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RULE 12. DEFINITIONS

I. RULE 1. GENERAL PROVISIONS

A. 1.1 GENERAL PROVISIONS

- A. The City's Rate Schedules and Application for Electric Service are available on the City's website (www.charlevoixmi.gov) and at City Hall. Rates are subject to revision at any time upon approval by the Charlevoix City Council.
- B. All Charlevoix Electric Customers are subject to these Rules and Regulations.
- C. Electric Service shall not be supplied to new or remodeled buildings until such installations have been inspected and approved in writing by the appropriate inspection authority and are in accordance with these Rules and Regulations and all other applicable regulations.
- D. Prior to purchasing equipment or the installation of wiring, the Customer should contact the City to determine the characteristics of the Electric Service available at the Premises because all voltages may not be available.
- E. No rights, title, or interest in Facilities provided by the City will pass to any Person because of any deposit or payment made under these Rules and Regulations, unless otherwise specified herein or by contract. Deposits or payments made by Customers toward Facilities shall not be refundable.
- F. The City may disconnect Electric Service to a Customer for any breach of the City's Rules and Regulations, policies, procedures, and practices, or for noncompliance with Municipal, State, or Federal law. The Customer shall pay a reconnection fee in accordance with the Fee Schedule to cover the costs of restoring the disconnected Electric Service.
- G. This document is intended to cover most situations where standardized policies, procedures, and practices have been established. No officer, agent, or employee of the City has authority to waive or modify the provisions of this document unless specifically authorized to do so by City Council. At any time, the City Council may temporarily or permanently revise, modify, or suspend any portion of this document.

B. 1.2 COLLECTION, USE, AND PRIVACY OF CUSTOMER INFORMATION

- A. The City collects Customer Information for the primary purpose of providing utility services. Examples of this include:
 - 1. Contact information that allows the City to communicate with Customers including name, address, telephone number, and email address.
 - 2. Account information including billing and payment information, credit history, driver's license or state ID number, social security number; and
 - 3. Consumption data such as kW, kWh, voltage, kVAR, and Power Factor.
- B. Customer Information shall be collected, stored, transferred, processed, analyzed, and used in accordance with these guidelines and in compliance with applicable law, including the following:
 - 1. Metering data may be used in aggregate for planning and managing Energy consumption.
 - 2. Metering and billing data may be used to discuss consumption and billing activity with the Customer.
 - 3. To plan, implement, or evaluate Energy assistance, demand response, Energy management, or Energy efficiency programs by the City, or its contractors, or as part of an authorized program conducted pursuant to state or federal statutes governing Energy assistance.
 - 4. Website cookie data for the purposes of analyzing how visitors use the City's website.

- C. The City shall not sell Customer Information to a third party. In some instances, the City will disclose Customer Information in accordance with Customer authorization or when required by law, which includes law enforcement requests supported by warrants or court orders specifically naming the Customer whose information is sought and judicially enforceable subpoenas. The provision of such information will be reasonably limited to that authorized by law or reasonably necessary to fulfill a request compelled by law.
- D. The City will only keep Customer Information for as long as necessary to fulfill the purpose for which it was originally collected and in accordance with its record retention schedule. The City shall comply with the provision of the Michigan Social Security Number Privacy Act, Act 454 of 2004 codified at MCL 445.81 et seq.

II. RULE 2. CHARACTERISTICS OF SERVICE

A. 2.1 CHARACTER OF SERVICE

- A. The City supplies 60 Hertz alternating current throughout its service area and intends, but does not guarantee, to furnish a continuous supply of Electric Power and to maintain voltage and frequency within reasonable limits.
- B. The City shall not be liable for interruptions in the service, phase failure, or reversal or variations in the service characteristics or for any loss or damage of any kind or character occasioned thereby due to causes or conditions beyond the City's reasonable control.
- C. Notwithstanding any other provision of these Rules, the City may interrupt, curtail, or suspend Electric Service to some or all its Customers to protect the health, safety, and welfare of its employees, Customers, the general public and the reliability of its electric distribution system. The City is not liable for any such interruption, curtailment, or suspension of Electric Service.

B. 2.2 AVAILABLE VOLTAGES

- A. Single-phase 120/240 Volt three-wire, single-phase 120/208 Volt three-wire services.
- B. Three-phase, four wire 120/208 Volt and 277/480 Volt service may be made available for commercial and industrial services. Existing three and four wire delta services will be supported but are no longer available for new or upgraded secondary services.
- C. Three-phase four wire 12,470/7,200-volt primary service may be available at the City's discretion.
- D. The Customer shall be responsible for making any voltage modifications beyond the Point of Common Coupling for equipment requiring a voltage different from this rule.

C. 2.3 AGREEMENTS

- A. The City may require a written agreement outlining the terms and conditions for the construction of facility extensions, changes in load, and other changes in the Customer's service requirements.
- B. No promises, agreements, or representations of any agent or employee of the City shall be binding on the City unless the same is within the authority of that individual and incorporated in the written agreement.

D. 2.4 MATERIAL AVAILABILITY

- A. Subject to the restrictions contained in Rule 3.2, the City will construct electric distribution Facilities and extensions if it is able to obtain or use the necessary materials, equipment, and supplies.

III.

RULE 3. USE OF SERVICE

A. 3.1 GENERAL

- A. Electric Power is supplied to a Customer for the exclusive use on the Premises to which it is delivered by the City. Service may not be shared with another Customer, sold to another Customer, or transmitted off the Premises. The Customer must use the service so as not to cause a safety hazard, endanger City Facilities, or disturb City service to other Customers.
- B. The location and use of Electric Power are only for the purposes authorized by the City. Electric service to appurtenant Residential structures such as a garage and pole barn may be served from the Residential service.
- C. Any Electric Service that has been disconnected for 12 months or longer must be inspected by the County Electrical Inspector before being energized by the City.
- D. The Customer shall contact the City regarding changes in loads or load characteristics to allow adequate time to plan and implement system upgrades.

B. 3.2 ACCESS AND DAMAGES

- A. The Customer shall provide and maintain access to City electric Facilities in accordance with all applicable electrical codes and City standards to permit the safe operation and maintenance of such Facilities.
- B. The City shall have the right, privilege, and authority to trim trees, branches, hedges, shrubs, or move other obstructions that could affect the safe operation, construction, or maintenance of its Facilities. In such instances, the City shall have no obligation to restore the Customer's Premises but may do so on a best-efforts basis. By acceptance of Electric Service from the City, each electric Customer shall be deemed to have granted such right, privilege, and authority to the City. If any Customer thereafter should challenge or object to the exercise of such service in the general utility function of the City, service to such Customer may be refused and/or discontinued for that reason alone.
- C. City employees or agents shall have the right to enter upon the Premises of any electric Customer at any time during normal business hours to inspect, test, operate, replace, and maintain City Facilities, and to clear vegetation.
- D. If a meter, metering equipment, or other City property is damaged or destroyed through acts or failure to act by the Customer or someone other than the City, City employee, or agent, the cost of necessary repairs or replacements is the responsibility of the Customer.
- E. If the City is unable to read, operate, maintain, or inspect a meter for reasons beyond its control, including, but not limited to: Customer interference, the Premises being locked, the meter being inaccessible, or the presence of unsafe conditions, service may be disconnected or interrupted, and the Customer shall be responsible for paying a reconnection fee in accordance with the Fee Schedule.
- F. If a Customer intentionally interferes with the City's access to Facilities, including, but not limited to, physical or verbal threats, assault, or intimidation, the Customer's service may be discontinued, and the Customer will be subject to applicable fines, penalties, and prosecution as authorized by law.
- G. Service shall not be reconnected until safe and appropriate access has been provided, all fines and penalties have been paid in full, and all legal proceedings if any commenced against Customer have been resolved.
- H. The Customer is responsible for all losses, injuries, and damages associated with the Customer's failure to provide safe access to the Premises.

C. 3.3 CUSTOMER EQUIPMENT

- A. The City shall deny or terminate service to any Customer whose wiring or equipment constitutes a hazard to the City's employees, its equipment, its service to others, or to the public. The City is not responsible for installing, inspecting, repairing, maintaining, testing, or removing the Customer's wiring or equipment and is not liable for any injury or damage resulting from the condition of such wiring or equipment.

- B. The Customer must install and maintain the necessary Facilities or devices to protect Customer-owned equipment against service interruptions, phase loss, variations in voltage, and other disturbances on the City Electric Distribution system, as well as the necessary devices to protect City Facilities against overload caused by the Customer's Equipment.
- C. Alterations to the Customer's Electric Service or associated equipment require the approval of the City.
- D. Customer owned equipment shall not be installed on City Facilities.

D. **3.4 POWER QUALITY AND DISTURBANCES**

- A. The Customer must operate equipment and use the service in a manner that does not cause interference, affect voltage, affect frequency, add harmonics to, or disturb the City's system or another Customer's service. If the City notifies the Customer of such a condition, the Customer must discontinue operation of the equipment causing the condition until the condition is resolved to the City's satisfaction. If the Customer does not remedy the condition to the City's satisfaction within the time frame requested by the City, the City may discontinue service until the Customer has remedied the situation and has paid the reconnection fee and as well as any costs associated with investigation and resolution of the condition.
- B. The Customer is responsible for all costs associated with alterations to the City's system required to continue proper operation of the City's system in conjunction with the Customer's Equipment when the Customer causes such alterations. In determining the existence of disturbances, the City will rely on the latest revision of pertinent IEEE and ANSI Standards. The City may also use other appropriate standards or criteria in determining disturbances to the City's system.

E. **3.5 IMPROPER USE AND TAMPERING**

- A. A Person or Customer that uses Electric Power without making proper application for Electric Service is responsible for all charges for Electric Service. The amount of such charges shall be determined by the City either by an actual meter read or by estimated consumption for the time Electric Power was used.
- B. The City may disconnect service without notice if it determines the meter or wiring on a Premises has been tampered with or altered in any manner. If the City disconnects service for this reason, the City shall restore service only when the Person requesting reconnection pays a meter tampering fee and reconnection fees in accordance with the Fee Schedule, pays restitution for stolen service and damaged equipment, and makes arrangements for an outdoor meter installation or other metering changes as may be required by the City. This section shall supplement and not be in lieu of any provision of state law, including but not limited to MCL 750.282 and MCL 750.383a.

F. **3.6 THEFT**

- A. The City will investigate cases of suspected theft and/or fraud.
- B. All incidents with sufficient evidence of theft and/or tampering will be investigated and prosecuted by relevant agencies, including the police and/or sheriff's department.
- C. The City will attempt to recover all charges that were intentionally avoided or not paid plus all monthly accrued late fees.
- D. If the actual amount of service lost to the theft or diversion cannot be determined, the amount will be estimated.
- E. There is no limitation on the time for which past charges will be assessed.
- F. The City reserves the right to prosecute for all violations of the law.

G. **3.7 DISCONNECTION OF SERVICE**

- A. Service may be voluntarily or involuntarily disconnected either by:
 1. Customer Request:

- a) Service may be disconnected at the Customer's request. When a Customer who is not the owner of the building requests a disconnection of service, the service will transfer to the owner until the owner requests disconnection, or a new tenant assumes responsibility.
 - b) Disconnects and reconnects of Electric Service are subject to costs in accordance with the City's Fee Schedule.
 - c) Service may be permanently disconnected for demolition purposes by submitting a demolition request form. Permanent disconnection is completed at the cost of labor and material required to complete the disconnection.
2. Noncompliance:
- a) Service may be involuntarily disconnected for noncompliance with the City's Rules and Regulations. The City shall provide notice to the Customer in accordance with the City's General Shutoff Rules for Residential Electric Service. Additional disconnect procedures in the City's General Shutoff Rules for Residential Electric Service are incorporated herein by reference.
 - b) Service may be involuntarily disconnected for noncompliance with municipal, state, or federal law.
 - c) The City will impose fees in accord with its Fee Schedule for all disconnections, including disconnections for noncompliance.

IV. **RULE 4. METERING**

A. **4.1 GENERAL**

- A. All Electric Power sold to Customers is measured by metering equipment owned and maintained by the City. Where it is impractical or impossible to install or access metering equipment, or in the event of a meter malfunction, the City may estimate consumption.

B. **4.2 INSTALLATION AND OWNERSHIP**

- A. The Customer must install, own and maintain a metering enclosure. Enclosures may be furnished by the City at a cost to the Customer. The City will furnish, own, and maintain the meters, potential transformers, and current transformers. The Customer must furnish, install, own, and maintain all other service equipment and all wiring and conduits from the Point of Common Coupling for overhead and underground services.

C. **4.3 EQUIPMENT LOCATION**

- A. The Customer must provide a space suitable to the City for the installation of metering equipment.
- B. Metering equipment for all new and upgraded Electric Service shall be located outdoors on the Customer's building or a metering structure.
- C. Meter sockets, meter connection boxes, and instrument transformer enclosures shall not be used as junction boxes for supplying Customer's branch circuits or grounding conductor termination. No wiring other than Service Entrance Conductors and bonding conductors shall be routed through this equipment.
- D. The mounting height of single line meters shall be no less than 4 ½ feet and no more than 5 ½ feet above grade.
- E. For stacked multiple meter panels, the installed meter centerline must be a minimum of 30 inches from finished grade and a maximum of 72 inches from finished grade and limited to a maximum of a four-meter stack.

D. 4.4 MULTIPLE OCCUPANCY BUILDINGS

- A. The metering and Customer's service equipment for multiple occupancy buildings where several floors, apartments, stores, or other units are rented separately must be grouped in a common meter location approved by the City. The metering shall be accessible to City personnel and agents. Metering equipment in multiple occupancy buildings must be permanently marked identifying the apartment, office, store, or other unit or location being served. Such identification is the responsibility of the building owner. The meter location must be located on the ground floor.

E. 4.5 SEPARATE DISCONNECT

- A. Customers shall provide a separate disconnect for City and emergency purposes for each service that is (1) not a self-contained metered service, and (2) in multi-occupancy buildings installed after the effective date of these Rules and Regulations. The disconnect shall be accessible to the City and emergency personnel, be capable of interrupting the Customer's load, and be lockable by the City. The disconnect and access to it shall be maintained by the property owner.

F. 4.6 METER CALIBRATION REQUEST

- A. Upon Customer request, the City will test a meter's calibration to ensure that it is accurate within 2%.
- B. If meter accuracy is within 2%, the cost, per the City's Schedule of Rates, Fees and Charges, will be added to the Customer's next utility bill.
- C. If meter accuracy is outside 2%, the City will replace the meter and adjust the billing errors in accord with Section 6.3.
- D. If meter accuracy is within 2%, the City will, in its sole discretion, reinstall or replace the meter.

G. 4.7 DAMAGED METERING EQUIPMENT

- A. The Customer is liable for acts or failure to act by the Customer, the Customer's tenant, or the Customer's agent, that result in damage to the City's metering equipment and other Facilities. This includes damage caused by ice buildup or falling ice. The City will repair or replace a meter so damaged, and the cost shall be billed to the Customer.

H. 4.8 PRIMARY METERING GUIDELINES

- A. Customers served at Primary Voltage shall own, operate, and maintain all equipment beyond the Point of Common Coupling.
- B. The City will furnish, install, and maintain the primary service and necessary metering equipment.
- C. Customer applications for primary metered Electric Service shall include a site plan and shop drawings. The Customer shall obtain approval of the application before ordering major equipment to avoid delays and unnecessary expense. The City shall determine the location of its Facilities on the Customer's Premises.
- D. Service entrance equipment located at the Point of Common Coupling shall include a three phase, group operated load break disconnecting means, and over current protection. The disconnect shall be located to provide a visible open point and operating capabilities to both the Customer and the City.

V. **RULE 5. APPLICATION OF RATES**

A. **5.1 GENERAL**

- A. Electric Rates are predicated upon the delivery of each class of service to a single metering point for the total requirements of each separate Premises of the Customer. Service to different delivery points and/or different classes of service on the same Premises shall be separately metered and separately billed. In no case shall service be shared with another Premises or transmitted off the Premises to which it is delivered.

B. **5.2 RESALE OF ELECTRIC POWER**

- A. Except as provided in these Rules and Regulations, the resale of Electric Power is prohibited.
- B. The owner or operator of a mobile home park and/or marina may purchase Electric Power from the City for resale to occupants on the condition that service to each occupant is metered separately and the occupants are not charged more for such service than the appropriate City Rate available for similar service under like conditions. To qualify for the resale of Electric Power to occupants, the owner or operator must state in writing their intent to resell in the application for service. All Electric Power used at such mobile home park or marina Facilities shall be purchased from the City and the owner or operator is responsible for payment for purchased Electric Power for resale.
- C. The City has no obligation to furnish, test, or maintain meters or other equipment used for the resale of Electric Power to an occupant by the reselling owner or operator.
- D. The City may audit the billing records every 12 to 18 months using generally accepted auditing practices.
- E. The reselling owner or operator is responsible for testing each occupant’s meter at least once every three years. Meter accuracy must be maintained within two percent (2%).

C. **5.3 CHOICE OF RATES**

- A. Customers may be eligible to receive service under more than one Rate. Upon request, the City will assist the Customer in the selection of a Rate based on available information, but the Customer remains solely responsible for the Rate selection.
- B. After the Customer has selected a Rate, the Customer must remain on that Rate for a minimum of 12 months.
- C. The City is not responsible for the difference in charges under different applicable Rates. If the Customer experiences a permanent change in load profile, the Customer may request a change of Rates. The City may, in its sole discretion, permit a change of Rates in this circumstance.

D. **5.4 ELECTRIC VEHICLE CHARGING**

- A. Reserved for future use.

E. **5.5 MOBILE HOMES IN COURTS - INDIVIDUALLY SERVED**

- A. Electric Service to new Mobile Home Courts and expanded service to existing Mobile Home Courts shall be provided through individual tenant metering.
- B. Electric Service to a mobile home must be in the name of the occupant; however, service to lots designated for occasional or short-term occupancy must be in the name of the owner of the Mobile Home Court or an authorized representative.
- C. An individually served mobile home used as a Residence will qualify for an appropriate Residential Electric Service Rate.

F. 5.6 COGENERATION AND SMALL POWER PRODUCTION FACILITY

- A. Refer to the City's General Interconnection Requirements and Renewable Energy Generator Metering Agreement included herein by reference.

G. 5.7 MINIMUM CHARGES

- A. A minimum charge, as defined by the Rate in effect, shall be applied to all energized services and billed to the Customer.

VI. RULE 6. BILLS AND PAYMENTS

A. 6.1 RESPONSIBILITY FOR PAYMENT OF BILLS

- A. Each Customer is responsible for paying all utility bills as rendered on or before the due date shown on the bill. The Customer remains responsible for payment of the bills until the Customer orders service to be disconnected and the City has had reasonable time to secure a final meter reading. Bills are rendered approximately every 30 days. Bills are mailed to Customers approximately fifteen (15) days before the due date. The Customer must pay the net amount if paid on or before the due date on the bill. Failure to receive the bill does not entitle the Customer to pay the net amount after the due date of the bill. If a bill remains unpaid after issuance of a five (5) day written shut-off notice, the City has the right to disconnect service in accordance with its General Shutoff Rules.
- B. Customers may be able to make payment arrangements by contacting the Utility Billing Clerk at (231) 547-3259.
- C. The City shall not shut off Electric Service from November 1 through April 15.
- D. Service to a Customer shall not be disconnected for nonpayment of a disputed bill pending the result of a hearing timely requested by a Customer. Service may be disconnected for nonpayment of sums billed that are not in dispute.
- E. A new Customer account may not be established for a Service Location if a delinquent Customer account holder resides at the same Service Location as the new Customer unless the new Customer agrees to pay a deposit in accordance with the Fee Schedule prior to the commencement of service.
- F. The City may require individual Customers to enter a written "Billing Service Agreement," ensuring the Customer is responsible for all services used.
- G. The City will make billing history available to Customers at no charge, provided the information is currently stored on an active database. Customer requests for billing history that is no longer on an active database will be subject to a charge based on staff wages and benefits.
- H. The City will charge a "Non-Sufficient Funds Fee" in accordance with the Fee Schedule for returned checks and Auto Pay payments.
- I. Electric service used by the same Customer but delivered and metered separately or at different locations will not be combined for billing purposes.

B. 6.2 ESTIMATED CONSUMPTION

- A. Readings may be estimated when conditions warrant. Until reconciled by an actual reading, bills rendered on estimated consumption have the same force and effect as bills rendered on actual meter readings.
- B. If for any reason all consumption used cannot be measured accurately, the unmetered portion will be estimated by the City based on prior consumption, operating characteristics of the building and equipment, or the City's experience in like circumstances.

C. 6.3 BILLING ERRORS

- A. When an error is found to exist in any billing rendered by the City, the City shall correct such error to recover or refund the difference between the original billing and the corrected billing for up to 3 months from the date the error is discovered. Refunds to Customers will normally be made promptly upon discovery of the error. Amounts due to the City from the Customer will be subject to normal collection policies, procedures, and practices.

D. 6.4 ACCOUNT SECURITY DEPOSITS

- A. The City will require a security deposit in the following amounts for:
 - 1. First time renters:
 - a. Electric - \$75
 - b. Electric, water and sewer - \$100
 - c. Electric heat - \$150
 - 2. Businesses with no payment history with the City of Charlevoix:
 - a. Three times the average estimated utility bill
 - 3. Customers with an unacceptable credit history, as defined below.
- B. Deposits shall be non-interest bearing and will be refunded to the Customer after two years of on time payments.
- C. Deposits will be waived for all Customers who pay by direct deposit.
- D. Unacceptable credit history includes, but is not limited to, the following:
 - 1. The Customer intentionally misinformed or misrepresented facts to the City.
 - 2. The Customer misrepresents his or her identity.
 - 3. The Customer diverted, tampered with, or otherwise interfered with utility service in the past 6 years.
 - 4. The Customer has had one or more payments canceled in the last 12 months due to any of the following:
 - a. Non-sufficient funds returned check
 - b. Account closed returned check
 - c. Non-sufficient funds bank bill
 - d. Account closed bank bill
 - e. Credit card reversal
 - f. Failed electronic funds transfers
 - g. Other payment method cancellation
 - 5. The Customer has had a delinquent account within the last 6 years.

VII. RULE 7. ELECTRIC FACILITY RELOCATION

A. 7.1 General

- A. When a Customer or developer requests the relocation of City Facilities, the City may, in its sole discretion, relocate its electric Facilities.
- B. Prior to relocating electric Facilities, the Customer or developer will be required to pay for the relocation based on the estimated cost including, but not limited to, material, labor, excavation, infrastructure repairs, and modifications to the City's Electric Distribution System affected by the relocation.
- C. The Service Location shall be specified by the City so that its Facilities meet or exceed the National Electrical Code, National Electrical Safety Code, and other applicable codes.
- D. Should it become necessary, due to any cause beyond the City's control, to change the Service Location, the entire cost of any changes shall be borne by the Customer.

VIII.

RULE 8. DISTRIBUTION SYSTEM EXTENSIONS

A. 8.1 General

- A. The City will extend its distribution Facilities to the Point of Common Coupling on the Customer's Premises subject to these Rules and Regulations.
- B. The City shall determine service availability and load limits.
- C. The City shall provide, own, maintain, and specify the location of its distribution Facilities. No ownership rights shall pass to any owner, developer, or Customer by reason of any payments made for the construction.
- D. City-owned, three phase, pad mount transformers must be installed within 25 feet of a drivable surface.
- E. The City may make such extensions at its cost if, in its sole judgement, the estimated revenue, probable stability, and potential load growth reasonably warrant the capital expenditure. If, in the City's sole judgement, the extension is not so warranted, it will require the Customer to pay for the extension.
- F. Prior to the installation of any distribution system the owner, developer, or Customer may be required to enter into a written agreement with the City generally describing the proposed distribution system and the conditions of the parties. Each system extension shall be a separate agreement. Further extensions will require a separate written agreement.
- G. Prior to the installation of any distribution system the owner, developer, or Customer shall provide, at no expense to the City, permits and easements acceptable to the City for the installation, operation, and maintenance of the proposed distribution system extension. The easement shall include, but is not limited to, a legal description, sketch, construction and maintenance rights, and vegetation management requirements.
 - 1. If the required permits and easements are not provided and the extension can be constructed in the public right-of-way, the applicant shall be required to pay the additional construction expense.
 - 2. If the owner, developer, or Customer requests the City to modify existing easements, such modifications shall be in the City's sole discretion. The requesting party will be responsible for all expenses associated with the modification.
- H. All overhead Distribution Line extensions constructed on private property shall be routinely cleared of encroaching vegetation and trees by the City or its contractor to maintain reliable Electric Service. This does not include the overhead service drop, which is the Customer's responsibility.
- I. Any poles, wires, or other equipment required beyond the Point of Common Coupling shall be furnished, installed, and maintained by the Customer. The City's responsibility (other than the meter or metering devices as required) ends at the Point of Common Coupling.
- J. The Service Entrance Conductors shall be furnished, installed, and maintained by the Customer in accordance with the National Electrical Code and other applicable codes and shall conform to the City's specifications.
- K. Primary facility extensions shall be installed, owned, and maintained by the City. Charges will be determined in accordance with all applicable provisions set forth in these rules.
- L. The owner, developer, or Customer is responsible for locating and marking the locations of privately owned underground Facilities such as lawn sprinkler systems, field drainage systems, septic tanks, electric lines, etc. The City assumes no responsibility for damage to unmarked private Facilities.
- M. Equipment Installation
 - 1. The Customer shall provide access to City-owned equipment, including transformers, switchgear, pedestals, and meters, for operation, maintenance, and cooling.
 - 2. The Customer shall maintain access and working clearance around City Facilities to permit safe operation and maintenance of such Facilities including testing, repairs, replacement, tree trimming, etc. in accordance with applicable codes, the City's construction standards, and any other applicable regulations. If the Customer does not maintain appropriate access and working space, the City is authorized to trim, cut down, remove, or otherwise prevent future growth of trees and brush, and remove anything that has or has the potential to contact, interfere with, or be hazardous to the operation and maintenance of City Facilities. In such instances, the City will have no obligation to restore the Customer's Premises.
 - 3. City personnel will use reasonable care to minimize damage to structures and landscaping

while operating, maintaining, removing, and replacing City-owned equipment. The moving and replacement of encroaching structures and landscaping shall be at the owner's expense.

B. 8.2 SINGLE PHASE RESIDENTIAL EXTENSION

A. Overhead

1. This section reserved for future incorporation of language addressing extensions to permanent year-round dwellings.

B. Underground

1. In Platted Subdivisions, the owner, contractor, or developer of Residential subdivisions shall be required to make a nonrefundable payment to the City for the underground Facilities. The payment shall include the cost for the entire subdivision as platted even though part of the subdivision remains undeveloped.
2. In Outside Subdivisions, the Residential Customer shall be required to make a nonrefundable payment to the City to cover the estimated cost of the underground Facilities required to serve the Customer.
3. The site must be within six (6) inches of final grade before the City will install its Facilities. The cost to relocate City Facilities due to changes in the final grade shall be borne by the Customer.

C. Residential Underground Service Connections:

1. The Customer shall be required to make a nonrefundable payment for construction to cover the installation cost of an underground service connection. The route of the underground service shall be determined by the City.
2. Multi-tenant Residential apartment complexes where more than two meters are required shall be considered a commercial extension. The owner, developer, or contractor shall supply all entrance service equipment, which shall include main panels, disconnect switches, and multiple meter socket service equipment and conduits as directed by the City.
3. The owner, developer, or contractor shall be responsible for labeling the meter socket to the proper apartment. The City assumes no responsibility for inappropriate or mistaken meter installations applied to the wrong apartment based on information provided by the owner, developer, or contractor. In case of incorrect identification costs resulting therefrom including but not limited to the cost of discovery, investigation, necessary repairs, and usage prior to discovery shall be paid by the property owner.

C. 8.3 COMMERCIAL AND INDUSTRIAL SINGLE AND THREE PHASE EXTENSIONS

A. GENERAL SERVICE

1. The City will construct Distribution Line extensions to serve commercial and industrial Customers when such extensions are determined to be feasible in the City's sole discretion. The Customer shall make a non-refundable payment for all overhead and underground extensions. The payment must be paid before the City begins construction.
2. Prior to the installation of any distribution system, the owner, developer, or Customer may be required to enter into a written agreement with the City generally describing the proposed distribution system and the conditions of the parties. If a written agreement is required, each system extension shall be formalized in a separate agreement. Further extensions will require a separate written agreement.
3. Applications for commercial and industrial services shall include site and electrical plans indicating at a minimum the service size, voltage, connected load, estimated kW demand, and expected average power factor.
4. The developer will install, own, and maintain all Facilities beyond the Point of Common Coupling.
5. The developer will provide primary, secondary, and metering conduit per City specifications.

B. PRIMARY SERVICE

1. The Customer shall provide all necessary equipment beyond the Point of Common Coupling

- a. For overhead and underground installations, this is typically the secondary side of the current transformers.
- b. The City shall make the load side connections to the current transformers.

D. 8.4. CONVERSIONS OF EXISTING OVERHEAD DISTRIBUTION SYSTEMS AND ASSOCIATED SERVICE CONNECTIONS

- A. At the request of a Customer, the City will, if the City determines it is feasible in the City's sole discretion, convert existing overhead Facilities to underground Facilities.
- B. The Customer shall make a nonrefundable payment for all costs of the conversion.

IX. RULE 9. SERVICES

A. 9.1 GENERAL

- A. The Service Entrance Conductors must be furnished, installed, and maintained by the Customer in accordance with the National Electrical Code, other applicable local codes, and the City's specifications.
- B. The Service Location must be specified by the City and must be located so the City's service Facilities meet or exceed all clearance requirements of the National Electrical Code, National Electrical Safety Code, other applicable law and regulations, and local codes.
- C. Service will not be provided to a Service Location through an existing structure.
- D. Should it become necessary for any reason beyond the City's control to change the Service Location, the entire cost of any changes in the Customer's service will be borne by the Customer.
- E. Should it become necessary for the City to reinforce or upgrade area distribution Facilities to accommodate the requested service, the Customer may be required to make a nonrefundable payment for the requested service.
- F. Any poles, wires, and other equipment required at or beyond the Customer's meter shall be furnished, installed, and maintained by the Customer.
- G. The City will maintain and repair only those service conductors owned by the City. While maintaining or repairing service conductors where the service conductors pass under any area not readily accessible, the City will bear no responsibility for damage incurred for restoration to said areas. The Customer will be responsible for additional repair costs due to these encumbered services or for damage because of acts or failure to act by the Customer, their agent, or their tenant.

B. 9.2 APPLICATION FOR SERVICES

- A. For Existing Services:
 - 1. Requests regarding an Electric Service upgrade must be directed to the City of Charlevoix Electric Department, 401 W Carpenter Avenue, Charlevoix, MI 49720, or by calling (231) 547-3273 during normal business hours.
 - 2. All Electric Service upgrades must comply with these City Rules and Regulations; City electric requirements; and City policies, procedures, and practices.
 - 3. Electrical service upgrades not consistent with applicable codes or City requirements are the Customer's responsibility and will be corrected at the Customer's expense.
- B. For New Services:
 - 1. Requests regarding new services must be directed to the City of Charlevoix Electric Department, 401 W Carpenter Avenue, Charlevoix, MI 49720, or by calling (231) 547-3273 during normal business hours.
- C. For Residential Service Applications:
 - 1. The City is required to exercise due diligence to prevent identity theft. Therefore, Customers are required to produce acceptable proof of positive identification to establish a Residential service account. Acceptable proof of positive identification includes, but is not limited to, the following:

- a. Full Name (an account can only be in one Person's name);
 - b. Address (a copy of the mortgage or lease agreement may be required to verify residency);
 - c. Telephone Number;
 - d. Email Address;
 - e. Social Security number (Only required for credit checks or when the Customer is not present to verify their identity); and
 - f. State or government issued identification (e.g., Driver License, Military ID, Passport).
1. For Commercial Service Applications:
 - a. Legal Business Name and Tax ID Number (registered in Michigan);
 - b. Type of Business;
 - c. Tax Status (Taxable, Tax Exempt or partial Tax Exempt, documentation will be required);
 - d. Telephone Number;
 - e. Email Address;
 - f. Contact Name;
 - g. Owner or Business Agent Name; and
 - h. Mailing Address if different from Service Address.

C. 9.3 TEMPORARY SERVICES

The City will provide temporary Electric Service for construction, shows, vendors, events, and other non-recurring purposes according to these Rules and Regulations. Temporary service cannot be used as a permanent service or be connected for more than one year. The City will determine if the temporary service will be overhead or underground.

A. General

1. Applications for Temporary Electric Service must be made by the property owner or building contractor (if for construction purposes). A valid address for the temporary service and the permanent billing address of the applicant must be provided. Applications are available on the City's website (www.charlevoixmi.gov) and at 401 West Carpenter Avenue, Charlevoix MI 49720.
2. The applicant will be responsible for installation and line extension fees. Energy will be billed to the applicant under an applicable City Rate.
3. All temporary services must be inspected, with written notice to the City, prior to being energized. Applicant will contact the City when the temporary service is to be disconnected.
4. Applicant will provide access, specifications on electrical loads, site plans, and any additional information needed to properly install and provide temporary service.
5. The City must approve the Service Location.

B. Overhead

1. The City will own and install temporary service conductors up to 100 feet to the Customer's service pole.
2. The Customer will install, own, and maintain the service pole and service entrance equipment.

C. Underground

1. For all underground temporary services, the Customer is responsible for Trenching and installing each underground temporary service conductor in accordance with the requirements of all applicable electric codes to a point within two (2) feet of the City's Facilities. The Customer will have existing underground utilities located before the installation of the underground temporary service conductors by calling the MISS DIG one call locating system by dialing 811 or (800) 482-7171.

D. 9.4 RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL OVERHEAD SERVICES

- A. Where suitable service is available, the City will install, own, and maintain overhead service conductors from its Distribution Facilities to the nearest suitable point of attachment on the Customer's buildings or other structures as designated by the City. A drip loop must be formed on individual conductors of not less

than 36" at the weather head. The City's overhead service conductors will be rated for the estimated electric Demand but not less than 50% of the Customer's main over current device.

- B. Where the Customer requests a point of attachment other than that specified by the City, the Customer is responsible for the cost of installing additional intermediate supports, wires, or fixtures necessary to reach the requested point of attachment.
- C. The Customer must furnish, own, install, and maintain service masts, when necessary, to obtain the required clearances.
- D. Where paralleled Service Entrance Conductors are used, the Customer or the contractor is responsible for terminating the paralleled conductors in a single conductor suitable for connection to the City's overhead service wires.

E. 9.5 RESIDENTIAL UNDERGROUND SERVICES FROM UNDERGROUND DISTRIBUTION SYSTEMS

- A. Upon request and where suitable Facilities are available, the City will install, own, and maintain a single-phase underground Service Lateral to the Point of Common Coupling for Electric Services not exceeding 200 A and for a distance not to exceed 150 feet. Single phase residential services greater than 200 A will be treated as commercial installations. The non-refundable cost is described in the City's Schedule of Rates, Fees and Charges.

F. 9.6 RESIDENTIAL UNDERGROUND SERVICES FROM OVERHEAD DISTRIBUTION SYSTEMS

- A. The City will, where feasible, install, own and maintain single phase underground Residential Electric Service conductors from an overhead electric distribution system.
- B. If a crossing of a public road is necessary and the Customer requests the crossing be installed underground, the Customer may be required to make an additional non-refundable payment to the City.

G. 9.7 COMMERCIAL AND INDUSTRIAL UNDERGROUND SERVICES

- A. The owner of each commercial or industrial building requiring an underground Electric Service must install, maintain, and own the underground secondary service conductors between the building and the Point of Common Coupling. Primary service conductors must be installed, maintained, and owned by the City.
- B. The Customer or developer will be required to make a nonrefundable payment toward the cost of such City-installed services.
- C. Secondary service conductors must be installed in accordance with applicable codes. The service conductor shall be landed in City equipment by City personnel only.

H. 9.8 MULTI-DWELLING STRUCTURE SERVICES

- A. The owner or developer of each Multi-Dwelling Structure requiring an underground Electric Service system must install, maintain, and own the underground secondary service conductors between the building and the Point of Common Coupling. For single phase, the total capacity of the Dwelling Units connected to each service must not exceed the capacity of a single 50 kVA transformer.
- B. The Customer or developer is required to make a nonrefundable payment toward the cost of such City installed services.

I. 9.9 CONVERSION OF EXISTING OVERHEAD ELECTRIC SERVICES

- A. At the request of a Customer, the City will, if feasible, convert an existing overhead Electric Service to an underground Electric Service in accordance with Rule 8.4

J. 9.10 ELECTRIC SERVICE RELOCATIONS AND REMOVALS

- A. At the request of a Customer, as required due to a conflict, or to meet City Standards, the City may relocate or remove its Electric Service Facilities at the City's sole discretion.

X. RULE 10. USE OF CITY EQUIPMENT

A. 10.1 GENERAL

- A. The City's wires, poles, and apparatus, together with any interconnections thereof, are the exclusive property of the City, and the connection of a Customer's Premises thereto does not entitle the Customer to any use thereof, as necessary for the delivery of the City's service to the Customer.
- B. The use of any part of the City's distribution without prior written City approval is expressly prohibited.
- C. The use of any pole by a Person, without first having entered into a Standard Pole Attachment License Agreement, is prohibited.

XI. RULE 11. DISTRIBUTED GENERATION

A. 11.1 GENERAL

- A. Refer to the City's General Interconnection Requirements and Renewable Energy Generator Metering Agreement which are included by reference.

XII. DEFINITIONS

AMPERE - Unit of electrical current.

CITY – Means the City of Charlevoix Electric Department.

CUSTOMER - A purchaser of electric service supplied by the City.

CUSTOMER INFORMATION – Customer-specific information received and stored by the City for purposes of participating in utility services or programs, including but not limited to bill payment assistance, shutoff protection, renewable Energy, demand-side management, load management or Energy efficiency, payment data, credit history, driver's license, state ID numbers, social security number, and Customer's consumption data.

DEMAND - The load at the terminals of an installation or system, averaged over a specified interval of time. Demand is expressed in Kilowatts, Kilovolt Amperes (kVA) or other suitable units.

DISTRIBUTION LINE - That portion of the City's electric system that delivers Electric Power from its substations to the Customer.

DWELLING UNIT - A single room, suite or group of rooms or suites which have individual cooking and kitchen sink Facilities designed for or used exclusively for residential purposes.

ELECTRIC POWER - An electric power industry term meaning both Energy (the ability of an electric current to produce work) and power (the time rate of using electrical Energy) expressed in kilowatt-hours and kilowatts.

ELECTRIC SERVICE - The delivery of Electric Power to a Customer.

ENERGY – the ability to do work, typically measured in kilowatt-hours

FACILITIES – A general term which includes equipment, devices, associated structures and the like, used as a part of or in connection with an electric installation

FEE SCHEDULE – City of Charlevoix Schedule of Rates, Fees and Charges

HERTZ (Hz) - Cycle per second.

HORSEPOWER (hp) - Unit of mechanical Power equivalent to 746 watts of Electric Power.

KILO (k) - Prefix meaning one thousand.

KILOVOLT AMPERE (kVA) – Unit of apparent Electrical Power which at 100% Power Factor is equivalent to one Kilowatt.

KILOWATT (kW) - 1,000 watts of Electrical Power (approximately 1/3 Horsepower).

KILOWATT-HOUR (kWh) - Unit of electrical Energy equivalent to the use of one kilowatt for one hour.

LOAD - The amount of Power or kilovolt-amperes delivered at a given point.

MOBILE HOME COURT - A parcel or tract of land upon which three (3) or more mobile homes are located and occupied on a continuous non-recreational basis. The Mobile Home Court must be of a permanent nature with improved streets and with individual water and sewer connections to each lot.

MULTI-DWELLING STRUCTURE - A building containing 2 or more Dwelling Units, including, but not limited to, apartments, condominiums, or senior housing projects.

PERSON - Any individual, corporation, partnership, company, limited liability corporation, organization, or governmental entity.

POWER - Energy per unit of time.

POWER FACTOR (P.F.) - Ratio of Kilowatt Power to kilovolt-ampere apparent power, expressed as a percent.

PREMISES - A building and its grounds.

PRIMARY VOLTAGE – The nominal distribution system voltage of 7,200 volts or 12,470 Volts.

POINT OF COMMON COUPLING – The point at which the City's Facilities connect to the Customer's Facilities as determined by the City.

RATE - The unit prices as established by the City's ratemaking body and the quantities to which they apply as specified in the Rate Schedule.

RATE SCHEDULE - A filed statement of the electric Rates and the terms and conditions governing their application as established by the Charlevoix City Council.

RESIDENCE (also Residential) - Includes one family, two family and Multi-Dwelling Structures containing three or more individual Dwelling Units.

RISER POLE - Pole on which overhead electric Facilities transition to underground Facilities.

SERVICE ENTRANCE CONDUCTORS - The Customer-owned conductors located between the Customer's main disconnecting device and the termination of the City's service conductors.

SERVICE LOCATION - The point at which the City has agreed to deliver Electric Power to the Premises.

TRENCH – An excavation in which cables, pipes, etc. are installed.

VOLT - Unit of electrical force.