposits shall be nontransferable from one customer to another customer. Upon termination of the customer's service at the service address, the Company may transfer the deposit to the customer's new active account.

8. Security deposits paid to the Company by any payment method approved for the payment of bills (cash, check, credit card, debit card or electronic payment, etc.) shall be considered as paid in "cash" to the Company. These deposits shall accrue interest according to Section III.6.

9. Guarantor:

In lieu of a cash security deposit, the Company shall accept the written guarantee of any of its residential customers with no deposit on file who have made ten (10) of the last twelve (12) payments on time with no undisputed payment remaining after thirty (30) days.. The Company shall require the guarantor to sign an agreement allowing the Company to transfer the customer's debt to the guarantor's account. In the event the customer's debt is transferred to the guarantor's account, the guarantor will have the same time to pay the deposit as a new customer and can be disconnected for nonpayment under conditions set out in Section V. The Company shall not hold the guarantor liable for sums in excess of the maximum amount of the required cash deposit or for attorney or collection fees.

The guarantor shall be released when the customer would qualify for a deposit refund under Section IIIA5, or upon termination of service and payment of utility bills.

The Company may accept the written guarantee of any responsible party or obtain a letter of credit as surety for a residential customer service account.

For nonresidential customers, the Company may accept a surety bond, irrevocable letter of credit, or other written guarantee from a responsible individual or company that will be responsible for paying the customer's utility bill in the event of nonpayment.

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Jan 20 2012  
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Filed:

THE STATE CORPORATION COMMISSION OF KANSAS

By:

\_\_\_\_\_, Vice President  
Signature of Officer Title

By:

\_\_\_\_\_, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY  
(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_ Sheet \_\_\_\_\_  
which was filed \_\_\_\_\_

**RULES AND REGULATIONS**

Sheet 12 of 32 Sheets

SECTION IV  
BILLING AND PAYMENT

A. BILLING STANDARDS

1. The Company will normally render a bill for each billing period to every customer in accordance with its applicable rate schedule.
2. Contents of Bill:  
Each electric bill issued to a customer will show:
  - a. The beginning and ending meter registration for the reading period, except that estimated billings shall disclose that it is based on estimated meter reading.
  - b. The date of the meter reading and the date of the bill. Utilities shall read meters in a range of no less than 26 days and no more than 36 days for monthly billing. A utility may vary its meter reads from this period to take into account the effects of connections, disconnections and for customers directly affected in the event of rerouting.
  - c. The final date by which a payment can be received before a delinquency charge is imposed.
  - d. The actual or estimated usage during the billing period.
  - e. The amount due for prompt payment and the amount due after delinquency in payment.
  - f. The amount of additional charges due for past due accounts, security deposits, collection, connection or disconnection charges, installment payments, and other charges authorized by the Commission.
  - g. The total amount due for the current billing period.
  - h. The amount due for franchise and sales taxes and research and development surcharges stated separately.
- i. The address and telephone number of the Company and the identification of the person or office where a customer may report a disputed bill, make an inquiry concerning a bill, delinquency, discontinuance or termination of service, or otherwise complain.
- j. Any adjustment to previous billings based on estimated meter readings or customer meter readings.
  - k. General information explaining overall changes in rates, customer charges and gas cost must be made available to customers through bill inserts or direct mail when new rates are implemented due to a rate case.
  - l. Other charges for special services. Special services are those not authorized by tariff or otherwise specifically regulated by the Commission, such as the sale of merchandise, insulation or services performed in connection therewith. Charges for special services shall be designated clearly and separately from charges for utility service.
  - m. If the customer is paying under a level or average payment plan, each bill shall also clearly disclose the overage or underage of the amounts paid to date as compared to the cumulative actual usage, in dollars, to date.
  - n. If the customer is paying down an arrearage under the Cold Weather Rule or other payment plan, those monthly amounts shall be printed on the bill and clearly labeled.
3. If the customer makes partial payment for the total bill, the Company shall credit payment:
  - a) first to the balance outstanding for utility service beginning with the oldest service debts,
  - b) then to additional utility charges (such as disconnection/reconnection fees), and
  - c) then to special charges as defined above.
4. Customer Meter Readings:
  - a. The Company may request customers in sparsely populated areas to read their meters at intervals approximating the billing period. Requests for readings by the customer shall be on printed forms provided by the Company, such forms to contain instructions as to methods of reading. In the event the customer does not furnish a meter reading pursuant to this subsection for two consecutive billing periods, the Company may read the meter and charge the customer the amount stated in Schedule CA for reading.
  - b. Meter readings by the customer, though used for billing purposes, shall not be considered final. Such customer's meters will be read at least once a year by the Company, and an adjustment shall be made in accordance with Section IVA6 below.

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THE STATE CORPORATION COMMISSION OF KANSAS

By: \_\_\_\_\_, VicePresident  
Signature of Officer Title

By: \_\_\_\_\_, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY

(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_

which was filed \_\_\_\_\_

Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 13 of 32 Sheets

## 5. Estimated Meter Reading:

- a. The Company may render a bill based on estimated meter readings if the estimating procedures employed by the Company, and any substantial changes in those procedures, have been approved by the Commission and the bill is rendered:
  - (1) To seasonal customers, provided an appropriate tariff is on file with the Commission and an actual reading is obtained before each change in the seasonal cycle.
  - (2) When weather conditions, emergencies, work stoppages or other circumstances beyond the Company's control prevent actual meter readings.
  - (3) When the Company is unable to reasonably obtain access to the customer's premises for the purpose of reading the meter and efforts to obtain a customer reading of the meter, such as mailing or leaving pre-addressed forms upon which the customer may note the readings, are unavailing.
  - (4) When the customer does not furnish a meter reading requested by the Company.
- b. The Company may also render a bill based on estimated meter reading as a customer's final or initial bill only when:
  - (1) The customer so requests and any necessary adjustments are made to the bill upon a subsequent actual meter reading by the Company.
  - (2) An actual meter reading would not show actual customer usage, but is used in estimating usage.
  - (3) An actual meter reading cannot be taken because of a broken meter or other equipment failure.
- c. The Company may not render a bill based on estimated meter reading for more than three (3) consecutive billing periods or six (6) months, whichever is less. Before rendering an estimated bill under A.5.a.(1)&(2), above, the Company may request the customer to provide a meter reading upon pre-addressed forms.
- d. The utility may not render an estimated monthly bill more than a total of six times per year.
- e. In situations where both the meter is inaccessible and the customer is not available to furnish a meter reading, the utility may render an estimated bill as necessary. Such customer's meters will be read at least once a year by the utility and an adjustment shall be made in accordance with Section IV A.6. The utility may charge the customer a meter reading charge as provided in rules and regulations filed with and approved by the Commission.
- f. When the Company renders an estimated bill in accordance with this section, it shall:
  - (1) Maintain accurate records of the reasons therefore and efforts made to secure an actual reading.
    - (a) Meter readers should not make field estimates of usage. Meter readers having specific knowledge of customer's circumstances should relay that information to the billing department whose responsibility it is to calculate estimates according to established guidelines.
  - (2) Maintain estimated bill records and reason for estimation for at least 36 months and in the same manner as all other customer billing history.
  - (3) Clearly disclose on the bill that it is based on estimated meter readings by showing the entire word "Estimated"; and
  - (4) Make any appropriate adjustments upon subsequent actual reading of the meter.
- g. The Company may also render a bill based on estimated meter reading when the customer is paying under an average or level payment plan under which payments are based on an estimated or projected average usage if:
  - (1) The plan has been approved by the Commission.
  - (2) Actual meter readings are made, except as provided in A5a above.
  - (3) The disclosures required in A.3. above are made.

## 6. Adjustments Due to Customer Meter Readings or Estimated Usage:

An adjustment shall be made after actual usage has been determined by a meter reading by the Company, pursuant to Sections A4 and A5d above. The adjustment shall be calculated for the period between the prior and the most recent meter reading by the Company. If the adjustment shows a net balance due to the Company, the customer shall be given the opportunity, if requested, to pay the additional charges in equal installments over a period of time equal to the adjusted billing period. If a net balance is due to the customer, the customer shall be given either a credit on subsequent bills or a refund, if the overpayment exceeds \$10 and a refund is requested.

## 7. Proration:

- a. Proration of customer charges.

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THE STATE CORPORATION COMMISSION OF KANSAS

By:

Signature of Officer , Vice President  
Title

By:

, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule Rules & Regulations Sheet 14  
which was filed 07-29-2002

**RULES AND REGULATIONS**

Sheet 14 of 32 Sheets

- (1) Customer charges shall be prorated only in the following situations:
  - (a) Connection or disconnection of service which causes the billing cycle to be outside of the range of 26 through 36 days.
  - (b) When rerouting of meter routes, for only those customers directly affected, causes the billing cycle to be outside the range of 26 through 36 days; and
  - (c) During the billing month in which a change in rates or tariffs becomes effective.
- a. Proration for general changes in rates or tariffs.
  - (1) The utility must prorate customer's bills during the billing month a change in rates or tariffs becomes effective.
8. Responsibility for Payment of a Bill:
  - a. The Company shall not threaten or refuse service to, or threaten or disconnect the service of, an individual for an outstanding debt on an account unless that individual either signed the service agreement on the account or agreed orally at the time service was established to be responsible for the account. The only exception to this rule is when the individual and the customer, who signed the service agreement or agreed orally at the time service was established to be responsible for the account, lived together when the debt was incurred and continue to live together.
  - b. The Company shall not threaten or refuse service to, or threaten or disconnect the service of, an individual for an outstanding debt more than five (5) years old if the service agreement was signed, and three (3) years if the agreement was oral.
9. Final Bill:  
A final bill, when service is terminated, must be based upon an actual reading by the Company, except as provided in Section A5b above.
10. Delayed Payment Charges:
  - a. All bills for electric service are due and payable upon receipt. The bill shall be deemed delinquent if payment thereof is not received by the Company or its authorized agent on or before date stated on the bill, which date shall be:
    - (1) For residential customers the last date on which payments received, can, in the normal and reasonable course of the Company's procedures, be credited to the customer's account in preparing for the next normal billing.
    - (2) Residential customers on the company's average payment plan may choose to delay their billing date up to seven business days. The company will calculate the due date as indicated in Section A10a(1) above from this delayed billing date to make customer's due date compatible with the date their income is received.
    - (3) For all other customers, the fifteenth (15th) day after the date of billing.
  - b. When a bill becomes delinquent, a late payment charge in an amount equal to two (2%) percent of the delinquent amount owed for current electric service will be added to the customer's bill, and any collection efforts by the Company shall be initiated.
  - c. If the last calendar day for remittance falls on Sunday, legal holiday, or other day when the offices of the Company are not open to the general public, the final date shall be extended through the next business day.
  - d. If a nonresidential customer is consistently unable to pay its bills on time due to bill-paying procedures, the Company shall offer to mail a copy of the bills to the customer's bill-paying office at the same time it is delivered to the local business. If the customer chooses, the Company shall offer the customer the option of paying a one percent (1%) late fee every month for a time extension of 14 days. The Company may discontinue this option for the customer after the customer requests it or the customer fails to pay the bill within the 29 days established by this provision.
  - e. An arrearage average payment plan similar to the Cold Weather Rule average payment plan must be one of the options available to residential customers with arrears. The customer will have up to 12 months to pay off an arrearage with the initial payment being the arrearage plus the bill for consumption during the most recent billing period for which service was provided, divided by 12. Arrearages from a previous Cold Weather Rule plan or an Arrearage Average Payment Plan must be paid off before entering into this plan. Customers must be informed of this option.
  - f. The Company may discontinue service for a delinquent bill after issuing the notice required by Section V. As stated in said notice, if collection is made at the customer's premises or service is discontinued because of non-payment of a bill, the Company shall require a collection or disconnection charge. Such collection or disconnection charge shall be as provided in rules and regulations filed with and approved by the

Commission File Number \_\_\_\_\_

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THE STATE CORPORATION COMMISSION OF KANSAS

By: \_\_\_\_\_, Vice President  
Signature of Officer Title

By: \_\_\_\_\_, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

**SCHEDULE: RULES AND REGULATIONS**

ALL TERRITORY  
(Territory to which schedule is applicable)

Replacing Schedule Rules And Regs Sheet 15  
which was filed June 27, 2000

**RULES AND REGULATIONS**

Sheet 15 of 32 Sheets

Commission. After disconnection of service for non-payment of a bill should service be reconnected in accordance with the appropriate provisions of the Company's rules, regulations and tariffs, a reconnection charge shall be applied. Such reconnection charge shall be as provided in rules and regulations filed with and approved by the Commission.

- g. A charge, as stated in Schedule CA, will be charged for each insufficient funds check.

**B. Payment Standards:**

**1. General Payment Provisions**

- a. No Separate Fees: The customer shall not be assessed a separate fee for using any method of payment other than Credit Cards.
- b. Authorized Pay Agents: The Company may contract with non-utility business partners and authorize them to accept payments directly from customers on the Company's behalf.
- c. Unauthorized Pay Agents: Unauthorized Pay Agents have no contractual or other requirements to operate under rules approved by the Commission. They may include but are not limited to banks and other financial institutions, retail stores with "drop boxes" and/or third party businesses or individuals. The Company's acceptance of payment from an Unauthorized Pay Agent on behalf of a customer shall not be construed as acceptance of such agent's assurance to the customer as to timeliness or accuracy.
- d. Notification: The Company shall provide an annual notice to customer's informing them of authorized bill payment options and where they can find a list of authorized payment centers. The Notice shall be provided to the Commission for review at least 30 days prior to mailing. The information contained in the notice will also be included on the Company's internet web site.

**2. Methods of Payment**

- a. Payment by Mail: Customers may pay by mail.
- b. Pay in Person: Customers may make payments in person using a check, money order or cash. Payment may be made at a local Empire office or at an authorized pay station.
- c. Credit Cards: The Company may contract or make other arrangements with an Authorized Pay Agent to provide credit card payment options.
- d. Credit Card Fees: The Authorized Pay Agent may charge the customer an additional fee for the use of credit cards of \$3.95. The fees for payment by credit card will increase the customer's total responsibility above that of cash payment. The customer shall be advised, prior to providing the credit card number of the amount of any additional fee and must answer in the affirmative to proceed with the payment process. The Authorized Pay Agent shall be solely responsible for collecting the fee from the customer.
- e. Selection: The determination of credit card "brands" available for customers' payment shall be at the Company's sole discretion.
- f. Telephone: The Company shall ensure the toll-free telephone service is provided for customers to make credit card payment by telephone.

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**THE STATE CORPORATION COMMISSION OF KANSAS**

By: Kelly S Walters, VicePresident  
Signature of Officer Title

By: \_\_\_\_\_, Secretary



THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONSALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_  
which was filed \_\_\_\_\_

Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 16 of 32 Sheets**SECTION V  
DISCONTINUANCE OF SERVICE****A. STANDARDS OF DISCONTINUANCE:**

1. The Company may discontinue or refuse service for any of the following reasons:
  - a. When the customer requests it.
  - b. When the service is abandoned.
  - c. When a utility bill becomes delinquent as provided in Section IV A9a, after proper notice, as provided in Section V A5 below.
  - d. When a dangerous condition exists on the customer's premises.
  - e. When the customer fails to provide credit information, security deposit or guarantee, as set forth in Section III A1&8, or has a previous undisputed and unpaid separate account for utility service with Company.
  - f. When the customer misrepresents his or her identity for the purpose of obtaining utility service.
  - g. When the customer refuses to grant Company personnel access, during normal working hours, to equipment installed upon the premises of the customer for the purpose of inspection, meter reading, maintenance or replacement.
  - h. When the customer violates any rule of the Company which adversely affects the safety of the customer or other persons, or the integrity of the Company's delivery system.
  - i. When the customer causes or permits unauthorized interference with, or diversion or use of (meter bypass), utility service situated or delivered on or about the customer's premises.
2. None of the following shall constitute sufficient cause for the Company to discontinue service:
  - a. The failure of a customer to pay for special charges as defined in IV A2k.
  - b. The failure of the customer to pay for service received at a concurrent and separate metering point, residence, or location. In the event of discontinuance or termination of service at a separate metering point, residence, or location in accordance with these rules, the Company may transfer any unpaid balance to any other service account with the customer's written consent, provided, however, that in the event of the failure of the customer to pay a final bill at any metering point, residence, or location, the Company may transfer such unpaid balance to any successive service account opened by the customer for the same class of service, and may discontinue service at such successive metering point, residence, or location for nonpayment of such transferred amount.
  - c. The failure of the customer to pay for a different class of service received at the same location. The placing of more than one meter at the same location for the purpose of billing the usage of specific devices under optional rate schedules or provisions is not construed as a different class of service for the purpose of this rule.
  - d. The failure of a customer to pay a bill which is in dispute; provided, however, that the customer pays that portion of the bill not in dispute.
  - e. The failure to pay an unpaid service account more than five (5) years old if service agreement was signed and three (3) years old if agreement was oral.
3. Except for discontinuance pursuant to VA1(a)(d)(h)&(i), the Company shall not discontinue service unless:
  - a. At the time of the proposed discontinuance, for one hour after discontinuance and on the full work day following discontinuance, the Company office or authorized personnel identified in the notice given, pursuant to Section VA5&6 are open or available to the customer for the purpose of making pay arrangements, preventing discontinuance or obtaining reconnection; and
  - b. The Company employee who is to disconnect service is also authorized to accept payment of amounts due for utility charges and thereby either avert disconnection or provide for reconnection.

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Signature of Officer Title

By: \_\_\_\_\_, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)SCHEDULE: RULES AND REGULATIONSALL TERRITORY  
(Territory to which schedule is applicable)Replacing Schedule \_\_\_\_\_ Sheet \_\_\_\_\_  
which was filed \_\_\_\_\_

## RULES AND REGULATIONS

Sheet 17 of 32 Sheets

4. Discontinuance in special circumstances:
- a. If a residential customer notifies the Company and establishes that:
- (1) Discontinuance would be especially dangerous to the health of the customer, resident member of the customer's family or other permanent resident of the premises where service is rendered, and
- (2) (i) Such customer is unable to pay for such service in accordance with the requirements of the Company's billing or (ii) is able to pay for such service only in installments.
- The Company shall either allow payment in reasonable installments or postpone discontinuance of service for at least twenty-one (21) days so that the customer can make arrangements for reasonable installment payments.
- b. In determining whether discontinuance would be especially dangerous to health, consideration shall be given to the weather and the customer's or other resident's medical condition, age, or disability.
5. Notice of discontinuance of service:
- a. The Company will give the customer ten (10) days written notice before discontinuing service, unless the discontinuance is upon customer request, or involves a dangerous condition, a violation of Company rules or unauthorized interference, diversion or use of service, Section V A1(a)(d)(h)&(i), in which case the Company may discontinue service immediately. However, if the Company has knowledge that persons other than the customer or members of the customer's family are residing at the premises where unauthorized interference, diversion, or use (meter bypass) is taking place, the Company shall give such persons a two (2) day written or twenty-four (24) hour oral notice prior to discontinuance.
- b. If the Company can prove that a customer has received service by using a false identity the customer may be disconnected 48 hours after a personal or phone contact is made with the customer of record and the telephone number of the Commission's Consumer Protection Office is given to the customer, or ten (10) days after a disconnect notice is sent, whichever is quicker.
- c. A notice separate from other utility bills, information or advertising shall be sent to the account name and address and in the case of residential occupancy, to the address where service is provided, if different. Service of notice by mail is complete upon mailing. The Company shall maintain an accurate record of the date of mailing and the effective dates of the notice. The notice shall be effective for one (1) month after the initial date upon which and after which service can be disconnected.
- d. The Company will notify, or attempt to notify, customers by phone at least two (2) days before they are to be disconnected.
- e. If the records of the Company show that the service account which it proposes to discontinue serves more than one residential dwelling unit, the Company shall also post a notice of discontinuance in a common area of the residential building served. Such notice shall be posted at least five (5) days prior to the discontinuance date specified therein.
6. The notice(s) required by A5, above, shall contain the following information:
- a. The name and address of the customer and the address, if different, where service is rendered.
- b. A clear and concise statement of the reason for the proposed discontinuance of service and the cost and conditions for reconnection.
- c. The dates between which service can be discontinued unless the customer takes appropriate action.
- d. Terms under which the customer may avoid discontinuance.
- e. A statement that discontinuance may be postponed or avoided if a customer can demonstrate that special circumstances prevent complete payment and satisfactory credit arrangements are made with the Company for moneys not in dispute.
- f. A statement reasonably calculated to apprise the customer of the availability of an administrative procedure which may be utilized in the event of a bona fide dispute or under other circumstances, such as provided in A4, above. The address, telephone number and name of the utility office or personnel empowered to review disputed bills, rectify errors, and prevent disconnection, shall be clearly set forth. The notice shall state that the customer may meet with a designated employee of the Company and may present his or her reasons for disputing a bill or the Company's reasons for discontinuance, request credit arrangements or request a postponement of discontinuance.
7. The Company employee who is to disconnect service shall:
- a. Immediately preceding the discontinuance of service, make a reasonable effort to:
- (1) Contact and identify himself to the customer or responsible person then upon the premises and shall announce the purpose of his or her presence.
- (2) Identify and record the name of the person contacted:

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THE STATE CORPORATION COMMISSION OF KANSAS

By: \_\_\_\_\_, VicePresident  
Signature of Officer Title

By: \_\_\_\_\_, Secretary

## THE EMPIRE DISTRICT ELECTRIC COMPANY

(Name of Issuing Utility)

## SCHEDULE: RULES AND REGULATIONS

## ALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule Rules &amp; Regulations

Sheet 18which was filed 6-27-00

## RULES AND REGULATIONS

Sheet 18 of 32 Sheets

- (3) Accept payment of all amounts tendered to him which are necessary to avert disconnection.
- (4) Record statements disputing the accuracy of the delinquent bill.
- (5) Record statements disputing the accuracy of the Company's findings concerning the cause for discontinuance.
- (6) Record statements concerning the medical condition of any permanent resident of the premises.
- b. If contact with the customer is not made, the employee shall leave a notice upon the premises in a manner conspicuous to the customer disclosing the date and time of discontinuance and giving the address and telephone number of the Company where the customer may arrange to have service restored.
- 8. Restoration of Service:
  - a. Upon the customer's request, the Company shall restore service promptly when the cause of discontinuance of service has been eliminated, applicable restoration charges paid and, if required, satisfactory credit arrangements have been made.
  - b. At all times, every effort shall be made to restore service on the restoration day requested, and in any event, restoration shall be made no later than the next business day following the day requested by the customer.
  - c. The Company may charge a reasonable fee for the restoration of service as provided in Section IVA9f above.
- 9. Review of Disputes:
  - a. When a customer advises the Company prior to the date of the proposed discontinuance of service that all or any part of any billing as rendered is in dispute or that the Company's reasons for discontinuance are factually invalid, the Company shall:
    - (1) Immediately record the date, time and place the complaint is made.
    - (2) Postpone discontinuance until a full investigation is completed and the dispute found to be invalid.
    - (3) Investigate the dispute promptly and completely.
    - (4) Attempt to resolve the dispute informally in a manner mutually satisfactory to both parties.
  - b. A customer may advise the Company that a bill is in dispute in any reasonable manner such as by written notice, in person or by a telephone call directed to the appropriate personnel of the utility.
  - c. The Company, in attempting to resolve the dispute in a mutually satisfactory manner, may employ telephone communication, personal meetings, formal or informal hearings, on-site visits or any other technique reasonably conducive to settlement of the dispute.
  - d. In the event that a dispute is not resolved to the satisfaction of the customer, after full investigation, and the Company intends to proceed with discontinuance, the Company shall advise the customer of formal and informal procedures available before the Commission. The Company may then discontinue service if proper notice has been given.
- 10. Cold Weather Rule
  - a. Availability:
 

The provisions of the Cold Weather Rule (CWR) allow for special payment and disconnection procedures for any Kansas residential customer with unpaid arrearages to retain or restore utility service throughout the cold weather period, which extends from November 1 through March 31.
  - b. Prohibitions on Disconnections:
 

The Company shall not disconnect a customer's service between November 1 and March 31 when the local National Weather Service forecasts that the temperature will drop below 35 degrees or will be in the mid 30's or colder within the following 48-hour period unless:

    - (1) It is at the customer's request;
    - (2) The service is abandoned;
    - (3) A dangerous condition exists on the customer's premises;
    - (4) The customer violates any rule of utility which adversely affects the safety of the customer or other persons, or the physical integrity of the Company's delivery system;
    - (5) The customer causes or permits unauthorized interference with, or diversion or use of Company service (meter bypass) situated or delivered on or about the customer premises;
    - (6) The customer misrepresents his or her identity for the purpose of obtaining or retaining the Company's service; or
    - (7) The customer tenders an insufficient funds check as the initial payment or an installment payment under a Cold Weather Rule payment plan and does not cure the insufficient payment during the 10-day period after a disconnection notice is sent to the customer.

Commission File Number \_\_\_\_\_

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 /S/ Jeffrey S. Wagaman

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule Rules & Regulations  
which was filed 6-27-00

Sheet 19

### RULES AND REGULATIONS

Sheet 19 of 32 Sheets

Under (1), (2), (3) and (4), the Company may disconnect the service immediately. Under (5) or (6), the Company may disconnect the customer 48 hours after a disconnection notice is left on the customer's door or a personal or phone contact is made with the customer of record and the telephone number of the Commission's Consumer Protection Office is given to the customer, or 10 days after a disconnection notice is sent, whichever is quicker. Under (7), the Company may disconnect the customer 10 days after a disconnection notice is sent if the customer has not cured the insufficient payment during that 10-day period.

Services disconnected under (3) or (4) above must be restored as soon as possible after the physical problems defined in (3) or (4) have been corrected. Service disconnected under (5) must be restored as soon as possible after payment by the customer of the full value of the diverted service. The value of the diverted service shall be estimated based on the historic use of the customer or the residence.

c. Responsibilities of Customers:

In order to keep from having service disconnected when the temperature is 35 degrees or above, or to have service reconnected regardless of temperature, a customer must comply with the following provisions. To qualify for the benefits of the Cold Weather Rule, the customer shall:

- (1) Inform the Company of the customer's inability to pay the bill in full;
- (2) Provide sufficient information to allow the Company to make a payment agreement;
- (3) Make an initial payment of 1/12 of the arrearage amount, 1/12 of the bill for current consumption, the full amount of any disconnection or reconnection fees, plus any applicable deposits, and enter into and 11-month plan for payment of the rest of the arrearage, or enter a payment plan as negotiated with the Company for the payment of the arrearage amount; and
- (4) Apply for federal, state, local or other assistance funds for which the customer is eligible.

d. Responsibilities of the Company:

The Company shall comply with the following requirements:

- (1) Once a year, at least 30 days prior to the Cold Weather Rule period, mail a written notice of the Cold Weather Rules to each residential customer who is currently receiving service, and to each residential customer who has been disconnected during or after the most recent cold weather period and who remains without service.
- (2) Send one written notice, mailed first class, at least 10 days prior to termination of service. A customer may not be disconnected until a 48-hour forecast above the activating temperature is predicted by the National Weather Service. During the first 24 hours, which will be the day prior to disconnection, the Company shall make at least one telephone call attempt with the customer of record and make one attempt at a personal contact with the customer of record on the day prior to termination of service if telephone contact on that day was not made. The telephone call attempt(s) and personal contact the day prior to disconnection is in addition to the already existing notice requirements contained in the Commission's standards under the Section V.5. If the customer is not contacted during the phone call(s) or the personal contact the day prior to termination of service the Company employee shall leave a disconnect message on the door on the day prior to disconnect. There will be no charge for this service. On the day of disconnection, the Company must receive a 24-hour forecast above the activating temperature from the National Weather Service. If the temperature is then forecast to be below the activating temperature, the disconnection may not be carried out and the Company must wait for another 48-hour forecast above the activating temperature and follow the same procedures prior to disconnection.

In the telephone contact(s), the 10-day written notice, the personal contact and the disconnect message on the door, in addition to the existing requirements in Section V.5., the Company shall also inform the customer of the existence of the Cold Weather Rule, that the customer can avoid disconnection by complying with Section V10c., and the telephone number of the Commission's Consumer Protection Office.

- (3) Inform the customer of, or provide a list of the requirements of Section V.10.c.
- (4) Inform the customer of, or provide a list of, organizations where funds are available to assist with payment of utility bills.
- (5) Inform the customer of, or provide a list of, all other pay arrangements for which the customer might qualify. Prior to discussing any plan for Cold Weather Rule payments over a period of fewer than 12 months, the Company must inform the customer of the customer's right to have a level payment plan for current and future consumption and to have the arrearage amount paid through an initial payment and equal installment payments over the next 11 months.
- (6) Adopt and inform customers about a third-party notification plan.

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## THE EMPIRE DISTRICT ELECTRIC COMPANY

(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule Rules & Regulationswhich was filed 6-27-00Sheet 20

## RULES AND REGULATIONS

Sheet 20 of 32 Sheets

## e. Other Provisions:

## (1) Security Deposits:

Deposits made in conjunction with the Cold Weather Rule may be amortized over the period of the payment plan, except that no security deposit may be amortized over fewer months than what is permitted in Section III.A.3 of the Credit and Security Deposit Regulations.

## (2) Weatherization Programs:

The Commission recommends that the Company inform their customers of the long-term advantages of the weatherization programs.

## (3) Default:

The issuance of an insufficient funds check for the initial payment or for any installment of the payment plan, unless subsequently cured by the customer, shall constitute a default of the Cold Weather Rule payment plan. A customer who defaults on a Cold Weather Rule payment plan is not eligible for the arrearage average payment plan under Section IV.A.10.e. unless the arrearages from the prior Cold Weather Rule plan are paid. A customer who defaults on a Cold Weather Rule payment plan is eligible to enter into a new Cold Weather Rule payment plan upon making an initial payment as set forth in Section V.A.10.c.(3), paying any disconnect and reconnect charges, and complying with the customer responsibility provisions of Section V.A.10. A payment plan of any length that is negotiated by the customer and the Company after the customer has been informed of the payment plans required to be offered under the Cold Weather Rule is considered to be a Cold Weather Rule payment plan. However, a customer with a payment plan of fewer than 11 months shall not be considered to be in default of the payment plan if the actual payments that have been made are equal to or greater than the amount that would have been required under an 11-month payment plan for arrearages.

## (4) Renegotiation of Cold Weather Rule Agreement:

The customer should be encouraged to renegotiate Cold Weather Rule payments if the customer receives utility or other lump sum assistance.

## 11. Settlement Agreement:

When the Company and customer arrive at a mutually satisfactory settlement agreement of any dispute or the customer does not dispute liability to the Company but claims inability to pay the outstanding bill in full, the Company and the customer may enter into a settlement agreement. A settlement agreement, which extends beyond sixty (60) days shall be in writing and mailed or otherwise delivered to the customer.

- a. Every settlement agreement resulting from the customer's inability to pay the outstanding bill in full shall provide that service will not be discontinued if the customer pays the amount of the outstanding bill specified in the agreement, agrees to pay a reasonable portion of the remaining outstanding balance in installments until the bill is paid, and agrees to pay in full before the delinquent date all future bills during the period of the agreement.
- b. For purposes of determining reasonableness, the parties will consider the following: The size of the delinquent account; the customer's ability to pay; the customer's payment history; the time that the debt has been outstanding; the reasons why debt has been outstanding; and, any other relevant factors relating to the customer's service.

## 12. Elderly or Handicapped:

The Company shall offer to register all customers sixty (60) or older and customers who are unable to leave home without assistance under the EASE Program. As registered customers they will qualify for the following:

- a. Late payment penalties will not be charged.
- b. No new security deposit will be required as long as the customer is making a good faith attempt to pay.
- c. Upon request of the customer, the Company will notify a third party of any delinquent notices sent to the customer.

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July 9, 2002

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Replacing Schedule \_\_\_\_\_

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Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 21 of 32 SheetsSECTION VI  
CUSTOMER SERVICE OBLIGATIONS

## A. OBLIGATION OF CUSTOMER:

## 1. Condition of Customer's Facilities:

The Company shall not be required to connect 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 Code where no local regulations apply.

The Company shall have the right to disconnect for service any installation which violates local municipal wiring regulations, or which violates the Code where no local regulations apply.

The Company, however, does not inspect customer's wiring, and is not responsible for customer's proper installation in compliance with effective regulations. In the event the customer's use of service shall endanger or become detrimental to service furnished by Company to other customers, or unduly dangerous or detrimental to Company facilities, the Company may discontinue service to customer as provided in Section V A1 (d).

## 2. Customer shall abide by Company rules and regulations and shall pay for facilities (when applicable) and utility service used in accordance with rates now or hereafter in effect and filed with the Kansas Corporation Commission.

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By:

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**RULES AND REGULATIONS**

Sheet 22 of 32 Sheets

SECTION VII  
COMPANY'S SERVICE OBLIGATIONS

A. GENERAL

1. Equipment Furnished:

The Company will furnish and install the Company's service line and the meter.

The Company will not furnish or install meter bases for self-contained meters. Specifications for same to fit Company self-contained meters for various classes of service will be furnished to the customer or to the customer's wireman on request at any Company office.

For farm customers, on the initial installation, the Company will furnish and install a yard pole, and run service lines to it from Company's distribution lines or transformers. The various feed wires, however, from the yard pole to the customer's house, to the barn and to the other outbuildings are the customer's property and are to be furnished and installed by the customer. In connection with furnishing and installing the yard pole, the Company requires that the customer so arrange his wiring that the meter is based on the yard pole.

2. Thermal Treatment:

Standards specified hereunder shall be effective on and after November 1, 1979, for all new service provided for residential dwellings and commercial buildings for which the foundations have not been completed on November 1, 1979. Before connection or attachment of service to a new residential dwelling or new commercial building, the utility shall require a certificate from the owner that the structures meets the standard set forth herein. Further, the owner will attach supporting statements from the architect and contractor, if either or both such persons were employed in the design and construction of new residential dwelling or commercial building. Compliance with such certification is required for permanent Utility Service.

- a. A new residential dwelling must be equipped with storm windows and storm doors or other satisfactory window and door thermal treatment. Total heat loss, based on the ASHRAE Handbook of Fundamentals, of a new residential dwelling shall not exceed 35 BTU's per square foot per hour of heated finished living space at a design temperature differential of 80 degree Fahrenheit with a maximum of 1.5 air changes per hour.
- b. New commercial buildings must be constructed so heat transmission loss of heated areas, based on the ASHRAE Handbook of Fundamental, does not exceed 35 BTU's per square foot per hour of floor area based on a design temperature differential of 80 degrees Fahrenheit.
- c. All installed air conditioning systems, on after November 1, 1979, shall have an energy efficiency ratio of 8.0 BTU's or more of cooling capacity per watt hours of input or seasonal energy efficiency of not less than 8.0. All heat pump systems, on and after November 1, 1979, shall have an energy efficiency ratio of 7.5 BTU's or more of cooling capacity per watt hours of input.

The method of determining SEER or EER shall be in accordance with the requirements of Department of Energy (DOE) as found in 42 FR60150-60157 (November 25, 1977) and as amended by any subsequent regulations of DOE. Determining the compliance of a condensing unit will be its rating when tested in accordance with the DOE procedures with the evaporator coil most commonly sold with that condensing unit.

3. Maximum Lighting Standards:

On and after January 1, 1980, the Company shall not connect or change permanent electrical service to any public building, the plans for which have been prepared by an architect or engineer, or both, licensed by the state board of technical professions, unless the owner thereof provides to the Company a certificate of compliance with the maximum lighting standards established by the Kansas legislature and adopted by the Commission, executed by such architect or engineer. The standards are mandatory for public buildings constructed or renovated on or after January 1, 1980. The standards are advisory for existing buildings. Certificate of compliance shall be in the prescribed format.

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/s/ Lynn Retz

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

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Replacing Schedule \_\_\_\_\_ Sheet \_\_\_\_\_  
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**RULES AND REGULATIONS**

Sheet 23 of 32 Sheets

The standard entitled "Energy Conservation in New Building Design, ASHRAE 90-75R, IES EMSI", Section 3, 8.2.4, and 9, and including all charts, figures and appendices as referenced therein, as jointly developed by the American Society of Heating, Refrigerating, and Air Conditioning Engineers, Inc., and the Illuminating Engineering Society of North America, dated 1977, is adopted, except that Section 9.4.2.2 shall be changed to read, "Floodlighting and Parking Lot Lighting. The beam lumen method, as shown in the IES Lighting Handbook, and a coefficient of beam utilization (CBU) of 0.75 shall be used for floodlighting and parking lot lighting serving the public building as defined in K.S.A. 1979 Supp. 58-1312".

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**THE STATE CORPORATION COMMISSION OF KANSAS**

By: \_\_\_\_\_, Vice President  
Signature of Officer Title

By: \_\_\_\_\_, Secretary



THE EMPIRE DISTRICT ELECTRIC COMPANY

(Name of Issuing Utility)

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Sheet \_\_\_\_\_

## RULES AND REGULATIONS

Sheet 24 of 32 SheetsSECTION VIII  
LINE EXTENSION POLICY

## A. ELECTRIC DISTRIBUTION POLICY

## 1. Underground:

Where feasible from engineering, operational and economic considerations, new electric service to residential and commercial customers shall be installed underground. In order that customers served from underground facilities may be billed under the standard rates and charges applicable to their particular class, installation of underground facilities shall be made in accordance with the following provisions:

## a. Underground Primary and Secondary Distribution Facilities:

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 determine whether such new facilities may be feasibly installed underground in comparison to normal practices for overhead installations. When determined to be feasible, the Company will be responsible for the total installation of the facilities. However, when the cost of underground facilities is excessive, the Company will install the underground system provided the developer arranges to pay for 90% of the excess cost above that for a comparable overhead system. Ten percent of the excessive cost will be allowed in consideration of longer system life and less maintenance expenses which may be expected on the underground system. The developer may make arrangements to pay his portion of the excess cost of the underground system by performing certain work such as retrenching 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.

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, excess charges will be made to the developer to make such service compensatory to the Company. 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.

Street lighting facilities will be installed only where a developer, agency or municipality contracts with the Company to pay excess costs of the underground installation and guarantees payment for the street lighting service under the Company's applicable rates as filed with the Commission.

## b. Underground Services:

The Company will furnish and install cable sufficient to provide underground service runs to individual customers from the Company's underground primary distribution system, up to 125 feet in length. Each customer will be responsible for the cost of the service trench and backfilling in accordance with the Company's specifications. Any conduit required for the service trench will also be the responsibility of the customer. Where a service exceeds 125 feet in length, the customer will pay the excessive cost of the underground cable for that portion in excess of 125 feet. After installation, the Company shall own and maintain the underground service.

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 customer may elect to have either overhead or underground services on his premises in accordance with the provisions described above.

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 above.

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By:

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_, Vice President

\_\_\_\_\_  
Title

By:

\_\_\_\_\_, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY  
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**RULES AND REGULATIONS**

Sheet 25 of 32 Sheets

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

c. Underground Service to Commercial or Industrial Customers:

Each request for underground service to commercial or industrial customers shall be studied upon receipt to determine the feasibility of such installation and to ascertain what compensation will be required from the customer to be consistent with the practices of installing overhead services to such customers. Underground service to apartment buildings and other commercial developments will be installed at a cost to the Company which will enable the Company to serve such developments under standard rates and practices as filed with the Commission.

d. Removal of Existing Overhead Facilities:

Where a developer requests that existing overhead facilities be removed and replaced with underground facilities, the Company shall determine the value of the unused life of such property and the cost of removal less salvage value which the developer shall pay in addition to the excessive construction costs incurred for installation of the new underground facilities in comparison with overhead construction.

e. Underground Distribution for Mobile Home Parks:

Underground distribution systems will be provided for mobile home parks in accordance with the provisions described in sections (a) and (b) above when the Company is satisfied that the park may be classed as a permanent type for mobile homes, and where the developer guarantees to protect the investment of the Company in the event the park closes or is not utilized.

2. Overhead:

a. Electric Distribution Extensions:

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 applying for such service, provided, however, that the Company will not be required to 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 in excess of 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 prorated 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. The Company will not be required to make any extension over 1,000 feet unless customer executes a contract in writing with suitable guarantee that he will use the service for at least 2 years and that he will pay any unpaid extension cost balance in full if service is disconnected at any time during the first five years of service, or unless the owner of the property served by such extension, or some other responsible person, guarantees that the service will be used for that length of time and payment of the unpaid extension cost balance.

All applications for service (other than overhead single-phase extension of residential or rural residential service) will be reviewed by the Company giving consideration to the estimated demands, usage, revenues and permanency of anticipated sales to the customers. The Company shall require contributions in aid of construction for the portion of the investments in the total extension of the service to the customer that cannot be supported with the estimated revenues. In addition, reasonable, refundable advances for the construction may 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.

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Signature of Officer Title

By: \_\_\_\_\_, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

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**RULES AND REGULATIONS**

Sheet 26 of 32 Sheets

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.

b. Overhead Service Conditions:

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

In order to permit proper operation of the 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 the customer or service to any other customer.

The service weatherhead shall be placed at a point near, and preferably slightly below the point of attachment of the Company's service lines to the building, service pole or other support. Enough wire (thirty (30) inches is recommended) must extend outside the service weatherhead for proper connection to the Company's service lines.

Where the main service switch is placed on the exterior of the building or in any outdoor location, the Code requires that this switch be of an approved weatherproof type. The Company recommends that the customer install a main service switch below the meter on yard pole installations for his safety and convenience.

For services under 600 volts, the point of attachment of the Company's service lines shall be a height to permit a minimum clearance of eighteen feet six inches (18.5) feet above alleys, roads, streets, and commercial driveways; sixteen (16) feet above residential driveways, and twelve (12) feet above spaces and ways accessible to pedestrians only. In the case of 277/480 volt services, a minimum clearance of twelve (12) feet is required to the drip loop. Please consult the Company for assistance with requirements not listed. All installations shall be required to follow the Code.

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**RULES AND REGULATIONS**Sheet 27 of 32 Sheets

## c. Temporary Distribution and Service Lines

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 Schedule CA 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 (12) 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.

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 of the extension be contributed by the customer.

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By:

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(Name of Issuing Utility)

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# **RULES AND REGULATIONS**

Sheet 28 of 32 Sheets

## SECTION IX METERING

### A. METERING

#### 1. Meters:

Meters necessary to measure the power and energy purchased and delivered hereunder will be installed, owned and maintained by the Company at its expense. Periodic tests of the accuracy of the metering equipment will be made by the Company according to approved modern practice. No adjustment in charges for service hereunder will be made unless an average error of more than two percent (2%), plus or minus, in the accuracy of such metering is found. Should an error in excess of an average of 2% be found, proper adjustment for the full amount of such error will be made to the billing for a period of not more than three (3) months previous to the discovery of the error, and the Company will have such meters corrected. Upon request of the customer, a representative of the customer may witness such periodic tests. The customer will have the right to request that a special meter test be made at any time. If the test made at the customer's request discloses that the meter tested is registering correctly or with an average error of not more than 2% and the meter has been tested in the last 12 months, the customer will bear the expense of such test. The expense of all other tests will be borne by the Company.

The readings of the Company's meter measuring service to customer (subject to determination of accuracy of the meter, as provided above) will be taken as prima facie evidence of the customer's use of service.

#### 2. Meter Installation:

In general, self-contained meters will be used on installations supplied at 120 volts to ground, and requiring 200 amperes and less for polyphase service, and for installations requiring 320 ampere single phase service or less. Self-contained meters will be placed in the service entrance ahead of the main disconnect. Current transformers in conjunction with the meter will be used where the installation requires: 1) more than 200 amperes, 120/208 volts with polyphase service, 2) 277/480 volts with polyphase service, or 3) more than 320 amperes with single phase service. The current transformers, likewise, shall be placed in the service entrance ahead of the main disconnect, and shall be enclosed in a metal cabinet (with indoor metering or underground services) or mounted on a metal frame (with outdoor metering). Outdoor frames will be supplied by the Company and installed by the Customer's electrician. The metal cabinets will be provided by the Customer and installed by the Customer's electrician. For the outdoor frames, the current transformers will be provided by the Company and installed by the Customer's electrician. For the metal cabinets, the current transformers will be provided and installed by the Company.

Meters which require both current and potential transformers, commonly called instrument transformers, will be used on installations supplied at potentials in excess of 277 volts to ground. It is necessary that the customer consult with a representative of the Company concerning location and mounting of the instrument transformers and meter before proceeding with plans for the entrance wiring where the supply exceeds 277 volts to ground. On indoor locations of this type, a disconnecting switch must be connected ahead of the Company's metering equipment.

Meters shall be placed in a location which is readily accessible to the Company's inspectors and meter readers without inconvenience to the customer. For self-contained meters, normally this will be on the exterior of an outer wall of the customer's house or other building, or on a yard pole, or other outdoor support. An exception would be in business or factory districts where the buildings extend out to the alleys or thoroughfares, thus exposing the meter to damage by trucks or other traffic. In these cases, an interior location shall be provided. In any case, the meter support must be free from excessive vibration, dust, corrosive gases and the like.

Self-contained polyphase meters will, in general, be socket type and will be installed outdoors.

Meter mountings must be arranged so that the top of the meter is not more than six (6) feet nor less than (4) feet above the ground or floor level. A level unobstructed workspace of seventy-five (75) inches in height and eighteen (18) inches on either side of the metering equipment or enclosure, and four (4) feet in front of the meter is required to allow for accessing the metering equipment.

It is the Company's regular practice to seal its meters and enclosures of metering equipment. Only Company employees or agents are authorized to remove any such seal.

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Signature of Officer Title

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Kansas Corporation Commission  
February 18, 2021  
/s/ Lynn Retz

THE EMPIRE DISTRICT ELECTRIC COMPANY

(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONSALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_

which was filed \_\_\_\_\_

Sheet 28a**RULES AND REGULATIONS**Sheet 28a of 32 Sheets**3. Advanced Metering Infrastructure ("AMI") Opt-Out**

Customers receiving Residential Service have the option of opting out of AMI meter reading and electing non-standard metering service. In such instances, the two-way communication portion of the AMI meter will be disabled. Customers requesting non-standard metering service after initial AMI installation will be charged a one-time setup charge per meter. For all customers requesting non-standard metering services, a monthly recurring Non-Standard Meter Charge will apply.

For customers that chose to opt-out prior to the AMI meter being set (i.e. there is no additional visit to the premises to disable the two-way communication portion): the one-time setup fee will not be assessed, but the ongoing monthly fee would still be applicable.

In circumstances where a customer has multiple meters at the same premises, the monthly Non-Standard Meter Charge will apply to the first meter, and the monthly Non-Standard Subsequent Meter Charge will apply to all additional meters of that customer located on the same premise.

In the normal course of business, Company replacement of meters may occur. To the extent that a customer denies, either through physical impediments, verbal denial or threats of violence, access to property or metering installation, or fails to establish a suitable time for access, customers will be notified, in writing, that failure to provide access will result in customer being considered an opt-out customer not sooner than 30 days after Company's notice. Company's notification will include information for the customer to understand the financial impact of the opt-out status.

Charges are listed on the Charges Related to Customer Activities – Schedule CA.

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THE EMPIRE DISTRICT ELECTRIC COMPANY  
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SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY  
(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_ Sheet \_\_\_\_\_  
which was filed \_\_\_\_\_

**RULES AND REGULATIONS**

Sheet 29 of 32 Sheets

SECTION X  
GENERAL LANGUAGE

A. POWER SUPPLY

1. Voltages:

The following nominal secondary voltages are available for supply to customers depending on size, application and location on the Company's distribution system.

120 volts single phase	208 volts three phase
208 volts single phase	240 volts three phase
240 volts single phase	480 volts three phase

2. Motors:

a. Supply to Motors:

Fractional horsepower motors, 3/4 h.p. and smaller, may be connected on 120 volts supply and used anywhere on the Company's lines, provided the starting or locked rotor current is not excessive, as explained under paragraph D2b - Motor Starting Currents - below.

Motors larger than 3/4 h.p. up to 6.5 h.p., inclusive, shall normally be supplied at 240 volts single phase, or 208 volts single phase, whichever is available. Such motors, however, may be three phase, providing the customer already has three phase supply, or has arranged with the Company to obtain three phase supply.

Motors larger than 6.5 h.p. shall be three phases in all locations where the Company can supply three phase service.

In locations where customer's requirements call for motors larger than 6.5 h.p., and three phase supply is not available, it is necessary that customer consult with a representative of the Company before proceeding with plans to operate single phase motors larger than 6.5 h.p.

The standard form of electricity, as to phase, in residential or in rural areas, shall be single phase (except in locations where polyphase service is already available), and customers or applicants for residential or rural service in such areas should arrange to utilize single phase electricity. In the event polyphase service is requested in such areas, the feasibility of the extension of facilities for polyphase service shall be determined by the Company, in the same manner as for any other service extension, upon the basis of the prospective annual revenue which may be necessary to justify such an extension.

At the Company's option, service at primary voltage may be arranged for, where advantageous to the customer.

In any case, the voltage, phase and frequency of the supply shall be approved by the Company.

b. Motor Starting Currents:

Total motor starting current is defined as the steady state current taken from the supply line with motor rotor or rotors locked, with all other power consuming components including a current reducing starter if used, connected in the starting position, and with rated voltage and frequency applied.

The following tables furnish motor starting currents permitted by the Company on its supply system. These starting currents apply to combined light and power secondary systems and are based on not more than four starts per hour with long periods of continuous operation under maximum load conditions, except that domestic laundry equipment with operating cycles and electrical characteristics as presently available is acceptable. Consult the Company where these conditions cannot be met, or where equipment rating and/or starting characteristics exceed the values in the following tables:

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THE STATE CORPORATION COMMISSION OF KANSAS

By: \_\_\_\_\_, VicePresident  
Signature of Officer Title

By: \_\_\_\_\_, Secretary

THE EMPIRE DISTRICT ELECTRIC COMPANY  
(Name of Issuing Utility)

SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY  
(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_ Sheet \_\_\_\_\_  
which was filed \_\_\_\_\_

**RULES AND REGULATIONS**

Sheet 30 of 32 Sheets

**(1) Equipment With Motors Rated in Horsepower:**

<u>Equipment Rated At</u>	<u>Total Motor Starting Current Not to Exceed</u>
115 volts, single phase .....	50 amp
230 volts, single phase, 2 hp or less .....	60 amp
2 hp to 6.5 hp .....	60 amp, plus 20 amp per hp in excess of 2hp
Over 6.5 hp .....	Consult the Company
220 - 208 volts, three phase* 2 hp or less .....	50 amp
2 hp to 19.9 hp .....	50 amp, plus 14 amp per hp in excess of 2 hp
Over 19.9 hp .....	Consult the Company

**(2) Room and Unitary Air Conditioner or Heat Pump Equipment Rated in BTU per Hour:**

<u>Equipment Rated At</u>	<u>Total Motor Starting Current Not to Exceed</u>
115 volts, single, phase .....	50 amp
230 volts, single, phase 20,000 BTUH or less .....	60 amp
20,000 BTUH to 50,000 BTUH .....	60 amp, plus 3 amp per 1,000 BTUH in excess of 20,000 BTUH
Over 50,000 BTUH .....	Consult the Company
220 - 208 volts, three phase* 20,000 BTUH or less .....	50 amp
20,000 BTUH to 50,000 BTUH .....	50 amp, plus 2.5 amp per 1,000 BTUH in excess of 20,000 BTUH
50,000 BTUH to 225,000 BTUH .....	25 amp, plus 1 amp per 1,000 BTUH in excess of 50,000 BTUH
Over 225,000 BTUH .....	Consult the Company

Where the equipment contains more than one motor and some motors are arranged for sequence starting, Table (1) applies to that combination of power consuming components simultaneously started that produces a higher draft of starting current than any other combination. The interval between successive steps shall not be less than one-half second.

Where the design of the equipment is such that unequal currents appear in the supply wires (i.e., 15 volt auxiliary motors on 230 volt single phase equipment or single phase auxiliary motors on three phase equipment), Table (1) applies to the supply wire carrying the largest current.

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THE EMPIRE DISTRICT ELECTRIC COMPANY  
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SCHEDULE: RULES AND REGULATIONS

ALL TERRITORY  
(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_ Sheet \_\_\_\_\_  
which was filed \_\_\_\_\_

**RULES AND REGULATIONS**

Sheet 31 of 32 Sheets

For motors and equipment rated at voltages other than 220 volts, the locked rotor currents specified in Table (1) shall be multiplied by the inverse ratio of the voltages.

Normally three phase supply is not available for residential service for units rated below 70,000 BTUH.

3. Electric Welders:

A transformer arc welder whose rated primary current input does not exceed 15 amperes may be operated anywhere on 120 volt single phase service.

A transformer arc welder whose requirements exceed 15 amperes at 120 volts, must be supplied at 240 or 208 volts, or higher.

Electric welders may be connected for service only where the Company's local facilities for power supply are sufficient to permit the operation of the welder without interference with the quality of service to other customers, or where the customer has already made satisfactory arrangements with the Company for such operation. Applications for supply in such cases should include sufficient information as to nameplate date and operating characteristics to permit the determination of the power requirements of the welder.

A welder which complies with the recognized specifications of a Limited Input Transformer Type Welder may be operated where the customer's premises are already served by an individual distribution transformer of 3 kva rated capacity or larger, and where no increase in distribution transformer capacity is required; otherwise, the customer must make arrangements with the Company for the operation of such welder.

4. Grounding:

Customer's wiring installation shall be effectively grounded as required by the Code by means and methods specified therein. In particular, this includes grounding of the neutral or "identified" wire in customer's entrance, the meter base and all metal enclosures containing metering equipment, main service switch boxes, and entrance conduit run.

5. Fluctuating Loads:

For installations having equipment requiring intermittent operation, such as elevators, furnaces, large welders and the like, the Company may require that means be employed to limit such fluctuations by the use of corrective equipment, such as flywheel motor generator sets, or by other means.

6. Load Balance:

Customer's wiring installation shall have sufficient number of branch circuits and be so connected that the load on each side of the supply neutral is nearly equal as possible.

B. OTHER

1. Aerials:

Radio or television receiving or transmitting aerials shall not be attached to the Company's poles, nor be installed in such a manner that they cross over or under Company lines, nor be placed within six (6) feet thereof.

2. House Moving:

Whenever a house, derrick, building or other obstruction is to be moved over a route traversed or crossed by the Company's overhead wires or guys, advance written notification must be given at the Company's district office and arrangements made for the proper handling of any wires or guys which must be raised or moved. In no case shall anyone except the Company's employees attempt to cut, raise, lift or move any of the Company's wire, guys, poles or other facilities.

3. Notice to Customers:

Once a year, the Company shall mail to each of its customers a notice apprising them of the Commission's complaint procedure including its role in settling complaints which have reached an impasse. The notice should include the Commission's Consumer Protection Office's telephone number as well as a comment/complaint form concerning the Company's performance.

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THE EMPIRE DISTRICT ELECTRIC COMPANY

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**SCHEDULE:** RULES AND REGULATIONSALL TERRITORY

(Territory to which schedule is applicable)

Replacing Schedule \_\_\_\_\_

which was filed \_\_\_\_\_

Sheet \_\_\_\_\_

**RULES AND REGULATIONS**Sheet 32 of 32 Sheets

4. General information explaining overall changes in rates, customer charges and any other relevant changes must be made available to customers through bill inserts or direct mail when new rates are implemented due to a rate case.

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By:

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By:

, Secretary