

The entire rate book entitled Cherryland Electric Cooperative – MPSC No. 4, was retired July 17, 2009 in compliance with the Commission's Order in Case No. U-15983 issued on July 16, 2009.

CHERRYLAND ELECTRIC COOPERATIVE

RATE BOOK FOR ELECTRIC SERVICE

These Standard Rules and Regulations and Rate Schedules contained herein have been adopted by the Cooperative to govern its relations with Member-Consumers and have been approved by the Michigan Public Service Commission as an integral part of its Rate Book for Electric Service.

Copies of the Cooperative's Rate Book for Electric Service are available on Cherryland Electric Cooperative's website at the following website address, <http://www.cecelec.com/rates/> or at the Michigan Public Service Commission's website at the following website address, <http://www.michigan.gov/mpsc/0,1607,7-159-16377-118910--,00.html>.

Territory

This Rate Book for Electric Service applies to the entire territory served with Electricity by the Cooperative.

THIS RATE BOOK SUPERSEDES AND CANCELS RATE BOOK

M.P.S.C. No. 3 – Electric

Issued May 7, 2008
By Tony Anderson
General Manager
Grawn, Michigan

Michigan Public Service
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http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Department&Dpt=LG&Level_1=Public+Service+Commission

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	http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46003101&Dpt=CI&RngHigh=48702110	
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TOWNSHIPS SERVED

BENZIE COUNTY

Almira
Colfax
Homestead
Inland
Joyfield
Platte
Weldon

**GRAND TRAVERSE
COUNTY**

Acme
Blair
East Bay
Garfield
Grant
Green Lake
Long Lake
Mayfield
Paradise
Union
Whitewater

KALKASKA COUNTY

Boardman
Clearwater
Kalkaska

WEXFORD COUNTY

Springville
Wexford

**COMMUNITIES
SERVED**

LEELANAU COUNTY

Bingham
Centerville
Elmwood
*Empire
Kasson
Leelanau
Leland
Solon
Suttons Bay

MANISTEE COUNTY

Bear Lake
Brown
Cleon
Dickson
Manistee
Maple Grove
Marilla
Springdale
Pleasanton

Lake Ann
Thompsonville
Interlochen*
Mayfield*
Grawn*

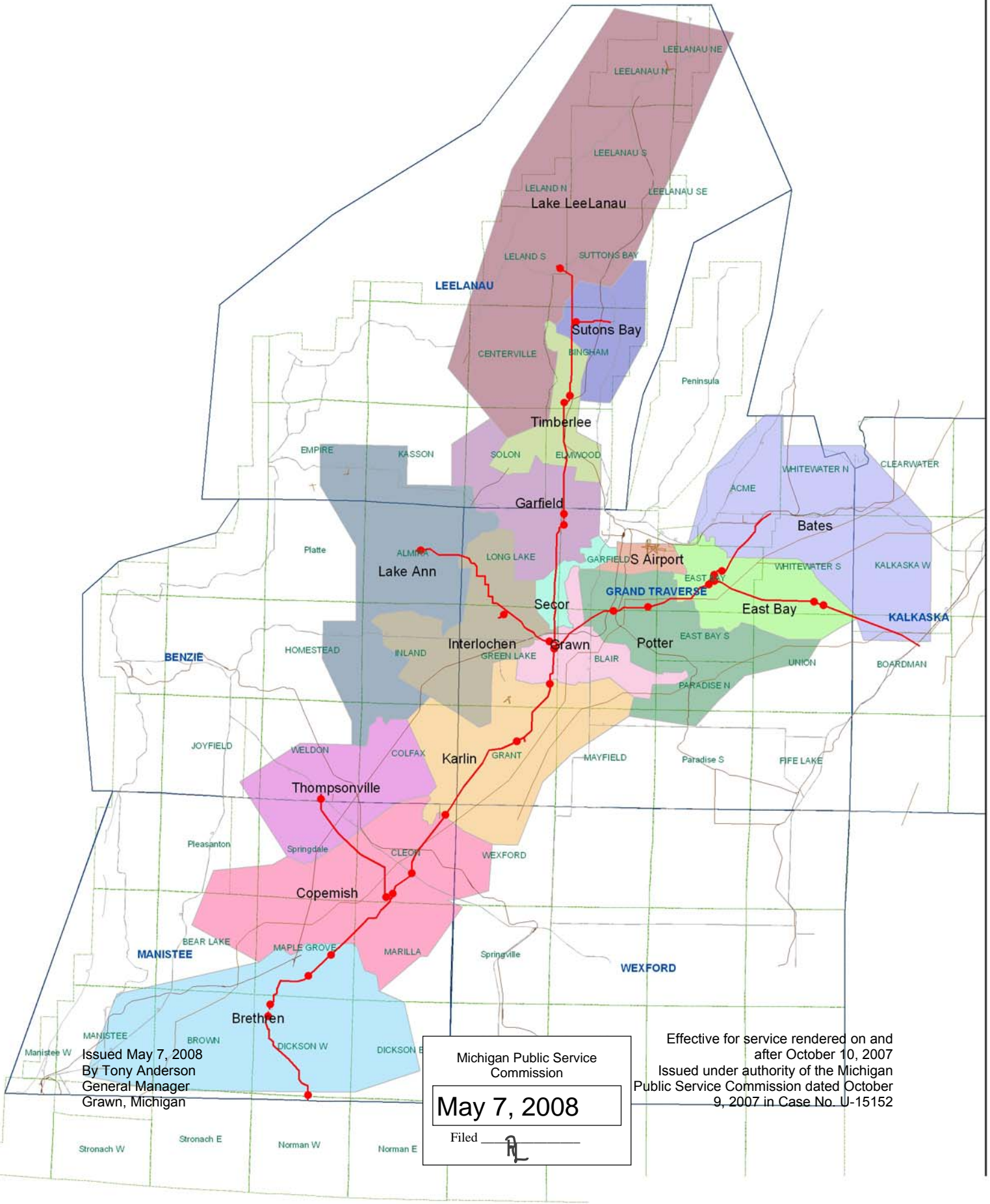
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Effective for service rendered on and after
October 10, 2007

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DEFINITIONS, TECHNICAL TERMS AND ABBREVIATIONS

Cooperative	- Cherryland Electric Cooperative acting through its authorized officers or employees within the scope of their respective duties.
Applicant	- A person , firm or corporation applying for electric service from the Cooperative at one location.
Member-Consumer	- A person, firm or corporation purchasing electric service from the Cooperative under these Rules and Regulations.
Line Extension	- The installation of such facilities as poles, fixtures, transformers, wires and other appurtenances that are necessary to connect a new Member-Consumer or Member-Consumers to the Cooperative's distribution system.
Hertz	- Cycle per second.
Kilowatt (kW)	- Unit of electrical power representing rate of usage of energy; equivalent to 1,000 watts or approximately 1 1/3 horsepower.
Kilowatthour (kWh)	- Unit of electrical energy equivalent to the use of one kilowatt for one hour.
Kilovoltampere (kVA)	- Unit of apparent electrical power which at 100% power factor is equivalent to one kilowatt.
Demand	- The load at the terminals of an installation system average over a specified period of time as expressed in terms of kW, kVA or other suitable units.
Power Factor (PF)	- Ratio of kilowatt power to kilovoltampere apparent power.
Horsepower (hp)	- Unit of mechanical power equivalent to 746 watts of electrical power or approximately 0.75 kW.
Month	- Unless preceded by the word "calendar," the term "month" shall refer to a "billing month."

(Continued on Sheet No. A-6.01)

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DEFINITIONS, TECHNICAL TERMS AND ABBREVIATIONS (Contd)
(Continued from Sheet No. A-6.00)

- | | | |
|---------------------|---|---|
| Billing Month | - | The period between two successive, scheduled meter readings when a Member-Consumer is billed under the provision of a monthly rate schedule. |
| Year | - | Unless preceded by the word “calendar,” the term “year” shall refer to a “billing year.” |
| Billing Year | - | The period between two successive, scheduled meter readings, when a Member-Consumer is billed under the provisions of an annual rate schedule. |
| Permanent Residence | - | A Member-Consumer’s primary place of residence as evidenced by it being their principle mailing address as shown by their voting registration address and their driver’s license. |
| Seasonal Residence | - | A Member-Consumer’s secondary residence, not meeting the definition above of a “permanent residence,” which the Member-Consumer uses on a part time, irregular or seasonal basis for such purposes as vacation, recreation, retreat, etc. |

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SECTION B
ADMINISTRATIVE RULES INDEX

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http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46003101&Dpt=&RngHigh=48702110

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(Continued on Sheet No. B-2.00)

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(Continued from Sheet No. B-1.00)

- B1. SERVICES SUPPLIED BY ELECTRIC UTILITIES (R 460.3101 - R 460.3804) (FOR ALL CUSTOMERS) (Contd)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46003101&Dpt=&RngHigh=48702110

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(Continued from Sheet No. B-2.00)

- B1. SERVICES SUPPLIED BY ELECTRIC UTILITIES (R 460.3101 - R 460.3804) (FOR ALL CUSTOMERS) (Contd)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46003101&Dpt=&RngHigh=48702110

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(Continued from Sheet No. B-3.00)

- B2. CONSUMER STANDARDS AND BILLING PRACTICES FOR ELECTRIC AND GAS
RESIDENTIAL SERVICE (R 460.101 - R 460.169)
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(Continued on Sheet No. B-5.00)

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- B2. CONSUMER STANDARDS AND BILLING PRACTICES FOR ELECTRIC AND GAS
RESIDENTIAL SERVICE (R 460.101 - R 460.169)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000101&Dpt=&RngHigh=48702110

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R 460.131 Publication of procedures.
R 460.132 Access to rules and rates.
R 460.133 Reporting requirements.
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(Continued on Sheet No. B-6.00)

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- B2. CONSUMER STANDARDS AND BILLING PRACTICES FOR ELECTRIC AND GAS
RESIDENTIAL SERVICE (R 460.101 - R 460.169)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000101&Dpt=&RngHigh=48702110

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- B2. CONSUMER STANDARDS AND BILLING PRACTICES FOR ELECTRIC AND GAS
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http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000101&Dpt=&RngHigh=48702110

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http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46002601&Dpt=&RngHigh=48702110

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R 460.2623 Notice of deposit.
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R 460.2625 Disbursement of funds.

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B4. BILLING PRACTICES APPLICABLE TO NON-RESIDENTIAL ELECTRIC AND GAS CUSTOMERS (R 460.1601 - R 460.1640)

http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46001601&Dpt=LG&RngHigh

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- R 460.1615** Delivery and payment of bills.
- R 460.1616** Billing for unregulated service.
- R 460.1617** Billing errors.

(Continued on Sheet No. B-9.00)

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(Continued from Sheet No. B-8.00)

B4. BILLING PRACTICES APPLICABLE TO NON-RESIDENTIAL ELECTRIC AND GAS CUSTOMERS (R 460.1601 - R 460.1640) (Contd)

http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46001601&Dpt=LG&RngHigh

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- R 460.1632** Notice of hearing.
- R 460.1633** Hearing procedures.
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http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000511&Dpt=CI&RngHigh=48702110

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http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000811&Dpt=CI&RngHigh=48702110

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- R 460.812 Purpose.
- R 460.813 Standards of good practice; adoption by reference.
- R 460.814 Exemption from rules; application to Commission; public hearing.

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(STRAY VOLTAGE) (R 460.2701 - R 460.2707)

http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46002701&Dpt=CI&RngHigh=48702110

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- R 460.2702 Measuring animal contact voltage.
- R 460.2703 Action required to mitigate animal contact current.
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- R 460.2707 Protocol to evaluate utility contribution to animal contact current.

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- B8. ELECTRIC INTERCONNECTION AND NET METERING STANDARDS (R 460.601 - R 460.656)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000601&Dpt=LG&RngHigh=

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R 460.618 Interconnection fees.
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R 460.622 Modifications to project.
R 460.624 Insurance.
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R 460.642 Net metering application and fees.
R 460.644 Net metering program size.
R 460.646 Generation and net metering equipment.
R 460.648 Meters.
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(Continued on Sheet No. B-12.00)

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(Continued from Sheet No. B-11.00)

- B9. SERVICE QUALITY AND RELIABILITY STANDARDS FOR ELECTRIC DISTRIBUTION
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http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46000701&Dpt=LG&RngHigh=48702110

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R 460.703 Revision of tariff provisions.

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R 460.742 Criteria for receipt of an incentive.
R 460.743 Disqualification.
R 460.744 Penalty for failure to restore service after an interruption due to catastrophic conditions.
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R 460.747 Multiple billing credits allowed.
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*Waivers may have been granted by the Commission to the Cooperative for certain portions of the administrative rules below .

- B10. PRACTICE AND PROCEDURE BEFORE THE COMMISSION (R 460.17101 - R 460.17701)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46017101&Dpt=CI&RngHigh=48702110
- B11. FILING PROCEDURES FOR ELECTRIC, WASTEWATER, STEAM AND GAS UTILITIES (R 460.2011 - R 460.2031)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46002011&Dpt=CI&RngHigh=48702110
- B12. RESIDENTIAL CONSERVATION PROGRAM STANDARDS (R 460.2401 - R 460.2414)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46002401&Dpt=CI&RngHigh=48702110
- B13. PRESERVATION OF RECORDS OF ELECTRIC, GAS AND WATER UTILITIES (R 460.2501 - R 460.2582)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46002501&Dpt=&RngHigh=48702110
- B14. UNIFORM SYSTEM OF ACCOUNTS FOR MAJOR AND NONMAJOR ELECTRIC UTILITIES (R 460.9001)
http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=46009001&Dpt=CI&RngHigh=48702110
- B15. RATE CASE FILING REQUIREMENTS FOR MAJOR ELECTRIC UTILITIES
http://www.cis.state.mi.us/mpsc/orders/archive/pdfs/U-4771_05-10-1976.PDF

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**SECTION C
COOPERATIVE RULES AND REGULATIONS
(FOR ALL MEMBER-CONSUMERS)**

SECTION I -INTRODUCTION

- A. These rules and regulations set forth the terms and conditions under which electric service will be provided by the Cooperative. They shall apply to all classes of service and shall govern the terms of all contracts for such service except that the Cooperative reserves the right to enter into special contracts subject to the general regulations of the Michigan Public Service Commission (“Commission”). Failure of the Cooperative to enforce any of the terms of these rules and regulations shall not be deemed as a waiver of the right to do so.
- B. Any promises or agreements made by agents or employees of the Cooperative which are not in conformance with these rules and regulations, nor with the terms of special contracts executed by authorized representatives of the Cooperative, shall not have binding effect on the Cooperative.
- C. No ownership rights in any facilities provided by the Cooperative shall pass to any person as a result of any contribution or deposit made under these rules. No deposits or contributions made by Member-Consumers shall be refundable unless expressly so provided in these rules.
- D. Copies of the Cooperative’s Rules and Regulations and Rate Schedules for electric service, as filed with the Commission, are open to public inspection at the Cooperative’s offices and are available upon request.

SECTION II -TERMS AND CONDITIONS OF SERVICE

A. Membership and Electrical Service

Each Applicant for electric service may be required to sign the Cooperative’s “Application for Membership and For Electric Service.” Acceptance of service, with or without a signed application, shall be subject to compliance with the terms of the Standard Rules and Regulations and Rate Schedules as filed with the Commission.

B. Ownership and Responsibility

1. Cooperative Owned Facilities – The Cooperative will normally install, own, operate and maintain all distribution facilities on the supply side of the point of attachment as shown on the Cooperative’s Standard Drawings, including metering equipment. All service entrance conductor wiring from a point of connection to the Cooperative’s service line at

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

a location satisfactory to the Cooperative shall be the responsibility of the Member-Consumer. If building modifications hinder access to metering facilities, create a hazardous condition, or cause a violation of code, the Member-Consumer will be responsible for all costs incurred by the Cooperative to correct these conditions.

- a. Access to Premises – The Member-Consumer shall provide at no expense to the Cooperative suitable space with provisions for installation and maintenance of the Cooperative's facilities on the Member-Consumer's premises. Authorized agents of the Cooperative shall have access to the premises at all reasonable times for construction, operation, maintenance, removal or inspection of the Cooperative's facilities, or to inspect the Member-Consumer's facilities or measure the Member-Consumer's load. Authorized employees and agents shall carry identification furnished by the Cooperative and shall display it upon request. Failure to provide access for any of the above reasons may result in termination of service.
- b. Use of Facilities – The Cooperative will not allow use of its poles or other facilities by others for installations or attachments of any kind without written authorization from the Cooperative. This includes, but is not limited to, electrical or communication equipment, lights, signs and fences. The Cooperative assumes no liability for property owned by others attached to its facilities. Unauthorized attachments to Cooperative facilities may be removed by the Cooperative.
- c. Protection – The Member-Consumer shall use reasonable diligence to protect the Cooperative's facilities located on the Member-Consumer's premises, and to prevent tampering or interference with such facilities. The Cooperative may discontinue service in accordance with any applicable rules of the Commission, in case the meter or wiring on the Member-Consumer's premises has been tampered with or altered in any manner to allow unmetered or improperly metered energy to be used. In case of such unauthorized use of service, the Cooperative will continue service only after the Member-Consumer has agreed to pay for the unmetered energy used, pay all costs of discovery and investigation including rewards for discovery, and make provisions and pay charges for all outdoor meter installation or other metering changes as may be required by the Cooperative. Failure to enter into such an agreement or failure to comply with the terms of such an agreement shall be cause to discontinue service in accordance with any applicable rules of the Cooperative or Commission. Restoration of service will be made upon receipt of reasonable assurance of the Member-Consumer's compliance with the Cooperative's approved Standard Rules and Regulations.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

2. Member-Consumer-Owned Facilities – The Cooperative reserves the right to deny or terminate service to any Member-Consumer whose wiring or equipment shall constitute a hazard to the Cooperative's equipment or its service to others. However, it disclaims any responsibility to inspect the Member-Consumer's wiring, equipment or any subsequent wiring changes or modifications and shall not be held liable for any injury or damage or billing errors resulting from the condition thereof.
- a. The Member-Consumer shall be responsible for inadequate performance of such facilities. Before purchasing equipment or installing wiring, it shall be the Member-Consumer's responsibility to check with the Cooperative as to the characteristics of the service available. Any changes required to bring Member-Consumer's service into compliance with code will be paid for by the Member-Consumer. The Cooperative reserves the right to make reasonable service charges for work performed by Cooperative personnel resulting from malfunction of the Member-Consumer's facilities.
- b. The Member-Consumer shall be responsible for notifying the Cooperative of any additions to or changes in the Member-Consumer's equipment which might exceed the capacity of the Cooperative's facilities, or otherwise affect the quality of service. The Member-Consumer shall also be responsible for the installation of auxiliary or standby equipment and of alarms and protective devices as required to provide reasonable protection in the event of disturbance or interruption of electrical service. The Member-Consumer shall install and maintain the necessary devices to protect the Member-Consumer's equipment against service interruptions and other disturbances on the Cooperative's system, as well as the necessary devices to protect the Cooperative's facilities against overload caused by the Member-Consumer's equipment. Characteristics and installation of all such equipment or devices shall meet the approval of the Cooperative.

C. Use of Service

Each Member-Consumer shall, as soon as electrical service becomes available, purchase from the Cooperative practically all electric energy used on the premise, and shall become liable for all charges incurred in the purchase of said electrical energy from the Cooperative. Standby and/or supplemental on-site generation may be utilized only if approved by the Cooperative and properly connected so as to prevent parallel operations with the Cooperative's system.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

1. Notice of Intent

- a. Application – Prior to use of electric service, each Member-Consumer shall make proper application to the Cooperative, and shall furnish all reasonable information required by the Cooperative. Failure to comply with this requirement may result in refusal by the Cooperative to provide service.

Any Member-Consumer using service without first notifying and enabling the Cooperative to establish a beginning meter reading may be held responsible for any amounts due for service supplied to the premises from time of last reading reported immediately proceeding the Member-Consumer's occupancy.

- b. Termination – Any Member-Consumer desiring termination of service shall so notify the Cooperative a minimum of five (5) working days in advance so the service may be discontinued on a mutually agreeable date. Member-Consumers failing to give proper notice of intent to vacate the premises may be held responsible for use of service until a meter reading acceptable to the Cooperative is obtained.

2. Conditions of Use

The Member-Consumer shall not use the service in any way that causes a safety hazard, endangers the Cooperative's facilities, or disturbs service to other Member-Consumers. Failure to comply with this provision may result in discontinuance of the Member-Consumer's service.

Member-Consumer shall install only such motors or other apparatus or appliances as are suitable for operation with the character of the service supplied by Cooperative, and electric energy must not be used in such a manner as to cause detrimental voltage fluctuations or disturbances in Cooperative's distribution system.

3. Nonstandard Service

Member-Consumers shall be liable for the cost of any special installation necessary to meet particular requirements for service at other than standard voltages or for the supply of closer voltage regulation than required by standard practice.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

The usual supply of electric service shall be subject to the provision of Commission rules, but where special service-supply conditions or problems arise for which provision is not otherwise made, the Cooperative may modify or adapt its supply terms to meet the peculiar requirements of such case.

The Cooperative reserves the right to make special contractual arrangements as to the provision of necessary service facilities, duration of contract, minimum bills, or other service conditions with respect to Member-Consumers whose establishments are remote from the Cooperative's existing suitable facilities, or whose service requirements exceeds the capabilities of the Cooperative system in the area, or otherwise necessitate unusual investments by the Cooperative in service facilities or where the permanence of the service is questionable.

4. Resale of Electric Energy

Member-Consumers shall not resell to, or share with others, any electric service furnished by the Cooperative under the terms of its filed rate schedules not applicable to such resale of energy, unless otherwise authorized by the Commission.

5. Service to Single Metering Points

Where resale of electric service exists, the Cooperative will be under no obligation to furnish or maintain meters or other facilities for the resale of service by the reselling Member-Consumer to the ultimate user.

Electric service will no longer be granted where connection is made to a single metering point for the purpose of resale to the reselling Member-Consumer's ultimate user. Each user will be metered as an individual unit. For the purposes of this rule, resale will also include sales where the electric service is included in the rent.

6. Point of Attachment

Where suitable service is available, the Cooperative will install service connections from its distribution lines to a suitable point of attachment on the Member-Consumer's premises designated by the Cooperative. Where the Member-Consumer requests a point of attachment other than that specified by the Cooperative, and such alternative point of attachment is approved by the Cooperative, the cost of installing additional intermediate supports, wires or fixtures necessary to reach the point of attachment requested by the Member-Consumer, shall be borne by the Member-Consumer.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

Should it become necessary for any cause beyond the Cooperative's control to change the location of the point of attachment of service connections, the entire cost of any changes in the Member-Consumer's wiring made necessary thereby shall be borne by the Member-Consumer.

A service connection will not be made unless the Member-Consumer has installed the Member-Consumer's service entrance facilities in compliance with code requirements and specifications set forth by the Cooperative.

The Member-Consumer may be required to provide at no expense to the Cooperative space for Cooperative facilities on the Member-Consumer's premises.

For overhead service, the location of the point of attachment must be such that the Cooperative's service conductors can be installed without attachment to the building in any other locations.

For underground service, the point of attachment may be on the building, meter pedestal, or other agreed point.

Service will be provided to meter poles for farm service or other service where more than one structure is to be supplied from a single meter. The Member-Consumer shall be required to install a fused disconnect switch on the pole at the Member-Consumer's own expense in accordance with Cooperative specifications.

7. Service to House Trailers, Vans, Buses, Used as Dwelling Units

The Cooperative will make service connection to house trailers, vans, buses, or any other dwelling of a mobile nature without special charges, except as specified herein under Section III, when the Member-Consumer owns the premises and has installed an approved septic tank and well for the Member-Consumer's own use.

If the above conditions are not met, such installation and service facilities shall be considered to be Temporary Service as applicable under Section III, C, 2.

D. Nature and Quality of Service

The Cooperative and its supplier, Wolverine Power Supply Cooperative, Inc. (Wolverine) will endeavor to, but not guarantee to, furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

The Cooperative and Wolverine 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 of character occasioned thereby, due to causes or conditions beyond each Cooperative's control. Such causes or conditions shall be deemed to specifically include, but not be limited to, the following: acts or omissions of Member-Consumers or third parties; operation of safety devices, except when such operation is caused by the gross negligence or malicious acts of the Cooperative; absence of an alternate supply of service; failure, malfunction, breakage, necessary repairs or inspection of machinery, facilities or equipment when the Cooperative and Wolverine have carried on a program of maintenance consistent with the general practices prevailing in the industry; act of God, war; action of the elements; storm or flood; fire; riot; labor dispute or disturbances; or the exercise of authority or regulation by governmental or military authorities.

The Member-Consumer shall be responsible for giving immediate notice to the Cooperative of interruptions or variations in electric service so that appropriate corrective action can be taken.

The Cooperative and Wolverine reserve the right to temporarily interrupt service for construction, repairs, emergency operations, shortages in power supply, safety, and State or National emergencies and shall be under no liability with respect to any such interruptions, curtailment or suspension.

E. Metering and Metering Equipment

The Member-Consumer shall provide, free of expense to the Cooperative and close to the point of service entrance, a space suitable to the Cooperative for the installation of the necessary metering equipment. The Member-Consumer shall permit only authorized agents of the Cooperative or other persons lawfully authorized to do so, to inspect, test or remove the same. If the meters or metering equipment are damaged or destroyed through the neglect of the Member-Consumer, the cost of necessary repairs or replacements shall be paid by the Member-Consumer.

The Cooperative reserves the right to make final decision with respect to methods and equipment used in measurement of loads for billing purposes.

1. Meter Testing - All testing of metering equipment will be done by qualified personnel either Cooperative employees or by independent agents meeting the requirements of both the Cooperative and the Commission. The Cooperative may, at its option, either conduct field tests on the Member-Consumer's premises, or remove metering equipment for shop testing.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

- a. Routine Tests - The Cooperative will, through test procedures established by the Commission, endeavor to maintain its metering equipment with the accuracy limits prescribed by the Commission.
 - b. Tests Requested by Member-Consumer - Tests of individual meters will be made upon request of the Member-Consumer, with payment of a meter test fee in advance of test. The Cooperative reserves the right to refuse to test any meter upon request more frequently than once in six (6) months. If such test reveals meter registration of more than 102% of that of the test equipment, the charge will be refunded and a billing adjustment made. If the meter accuracy is found to be within the plus or minus two percent (2%) accuracy range, the charge will not be refunded and may be sufficient reason to question meter accuracy (for example, a marked increase in metered consumption without a corresponding change in a Member-Consumer's living or working patterns or in the number and kind of appliances or equipment in use on the Member-Consumer's premises), the Cooperative may waive the meter test charge or it may install a second meter, at no charge to the Member-Consumer, to provide check readings.
 - c. Failure to Register - When a meter has stopped, or has failed to register all of the energy used, the Cooperative will make a charge to the Member-Consumer for the energy estimated to have been used.
2. Location of Meters - Meters for all single family residential service will be installed outdoors. Meters for other services may be installed outdoors if they are located so they are protected from traffic and are readily accessible for reading and testing. Meters which must be protected from inclement weather while being serviced or tested shall be located indoors or in a suitable housing where such work can be performed.

Meters located indoors shall be as near as possible to the service entrance in a clean, dry place, reasonably secure from injury, not subject to vibration, and readily accessible for reading and testing.

In cases of multiple buildings such as two-family flats or apartment buildings, if the meters are installed indoors, they shall be located within the premises served or at a common location readily accessible to the tenants and the Cooperative.

An authorized representative of the Cooperative will determine the acceptability of the meter location in all cases.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

F. Special Charges

The Cooperative will make such charges for reasonable special services as necessary to discourage abuse, and to prevent subsidy of such services by other Member-Consumers. The following schedule shall apply where applicable:

Charge for any Special Services at Member-Consumer's Request - (Advance payment requested)

During Regular Working Hours	\$25
Outside Regular Working Hours	55
Meter Reading Charge	15
Meter Test Charge	40

Reconnect Charge at Meter After Discontinuation of Service to Same Member-Consumer

During Regular Working Hours	\$30
Outside Regular Working Hours	\$65

Reconnect Charge at Pole After Discontinuation of Service to Same Member-Consumer

During Regular Working Hours	\$35
Outside Regular Working Hour	\$80
Field Charge for Collection or Tagging of Door	\$20
Bad Check Handling Charge	\$15

G. Other Conditions of Service

1. Service Disconnect - Service to the Member-Consumer's premises may be disconnected by the Cooperative under the following conditions:

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

a. At Member-Consumer's Request

- (1) Upon Termination - The Cooperative will disconnect service with no charge to the Member-Consumer upon due notice as provided elsewhere in these rules. However, if restoration of service at the same location is requested by the same Member-Consumer or property owner(s), a reconnect charge will be applied. The reconnect charge will be increased by the amount of the minimum charge in the applicable rate schedule for the months service was disconnected, provided such reconnect is made during the twelve (12) month period immediately following disconnect.
- (2) For Repairs - The Cooperative will temporarily disconnect service to facilitate repairs or other work on the Member-Consumer's equipment or premises. Special service charges as set forth in Section II, F, will be applicable.

b. At Cooperative's Option - Commercial and Industrial
(Also see Section II, D)

- (1) With Due Notice - The Cooperative may disconnect service upon due notice for any of the following reasons:
 - (a) For violation of these rules and regulations.
 - (b) For failure to fulfill contractual obligations.
 - (c) For failure to provide reasonable access to the Member-Consumer's premises.
 - (d) For failure to pay any bill within the established collection period.
 - (e) For failure to provide deposits as provided elsewhere in these rules.
 - (f) Upon notice from governmental inspection authorities of condemnation of the Member-Consumer's facilities or premises.
 - (g) For fraudulent representation as to the use of service.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

- (2) Without Notice – The Cooperative reserves the right to disconnect service without notice for any of the following reasons:
- (a) Where hazardous conditions exist in Member-Consumer's facilities.
 - (b) Where the Member-Consumer's use of service adversely affects the Cooperative's facilities or service to other Member-Consumers.
 - (c) For unauthorized reconnection after disconnection with due notice.
 - (d) For unauthorized use of or tampering with the Cooperative's service or facilities.
- (3) Reconnect – After service has been discontinued at the Cooperative's option for any of the above reasons, service will be reconnected only after the Member-Consumer has taken necessary corrective action and made satisfactory arrangements for payment of all fees and charges, including any applicable reconnect fees and deposits to guarantee payment for service.
2. Rate Application – The rates specified in this schedule 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 Member-Consumer, unless otherwise provided for in these rules and regulations. In no case may service be shared with another or transmitted off the premises at which it is delivered. Service at different points and at different premises shall be separately metered and separately billed.
- a. Selection of Rates – In some cases the Member-Consumer is eligible to take service under any one or two or more rates. Upon request, the Cooperative will advise the Member-Consumer in the selection of the rate which will give the Member-Consumer the lowest cost of service, based on the information provided to the Cooperative, but the responsibility for the selection of the rate lies with the Member-Consumer.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

After the Member-Consumer has selected the rate under which the Member-Consumer elects to take service, the Member-Consumer will not be permitted to change from that rate to another rate until at least twelve months have elapsed. Neither will the Member-Consumer be permitted to evade this rule by temporarily terminating service. However, the Cooperative may, at its option, waive the provisions of this paragraph where it appears that an earlier change is requested for permanent rather than for temporary or seasonal advantage. The intent of this rule is to prohibit frequent shifts from rate to rate.

No refund will be made of the difference in charges under different rates applicable to the same class of service.

- b. Apartment Buildings and Multiple Dwellings – An apartment building or multiple dwelling shall be considered as one containing nine or more rooms in which single rooms, suites or groups of rooms have individual cooking and kitchen sink accommodations. Service supplied through a single meter to an apartment building or multiple dwelling containing less than three apartments may be billed on the residential service rates on a single Member-Consumer basis. Service supplied through a single meter to an apartment building or multiple dwelling containing three or more apartments shall be billed in accordance with the following provisions:
- (1) Apartment Buildings or Multiple Dwellings Containing Three or Four Apartments – The Member-Consumer may have the option of being billed under either the Residential Service Rate, or the appropriate Commercial and Small Power Service Rate, or Large Power Service Rate. For the purpose of billing under the Residential Service Rate, the initial charge, the kilowatt-hour blocks and the minimum charge shall be multiplied by the number of apartments served through one meter.
 - (2) Apartment Buildings or Multiple Dwellings Containing Five or More Apartments – The Member-Consumer shall be billed under the appropriate Commercial and Small Power Service Rate, or Large Power Service Rate.
 - (3) “Master Metering” will be limited to existing Member-Consumers.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

c. Homes or Dormitories for Groups Other than Private Family Units

Service supplied through a single meter to rooming houses, dormitories, nurses' homes, and other similarly occupied buildings containing sleeping accommodations for more than six persons shall be classified as commercial and billed on the appropriate service rate.

d. Farm Service – Single phase service shall be available to farms for residential use under the Residential Service Rate, and in addition service may be used through the same meter for any purpose as long as such use is confined to service for the culture, processing and handling of products grown or used on the Member-Consumer's farm. Use of service for purposes other than set forth above shall be served and billed on the appropriate Commercial and Small Power Service Rate.

e. Year Round Service – Service to Member-Consumer at the address shown on the Member-Consumer's driver's license and voter's registration card.

f. Seasonal Service – Service to Member-Consumers other than to year-round Member-Consumers.

3. Deposits – Commercial and Industrial

a. Amount of the deposit will be limited to not more than two (2) times the Member-Consumer's estimated maximum bill.

b. Interest on deposits will be accrued at the rate of 7% per year and will be payable annually on request or at time the deposit is returned.

c. Deposits will be refunded when the Member-Consumer has established a satisfactory payment record with the Cooperative. Payment on time of bills for utility service for two (2) years shall be evidence of satisfactory credit.

d. The Cooperative may require a new or increased deposit from an existing Member-Consumer when it determines that the Member-Consumer's payment record with the Cooperative has become unsatisfactory. An unsatisfactory payment record is one consisting of two or more late payments in any twelve (12) month period or one necessitating the discontinuation of energy service.

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SECTION II -TERMS AND CONDITIONS OF SERVICE (Contd)

- e. Failure to make the required deposit as a condition to receiving service shall constitute grounds for discontinuance of service.
- f. Deposits with accrued interest shall be refunded or credited to the final bill after discontinuance of service.

SECTION III -CONSTRUCTION POLICY

This section of the rules and regulations sets forth the terms and conditions under which the Cooperative will construct and extend its facilities to serve new loads and replace, relocate or otherwise modify its facilities.

Except where specifically stated otherwise, service extension policy is based on overhead construction and any financial participation by the Member-Consumers for underground facilities shall be in addition to other charges provided for in these rules.

All applicants for new electric service, with the exception of Outdoor Lighting Service, will be required to deposit in advance of construction a nonrefundable connection charge of \$50.00 for a single-phase service connection. This is a one time service connection charge and successor Member-Consumers will not be required to pay this charge.

Contributions in aid of construction and other deposits made with the Cooperative under the provisions of this section shall be considered nonrefundable except where provisions for refunds are specifically stated.

No refunds will be made in excess of the refundable amount deposited, and deposits shall not bear interest. Refunds, where applicable, will be made in accordance with the terms stated hereinafter.

Each distribution line extension shall be a separate, distinct unit and any further extension therefrom will have no effect upon the agreement under which such extension is constructed.

A. Overhead Extension Policy

1. Residential Service

- a. Charges - For each permanent, year round dwelling, the Cooperative will provide a single-phase line extension excluding service drop at no additional charge for a distance of 600 feet. For each permanent, seasonal type dwelling, the

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SECTION III –CONSTRUCTION POLICY (Contd)

Cooperative will provide at no extra charge a 200 foot extension from a main line distribution feeder. Distribution line extensions in excess of the above footages will require an advance deposit of \$3.25 per foot for all such excess footage. There will also be a nonrefundable contribution equal to the cost of right-of-way and clearing on such excess footage. Three-phase extensions will be on the same basis as Commercial and Industrial.

- b. Measurement - The length of any main line distribution feeder extension will be measured along the route of the extension from the Cooperative's nearest facilities from which the extension can be made to the Member-Consumer's property line. The length of any lateral extension on the Member-Consumer's property shall be measured from the Member-Consumer's property line to the service pole. Should the Cooperative for its own reasons choose a longer route, the applicant will not be charged for the additional distance. However, if the Member-Consumer requests special routing of the line, the Member-Consumer will be required to pay the extra cost resulting from the special routing.
- c. Refunds - During the five (5) year period immediately following the date of payment, the Cooperative will make refunds of the charges paid for a financed extension under provisions of Paragraph a above. The amount of any such refund shall be \$500.00 for each permanent electric service subsequently connected directly to the facilities financed by the Member-Consumer. Directly connected Member-Consumers are those which do not require the construction of more than 300 feet of lateral primary distribution line. Such refunds will be made only to the original contributor if still receiving service at the same location and will not include any amount of contribution in aid of construction for underground service made under the provisions of the Cooperative's underground service policy as set forth in this section. The total refund shall not exceed the refundable portion of the contribution.

2. Commercial or Industrial Service

- a. Cooperative Financed Extensions - Except for contributions in aid of construction for underground service made under the provisions of Section III, B of these rules, the Cooperative will finance the construction cost necessary to extend its facilities to serve commercial or industrial Member-Consumers when such investment does not exceed three (3) times the annual revenue anticipated to be collected from Member-Consumers initially served by the extension.

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SECTION III –CONSTRUCTION POLICY (Contd)

- b. Charges - When the estimated cost of construction of such facilities exceeds the Cooperative's maximum initial investment as defined in Paragraph a, the applicant shall be required to make a deposit in the entire amount of such excess construction costs. Owners or developers of mobile home parks shall be required to deposit the entire amount of the estimated cost of construction, subject to the refund provisions of Paragraph c.
- c. Refunds - That portion of the deposit related to the difference in the cost of underground construction and the equivalent overhead facilities shall be considered nonrefundable.

This amount shall be determined under applicable provisions of the Cooperative's underground service policy as set forth in this section. The Cooperative will make refunds on remaining amounts of deposits collected under the provisions of Paragraph b above in cases where actual experience shows that the electric revenues supplied by the Member-Consumer are sufficient to warrant a greater initial investment by the Cooperative. Such refunds shall be computed as follows:

(1) Original Member-Consumer

At the end of the first complete 12-month period immediately following the date of the initial service, the Cooperative will compute a revised initial investment based on three (3) times the actual revenue provided by the original Member-Consumer in the 12-month period. Any amount by which three times the actual annual revenue exceeds the Cooperative's initial investment will be made available for refund to the Member-Consumer; no such refund shall exceed the amount deposited under provisions of Paragraph b above.

(2) Refunds

Refunds for additional new Member-Consumers directly connected to the finances extensions during the refund period will be governed by Section III, A, 1, c.

3. Service Extensions to Loads of Questionable Permanence

(Continued on Sheet No. C-17.00)

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SECTION III –CONSTRUCTION POLICY (Contd)

When service is requested for loads of questionable permanence, such as, but not limited to, saw mills, mixer plants, gravel pits, oil wells, oil facilities, etc., the Cooperative will install, own, operate and maintain all distribution facilities up to the point of attachment to the Member-Consumer's service equipment subject to the following:

- a. Charges - Prior to the commencement of construction, the Member-Consumer shall make a deposit with the Cooperative in the amount of the Cooperative's estimated construction and removal less cost of salvage. Such estimates shall include the cost of extending the Cooperative distribution facilities and of increasing capacity of its existing facilities to serve the Member-Consumer's load.
- b. Refunds - At the end of each year the Cooperative will make a refund on the amount deposited from revenues derived from the Member-Consumer for electric service from the facilities covered by the deposit. The amount of such refund for any given year or part thereof shall be computed as follows:
 - (1) Year to year for the first four years of the deposit period
 - (a) Twenty percent (20%) of the deposit if this amount is equal to or less than 20% of the new annual revenue, excluding fuel adjustment and sales tax revenues; or,
 - (b) Twenty percent (20%) of the new annual revenue excluding fuel adjustment and sales tax revenues if this amount is less than 20% of the deposit.
 - (2) The final year of the five-year refund period
 - (a) If at the end of the five-year refund period, the total revenue for that period, excluding fuel adjustment and sales tax revenues, is equal to or greater than five (5) times the original deposit, the balance of the deposit will be refunded; or,
 - (b) If at the end of the five-year refund period, the total revenue, excluding fuel adjustment and sales tax revenue, is less than five (5) times the original deposit, the refund for the fifth year will be applied in accordance with 1 (a) or (b) above.

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SECTION III –CONSTRUCTION POLICY (Contd)

No refund is to be made in excess of the deposit and the deposit shall bear no interest.

B. Underground Service Policy

1. General

This portion of the rules provides for the extension and/or replacement of underground electric distribution facilities. The general policy of the Cooperative is that real estate developers, property owners or other applicants for underground service shall make a contribution in aid of construction to the Cooperative in an amount equal to the estimated difference in cost between underground and equivalent overhead facilities.

Methods for determining this cost differential for specific classifications of service are provided herein. In cases where the nature of service or the construction conditions are such that these provisions are not applicable, the general policy stated above shall apply.

The Cooperative, at the request of the developer, will install an underground electric distribution system for all new residential subdivisions, mobile home parks, multiple occupancy building complexes, and commercial subdivisions, in cooperation with the developer or owner, evidenced by a signed agreement, and in compliance with the following specific conditions:

The developer or owners must provide for recorded easements or rights-of-way acceptable to the Cooperative. The easements are to be coordinated with other utilities and will include easements for streetlighting cable.

The developer or owner must provide for grading the easement to finished grade or for clearing the easement of trees, large stumps and obstructions sufficiently to allow trenching equipment to operate. Survey stakes indicating easements, lot lines and grade must be in place. The developer or owner must certify to the Cooperative that the easements are graded to within four (4) inches of final grade before the underground distribution facilities are installed.

(Continued on Sheet No. C-19.00)

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SECTION III –CONSTRUCTION POLICY (Contd)

The developer or owner requesting underground construction must make a nonrefundable contribution to the Cooperative for primary switching cabinets. When a switching cabinet is required exclusively for one Member-Consumer, that Member-Consumer will contribute the actual installed cost of the switching cabinet. When more than one Member-Consumer is served from the switching cabinet, each Member-Consumer's contribution will be the prorated total installed cost of the switching cabinet based on the number of positions required for each Member-Consumer.

If trenching is required where practical difficulties exist, such as in rock or in sodden ground or when boring under streets, driveways, patios or any other paved areas, the per foot charges stated in this rule shall not apply; and the contribution in aid of construction shall be an amount equal to the total cost differential between overhead and underground construction costs, but not less than the amount calculated on the per foot basis.

The developer or owner will be responsible for any costs of relocating Cooperative facilities to accommodate changes in grade or other changes after underground equipment is installed, and also be responsible for any damage to Cooperative facilities caused by the Member-Consumer's operations or the operations of the Member-Consumer's contractors. An amount equal to the total costs involved, including overheads, is required for relocation or rearrangement of facilities whether specifically requested by the developer or owner, or due to the facilities becoming endangered by a change in grade.

An additional amount of \$2.00 per foot shall be added to trenching charges for practical difficulties associated with winter construction in the period from December 15 to March 31 inclusive. This charge will not apply to jobs which are ready for construction and for which the construction meeting has been held prior to November 1.

2. Residential Service

These provisions will apply to permanent dwellings. Mobile homes will be considered permanent dwellings when meeting the Cooperative's requirements for permanent installations.

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SECTION III –CONSTRUCTION POLICY (Contd)

a. New Platted Subdivisions

Distribution facilities in all new residential subdivisions and existing residential subdivisions in which electric distribution facilities have not already been constructed shall be placed underground, except that a lot facing a previously existing street or county road and having an existing overhead distribution line on its side of the street or county road shall be served with an underground service from these facilities and shall be considered a part of the underground service area.

- (1) Distribution System - The Cooperative will install an underground distribution system, including primary and secondary cable and all associated equipment, to provide service to the lot line of each lot in the subdivision.

For the purposes of definition, all one-family and two-family buildings on individual lots are residential. The Cooperative will furnish, install, own and maintain the entire underground electric distribution system including the service lateral cables for new residential subdivisions. The trenches for primary or secondary main cables will be occupied jointly by facilities of the Cooperative and other utilities where satisfactory agreements for reimbursement exists between the Cooperative and other utilities.

The service normally available from the system will be at secondary voltage, single-phase, three wire, 60 Hz. Three phase service will be made available for schools, pumping stations, and other special installations only under terms of a separate agreement. Certain related equipment, such as pad-mounted transformers, switching equipment and service pedestals may be above grade. The area must be suitable for the direct burial installation of cable.

The use of the lot front-foot measurements in these rules shall not be construed to require that the underground electric distribution system be placed at the front of the lot.

Where sewer and/or water lines will parallel Cooperative cables, taps must be extended into each lot for a distance of four (4) feet beyond the route of the cables prior to installation of the cables.

(Continued on Sheet No. C-21.00)

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SECTION III –CONSTRUCTION POLICY (Contd)

The property owner shall not make any changes in established grade in or near the easement that will interfere with utility facilities already installed. In the event the property owner requests relocation of facilities, or such facilities are endangered by change in grade, the property owner shall pay the cost of the relocation or rearrangement of the facilities.

- (a) Charges - Prior to commencement of construction, the owner or developer shall deposit with the Cooperative an amount equal to the estimated cost of construction of the distribution system, but not less than the nonrefundable charges set forth in the following Paragraph (b) below.
- (b) Refunds - That portion of the deposit related to the difference in the cost of underground construction and the equivalent overhead facilities shall be considered nonrefundable. This amount shall be determined by multiplying the sum of the lot front footage for all lots in the subdivision by \$3.00, except for those lots served by an underground service from an overhead distribution line under the provision of Section III, B, 2, a.

Where underground extensions are necessary in unplatted portions of the property, the nonrefundable portion of the deposit shall be computed at the rate of \$4.00 per trench foot. The balance of the deposit shall be made available to the depositor on the following basis:

Following completion of its construction work order covering construction of the distribution system, the Cooperative will refund any amount by which its original estimate exceeds the actual construction costs. During the five (5) year period immediately following completion of the construction, the Cooperative will refund \$500.00 for each permanent residential Member-Consumer connected within the subdivision. Such refunds will be made only to the original depositor and in total shall not exceed the refundable portion of the deposit. The deposit shall bear no interest.

(Continued on Sheet No. C-22.00)

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(Continued from Sheet No. C-21.00)

SECTION III –CONSTRUCTION POLICY (Contd)

- (c) Measurement - The front foot measurement of each lot to be served by a residential underground distribution system shall be made along the contour of the front lot line. The front lot line is that line which usually borders on or is adjacent to a street. However, when streets border on more than one side of a lot, the shortest distance shall be used. In case of a curved lot line which borders on a street or streets and represents at least two (2) sides of the lot, the front foot measurement shall be considered as one-half the total measurement of the curved lot line. The use of the lot front foot measurement in these rules shall not be construed to require that the underground electric distribution facilities be placed at the front of the lot.
- (2) Service Laterals - The Cooperative will install, own, operate and maintain an underground service lateral from termination of its facilities at the property line to a metering point on each new residence in the subdivision.
 - (a) Contribution - For a standard installation the applicant shall make a nonrefundable contribution in aid of construction in the amount of \$3.00 per trench foot.
 - (b) Measurement - The "trench feet" shall be determined by measuring from the termination of Cooperative's facilities at the property line along the route of the lateral trench to a point directly beneath the electric meter.

b. Other Residential Underground Facilities

At the option of the applicant the Cooperative will provide underground facilities from existing overhead facilities in unplatted areas or in subdivisions where overhead electric distribution facilities have been installed.

The Cooperative reserves the right to refuse to install its facilities underground in cases where, in the Cooperative's opinion, such construction would be impractical or present a potential detriment to the service to other Member-Consumers.

(Continued on Sheet No. C-23.00)

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SECTION III –CONSTRUCTION POLICY E (Contd)

The Cooperative may designate portions of existing subdivisions as "underground service areas" where, in the Cooperative's opinion, such designation would be desirable for aesthetic or technical reasons. All future applicants for service in areas so designated will be provided with underground service subject to the applicable provisions of these rules.

(1) Extension of Existing Distribution Systems in Platted Subdivisions

Any such extension shall be considered a distinct, separate unit, and any subsequent extension therefrom shall be treated separately.

- (a) Charges (In Addition to Those Charges Set Forth in Section III, A, 1, a) - Prior to commencement of construction, the applicant shall make a deposit in an amount equal to \$3.00 per foot for the total front footage of all lots which can be directly served in the future from the distribution system installed to serve the initial applicant. Any subsequent applicant for service on these lots shall be required to make a nonrefundable contribution in aid of construction in the amount of \$3.00 per front foot for all lots owned by the subsequent applicant which can be directly served from the original distribution extension.
- (b) Refunds - The Cooperative will make available for refund to the original depositor from amounts contributed in aid of construction by subsequent applicants as provided in Paragraph (a) above, the amount included in the original deposit to cover the front footage of the lots owned by the subsequent applicant. The total amount refunded shall not exceed the amount of the original deposit, and will be made only to the original depositor. The Cooperative will endeavor to maintain records for such purposes but the depositor is ultimately responsible to duly notify the Cooperative of refunds due; any refund not claimed within five (5) years after completion of construction shall be forfeited. Refunds made under the provisions of the paragraph shall be in addition to refunds made under the Cooperative's overhead extension policy.

(Continued on Sheet No. C-24.00)

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SECTION III –CONSTRUCTION POLICY (Contd)

- (c) Measurement - The lot front footage used in computing charges and contributions in Paragraph (a) above shall be measured the same as for new subdivisions as set forth in Section III, B, 2, a, (1), (c).

The front footage used in determining the amount of the original deposit or any refunds of subsequent contributions shall include only the frontage of lots directly served by the distribution system extension covered by the original deposit.

- (2) Distribution Systems in Unplatted Areas - The Cooperative will extend its primary or secondary distribution system from existing overhead or underground facilities. When any such extension is made from an existing overhead system, the property owner may be required to provide an easement for extension of the overhead system to a pole on his property where transition from overhead to underground can be made.

Contribution - Prior to commencement of construction, the applicant shall make a contribution in aid of construction in the amount equal to the difference between the estimated overhead construction costs and the underground construction costs, plus a deposit based on the Cooperative's overhead extension policy. Refunds will be based on the overhead extension refund policy and shall apply only to that portion related to the overhead deposit.

- (3) Service Laterals - The Cooperative will install, own, operate and maintain an underground service lateral from the termination of its primary or secondary system to a metering point on each new residence to be served. Such underground service laterals may be served either from an underground or overhead system.

- (a) Contribution - When a service lateral is connected to an underground system, the applicant shall make a nonrefundable contribution in aid of construction in the amount equal to the product of the trench length in feet multiplied by \$3.00. When the service lateral is connected to existing overhead facilities, the contribution shall be \$50.00 plus \$3.00 per trench foot.

(Continued on Sheet No. C-25.00)

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(Continued from Sheet No. C-24.00)

SECTION III –CONSTRUCTION POLICY (Contd)

- (b) Measurement - The "trench length" shall be determined by measuring from the pole or underground secondary terminal to which the service lateral is connected along the route of the lateral trench to a point directly beneath the electric meter.

3. Nonresidential Service

- a. Commercial Service - Distribution facilities in the vicinity of new commercial loads and built solely to serve such loads will be placed underground. This includes service to all buildings used primarily for business purposes, where the major activity is the sale of goods or services at wholesale or retail. This category shall include, but not be limited to, apartment houses, motels and shopping centers.

It shall not be mandatory that any new commercial or industrial distribution systems or service connections be placed underground where, in the Cooperative's judgment, any of the following conditions exist:

- (1) Such facilities would serve commercial or industrial Member-Consumers having loads of temporary duration; or
- (2) Such facilities would serve commercial or industrial Member-Consumers in areas where little aesthetic improvement would be realized if such facilities were placed underground; or
- (3) Such facilities would serve commercial or industrial Member-Consumers in areas where it is impractical to design and place such facilities underground because of uncertainty of the size and character of the loads to be ultimately served therefrom.

The Cooperative will furnish, install, own and maintain the entire underground electric distribution system including the service lateral cables for new commercial subdivisions. Generally, the trenches will be occupied jointly by facilities of the Cooperative and other utilities where satisfactory agreement for reimbursement exists between the Cooperative and the other utilities.

(Continued on Sheet No. C-26.00)

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(Continued from Sheet No. C-25.00)

SECTION III –CONSTRUCTION POLICY (Contd)

The service for individual Member-Consumers within a commercial subdivision will be furnished as provided for in Underground Service Connections. Certain related equipment, such as pad-mounted transformers, switching; equipment and service pedestals, may be above-grade.

In the event the developer, owner, Member-Consumer or tenant requests relocation of facilities which are endangered by change in grade, the total cost of relocation or rearrangement of the facilities shall be borne by the requesting party.

The Cooperative will install underground service connections to commercial and industrial Member-Consumers and other installations within designated underground districts in cooperation with the developer or owner, evidenced by a separate signed agreement, subject to the following specific conditions:

When required, the developer or owner must provide suitable space and the necessary foundations and/or vaults for equipment and provide trenching, back-filling, conduits and manholes acceptable to the Cooperative for installation of cables on his property.

- (1) Contribution - For standard installation of distribution facilities, the applicant shall make a nonrefundable contribution in aid of construction in the amount equal to the product of the total of trench length in feet to the point of beginning service multiplied by \$5.30.

Transformers will be charged on an installed basis of \$6.00 per kVA.

Service, as this term is generally understood in the electric utility field (on Member-Consumer's property), is charged on the basis of \$6.00 per trench foot.

- (2) Measurement - "Trench length" shall be determined by measuring along the centerline of the trench as follows:
- (a) Primary Extensions - shall be measured along the route of the primary cable from the transition pole to each transformer or other primary termination.

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(Continued from Sheet No. C-26.00)

SECTION III –CONSTRUCTION POLICY (Contd)

- (b) Secondary Extensions - shall be measured from each transformer or other secondary supply terminal along the route of the secondary cable to each secondary pedestal or termination. No charge will be made for secondary cable laid in the same trench with primary cable.
 - (c) Service Laterals - shall be measured from the pole or underground Secondary terminal to which the service lateral is connected along the route of the lateral trench to the point of connection to the Member-Consumer's facilities. No charge will be made for service laterals laid in the same trench with primary or Secondary cable.
- b. Industrial Service - Distribution facilities in the vicinity of new industrial loads and built solely to serve such loads will be placed underground at the option of the applicant. This includes service to all buildings used primarily for the assembly, processing or manufacturing of goods.

Contribution - The applicant shall make a contribution according to the provisions above for commercial service.
- c. Mobile Home Parks - Distribution facilities in new mobile home parks shall be placed underground. Extension from existing overhead systems in mobile home parks will be placed underground at the option of the park owner.

The Cooperative will furnish, install, own and maintain the entire underground electric distribution system including the pre-meter portion of the service lateral cables for new mobile home parks. The trenches for primary or secondary main cables will be occupied jointly by facilities of the Cooperative and other utilities where satisfactory agreement for reimbursement exists between the Cooperative and the other utilities.

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SECTION III –CONSTRUCTION POLICY (Contd)

The service for tenant loads normally available from the system will be at secondary voltage, single-phase, 120/240 volt, three wire, 60 Hz. Three-phase service will be made available for pumps and service installations only under terms of a separate agreement. Certain related equipment, such as pad-mounted transformers, switching equipment, and service pedestals may be above-grade. The area must be suitable for the direct burial installation of cable.

This service is limited to mobile home parks in which the service is metered by the Cooperative at secondary voltage.

Cooperative cables shall be separated by at least five feet from paralleling underground facilities which do not share the same trench. The park owner's cable systems, such as community antenna systems, should be in separate trenches, if possible. Subject to an agreement with the Cooperative, these cable systems may occupy the same trench. The park owner must agree to pay a share of the trenching cost plus the extra cost of the additional backfill if required and agree to notify the other using utilities when maintenance of the park owner's cables requires digging in the easement.

The park owner must provide for each mobile home lot a meter pedestal of a design acceptable to the Cooperative.

In the event the park owner requests relocation of facilities or such facilities are endangered by change in grade, the park owner shall pay the cost of the relocation or rearrangement of the facilities.

- (1) Contribution - The park owner shall be required to make a nonrefundable contribution in aid of construction as follows:
 - (a) Primary and Secondary Extensions - An amount equal to the product of the total trench length in feet multiplied by \$5.30.
 - (b) Service Loops or Laterals - An amount equal to the product of the total trench length in feet multiplied by \$3.00.
 - (c) Transformers - \$6.00 per kVA.

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SECTION III –CONSTRUCTION POLICY (Contd)

- (d) Measurement - The "trench length" shall be measured the same as provided for measurement of cable trench in commercial installations.

4. Other Conditions

- a. Obstacles to Construction - Where unusual construction costs are incurred by the Cooperative due to physical obstacles such as, but not limited to: rock, surface water, frost, other utility facilities, heavy concentration of tree roots, or roadway crossings, the applicant shall make a nonrefundable contribution in aid of construction equal to the estimated difference in cost of the underground installation and that of equivalent overhead facilities. In no case shall this contribution be less than the per foot charges above for the type of service involved. The Cooperative reserves the right to refuse to place its facilities under road or railroad rights-of-way in cases where, in the Cooperative's judgment, such construction is impractical.
- b. Contribution - Prior to commencement of construction, the applicant shall make a contribution in aid of construction as required by the underground extension rules plus a contribution based on the Cooperative's overhead extension policy. Refunds will be based on the overhead extension refund policy and shall apply only to that portion related to the overhead contribution.
- c. Geographical Exceptions - These rules apply uniformly to all portions of the Cooperative's service area.
- d. Replacement of Overhead Facilities - Existing overhead electric distribution service lines may, at the request of an applicant(s), be replaced with underground facilities where, in the opinion of the Cooperative, such replacement will not be detrimental to the electric service to other Member-Consumers.

Before construction is started, the applicant(s) shall be required to pay the Cooperative the depreciated cost (net cost) of the existing overhead facilities plus the cost of removal less the value of materials salvaged and also make a contribution in aid of construction toward the installation of underground facilities in an amount equal to the estimated difference in cost between the underground facilities and equivalent new overhead facilities.

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SECTION III –CONSTRUCTION POLICY (Contd)

- e. Underground Installations for Cooperative's Convenience - Where the Cooperative, for its own convenience, installs its facilities underground, the differential between estimated overhead construction costs and underground costs of such installation will be borne by the Cooperative. All other costs will be governed by the Cooperative's Overhead Extension Policy.
- f. Underground Extensions on Adjacent Lands - when a primary extension to serve an applicant or group of applicants must cross adjacent lands on which underground construction is required by the property owner (such as on State or Federal lands) the applicant(s) shall make a contribution equal to the estimated difference in cost between the underground and equivalent overhead facilities. The Cooperative may establish a per foot charge to be considered the difference in cost. Such charge shall be adjusted from time to time to reflect the Cooperative's actual construction cost experience.
- g. Local Ordinances - The Cooperative reserves the right, where local ordinance requirements are more stringent than these rules, to apply to the Commission for such relief as may be necessary.

C. Miscellaneous General Construction Policy

Except where specifically designated as overhead or underground construction policies, the following general policies will be applied to either overhead or underground construction:

- 1. Easements and Permits
 - a. New Residential Subdivisions - The developer of a new residential subdivision shall cause to be recorded with the plat of the subdivision a public utility easement approved by the Cooperative for the entire plat. Such easement shall include a legal description of areas within the plat which are dedicated for utility purposes, and also other restrictions as shall be determined by the Cooperative for construction, operation maintenance and protection of its facilities.

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SECTION III –CONSTRUCTION POLICY (Contd)

- b. Other Easement and Permits - Where suitable easements do not exist, the Cooperative will provide the necessary easement forms, and solicit their execution. The applicant(s), as a condition of service, will be ultimately responsible for obtaining all easements and permits as required by the Cooperative, for construction, operation, maintenance and protection of the facilities to be constructed. Where State or Federal lands are to be crossed to extend service to an applicant or group of applicants, the additional cost incurred by the Cooperative for rights-of-way and permit fees shall be borne by the applicant(s).

2. Temporary Service

Member-Consumers desiring temporary service for a short time only, such as for construction jobs, traveling shows, outdoor or indoor entertainments or exhibitions, etc., shall pay the charge per Member-Consumer per month provided in applicable rate schedules. In addition, such Member-Consumer shall pay installation and removal charges as follows:

- a. When 120/240 volt single-phase service is desired and when such service can be provided at the site without exceeding 100 feet overhead or 10 feet underground at the time temporary service is desired, the charge for installation and removal of temporary, single-phase, three wire, 120/240 volt service shall be:
- | | | |
|-----|--|---------|
| (1) | For temporary overhead service | \$55.00 |
| (2) | For temporary underground service, during the period from April 1 to December 14 | \$60.00 |
| (3) | For temporary underground service, during the period from December 15 to March 31. | \$75.00 |
- b. When 120/240 volt single-phase service is desired, and requires more than 100 feet overhead or 10 feet underground of extension, or if other than 120/240 volt single-phase service is desired, the charge for installation and removal shall be based on the cost thereof.

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(Continued from Sheet No. C-31.00)

SECTION III –CONSTRUCTION POLICY (Contd)

The Member-Consumer shall be required to deposit in advance of construction with the Cooperative an amount (in excess of any salvage realized) to cover the cost of, installing and removing, temporary facilities plus, the estimated cost of service under the terms of applicable rate schedules. Meters may be read daily and the deposit modified as the energy used may justify such modifications.

If service extends for a period in excess of six consecutive months, the Member-Consumer may qualify for other of the Cooperative's available rates, provided the Member-Consumer meets all of the applicable provisions of the filed tariffs.

3. Moving of Buildings or Equipment

When the Cooperative is requested to assist in the moving of buildings or equipment through, under or over the Cooperative's distribution lines, the Cooperative will require a deposit from the mover in advance of providing such assistance. The amount of the deposit required will be based upon the Cooperative's estimate of the probable cost, but in no event will the required deposit be less than \$100. Upon completion of moving assistance, the Cooperative will determine actual costs and will bill or credit the mover according to the difference between actual costs and the deposit, except that the minimum actual cost will not be less than \$100. Actual costs will be determined in accordance with the following:

a. Within regular working hours

- (1) Average individual wage rate applicable to employee(s) involved.
- (2) Actual material used.
- (3) Appropriate overhead charges.

b. Outside regular working hours

- (1) Overtime wage rate applicable to employee(s) involved.
- (2) Actual materials used.
- (3) Appropriate overhead charges.

(Continued on Sheet No. C-33.00)

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(Continued from Sheet No. C-32.00)

SECTION III –CONSTRUCTION POLICY (Contd)

- c. The minimum billing for moving assistance shall not be less than \$100.00.

4. Relocation of Facilities

- a. The Cooperative will cooperate with political subdivisions in the construction improvement or rehabilitation of public streets and highways. It is expected that the Cooperative will receive reasonable notice so that any required relocation work can be properly scheduled.
- b. If the Cooperative's poles, anchors or other appurtenances are located within the confines of the public right-of-way, the Cooperative will make the necessary relocation at its own expense with exceptions:
- (1) The facilities were originally installed within the confines of the public right-of-way at the request of the political entity.
 - (2) Existing facilities being within the confines of a new public right-of-way obtained after the construction of the Cooperative's facilities.
 - (3) The facilities provide public services such as lighting, traffic signals, etc.
- c. If the Cooperative's poles, anchors or other appurtenances are located on private property, the political subdivision must agree in advance to reimburse the Cooperative for any expenses involved in relocating its facilities.
- d. When the Cooperative is requested to relocate its facilities for reasons other than road improvements, any expense involved will be paid for by the firm person or persons requesting the relocation, unless one or more of the following conditions are met:
- (1) The relocation is made for the convenience of the Cooperative.
 - (2) The relocation is associated with other regularly scheduled conversion or construction work at the same location and can be done at the same time.

(Continued on Sheet No. C-34.00)

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(Continued from Sheet No. C-33.00)

SECTION III –CONSTRUCTION POLICY (Contd)

- e. Before actual relocation work is performed under Paragraph III, C, 4, c and d above, the Cooperative will estimate the cost of moving the poles, anchors or other appurtenances and an advance deposit in the amount of the estimate must be received from the firm person or persons requesting such relocation. Upon completion of relocation work, the Cooperative will determine the actual costs of the relocation, and the firm person or persons requesting the relocation will be billed or credited for the difference between the advance deposit and the actual cost.

5. Construction Schedules

Scheduling of construction shall be done on a basis mutually agreeable to the Cooperative and the applicant. The Cooperative reserves the right not to begin construction until the Member-Consumer has demonstrated to the Cooperative's satisfaction his intent to proceed in good faith with installation of the Member-Consumer's facilities by acquiring property ownership, obtaining all necessary permits and/or, in the case of mobile homes, meeting the Cooperative's requirements for permanency.

6. Design of Facilities

The Cooperative reserves the right to make final determination of selection, application, location, routing and design of its facilities. Where excessive construction costs are incurred by the Cooperative at the request of the Member-Consumer, the Member-Consumer may be required to reimburse the Cooperative for such excess costs.

7. Billing

For Member-Consumer(s) who fail to take service two (2) months after an extension has been completed to the premises and within the time period requested by the Member-Consumer(s), the Cooperative shall have the right, after said two (2) month period, to commence billing the Member-Consumer under the Cooperative's applicable rates and rules for the type of service requested by the Member-Consumer(s).

(Continued on Sheet No. C-35.00)

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(Continued from Sheet No. C-34.00)

SECTION IV - EMERGENCY ELECTRICAL PROCEDURES

A. General

Emergency electrical procedures may be necessary if there is a shortage in the electrical energy supply to meet the demands of Member-Consumers in the electrical service area. It is recognized that such deficiencies can be short-term (a few hours) or long-term (more than a few hours) in duration; and, in view of the difference in nature between short- and long-term deficiencies, different and appropriate procedures shall be adopted for each.

Essential health and safety Member-Consumers given special consideration in these procedures shall, insofar as the situation permits, include the following types of Member-Consumers and such other Member-Consumers or types of Member-Consumers which the Commission may subsequently identify:

1. "Governmental Detention Institutions," which will be limited to those facilities used for the detention of persons.
2. "Fire Stations," which will be limited to attended, publicly-owned facilities housing mobile fire fighting apparatus.
3. "Hospitals," which will be limited to institutions providing medical care to patients and where surgical procedures are performed.
4. Life support equipment such as a kidney machine or respirator, used to sustain the life of a person.
5. "Water Pumping Plants," which will be limited to publicly-owned facilities essential to the supply of potable water to a community.
6. "Sewage Plants," which will be limited to publicly-owned facilities essential to the collection, treatment or disposal of a community's sewage.
7. Radio and television stations utilized for the transmittal of emergency messages and public information broadcasts related to these procedures.

Although these types of Member-Consumers will be given special consideration from the manual load shedding provisions of this procedure, they are encouraged to install emergency generation equipment if continuity of service is essential. It is known that some of the township fire departments in the more rural parts of Michigan have portable generation equipment available. Maximum use should be made of these facilities.

(Continued on Sheet No. C-36.00)

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(Continued from Sheet No. C-35.00)

SECTION IV - EMERGENCY ELECTRICAL PROCEDURES (Contd)

In the case of Member-Consumers supplied from two utility sources, only one source will be given special consideration. Other Member-Consumers, who, in their opinion, have critical equipment or circumstances, should install emergency battery or portable generating equipment.

The Commission will be promptly advised of the nature, time and duration of all implemented emergency conditions, and procedures which affect normal service to Member-Consumers. The Commission may order the implementation of additional procedures or the termination of the procedures previously employed when circumstances so require.

As may be appropriate in accordance with the nature of the occurring or anticipated emergency, the Cooperative will initiate the following procedures.

B. Sudden or Unanticipated Short-Term Capacity Shortage

In the event of a sudden decline of the frequency on the system or a sudden breakup which isolates all or parts of the system or power pool from other electric systems with which it is interconnected and which results in the area so isolated being deficient in electric generation, with consequent rapid decline in frequency:

1. Every effort will be made to maintain at least partial service to the system by means of predetermined load shedding of selected transmission and/or distribution circuits. The Cooperative will make every reasonable effort to provide continuous service to essential health and safety Member-Consumers.
2. With no substantial generation of its own and being to a great extent dependent on outside sources for energy, the Short-Term, Sudden, Unanticipated Capacity Shortage may result in temporary complete loss of service to the Cooperative. However, the Cooperative will make every effort to resume service to essential Member-Consumers as soon as practicable.

C. Anticipated or Predictable Short-Term Capacity Shortages in the Cooperative System

In the event an emergency condition of short-term duration is anticipated or predicted which cannot be relieved by sources of generation within or outside the system serving as the Cooperative source of energy, the following steps will be taken at the appropriate time and in the order appropriate to the situation:

(Continued on Sheet No. C-37.00)

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(Continued from Sheet No. C-36.00)

SECTION IV - EMERGENCY ELECTRICAL PROCEDURES (Contd)

1. The internal demand of substations, offices and other premises owned by the Cooperative will be reduced to the largest extent consistent with the maintenance of service.
2. Service will be interrupted to loads rendered service under interruptible tariffs.
3. Voltage will be reduced not more than six percent.
4. Voluntary load reductions will be requested of large commercial and industrial Member-Consumers by procedures established in their respective load management plans.
5. Voluntary load reductions will be requested of all other Member-Consumers through appropriate media appeals.
6. Load shedding of firm Member-Consumer loads will be initiated. Service so interrupted shall be of selected distribution circuits throughout the Cooperative area. Such interruptions shall be consistent with the criteria established for essential health and safety Member-Consumers and will, insofar as practicable, be alternated among circuits. Records will be maintained to insure that during subsequent capacity shortages, service interruptions may be rotated throughout the Cooperative service area in an equitable manner.

D. Long-Term Capacity or Fuel Shortage

The following actions will be implemented until it is determined by the Cooperative energy suppliers that any or all actions may be terminated. The public will be immediately advised through appropriate media sources of the implementation of these procedures. If an emergency situation of long-term duration arises out of a long-term capacity or fuel shortage in the area which cannot be relieved by sources of generation within or outside the system, the following actions will be taken in the order noted as required.

1. Curtail use during hours of maximum system demand of non-essential energy on premises controlled by the Cooperative including parking and large area lighting and interior lighting, except lighting required for security and safety, and other uses of energy both during and outside normal business hours.

(Continued on Sheet No. C-38.00)

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(Continued from Sheet No. C-37.00)

SECTION IV - EMERGENCY ELECTRICAL PROCEDURES (Contd)

2. Initiate voluntary energy curtailment during hours of maximum system demand of all Member-Consumers by requesting, through mass communication media, voluntary curtailment by all Member-Consumers of a minimum of ten percent of their electric use. This use will include lighting, air conditioning, heating, manufacturing processes, cooking, refrigeration, clothes washing and drying, and any other loads that can be curtailed or deferred to off-peak hours.
3. Implement procedures for interruption of selected distribution circuits during the period of maximum system demand on a rotational basis in accordance with specified load reduction amounts minimizing interruption to facilities which are essential to the public health and safety. The length of an interruption of any selected circuit should not exceed two hours and the total interruption should not exceed four hours in any 24-hour period without prior notification to the Commission.

If the above actions are made necessary because of a long-term fuel shortage, they will be continued in the order taken to maintain as nearly as possible a 30-day fuel supply.

E. Emergency Procedures of Wholesale Suppliers

Where appropriate, the emergency procedures will be the same as those placed in effect by the Cooperative's wholesale for resale energy supplier.

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SECTION D
RATE SCHEDULES

Power Supply Cost Recovery Clause

This clause permits the monthly adjustment of rates for power supply to allow recovery of the booked costs of purchased power incurred under reasonable and prudent policies and practices.

For purposes of this clause, the following definitions apply:

“Power supply cost recovery factor” means that element of the rates to be charged for electric service to reflect power supply costs incurred and made pursuant to a power supply cost recovery clause incorporated in the rates or rate schedule.

“Power supply cost recovery plan” means a filing made annually describing the expected sources of electric power supply and changes over a future 12-month period specified by the Commission and requesting for each of those 12 months a specified power supply cost recovery factor.

“Power supply costs” means those elements of the costs of purchased power as determined by the Commission to be included in the calculation of the power supply cost recovery factor.

The Power Supply Cost Recovery factor shall, in accordance with the hearing procedures adopted by the Michigan Public Service Commission, consist of 0.0107 mills per kilowatt-hour for each full .01 mills per kWh, of power supply costs, less the allowance for cost of power supply included in base rates, rounded to the nearest .01 mills per kilowatt-hour. The power supply cost recovery factor to be applied to Cherryland Electric Cooperative “Cooperative” retail Member-Consumers’ monthly kilowatt-hour usage represents the power supply costs as established by Commission Order pursuant to a power supply and cost review hearing conducted by the Commission. The power supply and cost review will be conducted not less than once a year for the purpose of evaluating the power supply cost recovery plan filed by Cooperative and to authorize appropriate power supply cost recovery factors.

Not more than 45 days following the last day of each billing month in which a power supply cost recovery factor has been applied to Member-Consumers’ bills, Cooperative shall file with the Commission a detailed statement for that month of the revenues recorded pursuant to the power supply cost recovery factor and the allowance for cost of power included in the base rates established in the latest Commission order for Cooperative and the cost of power supply.

Not less than once a year and not later than 4 months after the end of the 12 month period covered by Cooperative’s most recently authorized power supply cost recovery plan, a power supply cost reconciliation proceeding will be conducted to reconcile the revenues recorded pursuant to the power

(Continued on Sheet No. D-1.01)

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Power Supply Cost Recovery Clause
(Continued from Sheet No. D-1.00)

supply cost recovery factor and the allowance for cost of power included in the base rates as established by the Commission under Cooperative's most recent power supply cost recovery plan, among other things. Cooperative shall be required to refund to Member-Consumers, or to credit to Member-Consumers' bills any net amount determined to have been recovered which is in excess of the amounts actually expended by Cooperative for power supply. Cooperative shall recover from Member-Consumers any net amount by which the amount determined to have been recovered over the period covered was less than the amount determined to have been actually expended by Cooperative for power supply.

For the twelve (12) month period ending December, 2009 the Power Supply Cost Recovery Factor is \$0.01506 per kWh . The allowance for cost of power supply included in base rates is \$0.05868 per kWh.

Should the Cooperative apply lesser factors than those above, or if the factors are later revised pursuant to Commission Orders or 1982 PA 304, the Cooperative will notify the Commission and file a revision of the above factor.

The following factors are applied pursuant to 1982 PA 304 in the 12 billing months ending December 2009:

<u>Year</u>	<u>Month</u>	Maximum Authorized 2009 PSCR <u>Factor</u> (per kWh)	Actual Factor <u>Billed</u> (per kWh)
2009	January	\$0.01506	\$0.01000
2009	February	\$0.01506	\$0.01200
2009	March	\$0.01506	\$0.01400
2009	April	\$0.01506	\$0.01506
2009	May	\$0.01506	\$0.01506
2009	June	\$0.01506	\$0.01506
2009	July	\$0.01506	\$0.01506
2009	August	\$0.01506	\$0.01506
2009	September	\$0.01506	
2009	October	\$0.01506	
2009	November	\$0.01506	
2009	December	\$0.01506	

(Continued on Sheet No. D-1.02)

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Power Supply Cost Recovery Clause
(Continued from Sheet No. D-1.01)

supply cost recovery factor and the allowance for cost of power included in the base rates as established by the Commission under Cooperative's most recent power supply cost recovery plan, among other things. Cooperative shall be required to refund to Member-Consumers, or to credit to Member-Consumers' bills any net amount determined to have been recovered which is in excess of the amounts actually expensed by Cooperative for power supply. Cooperative shall recover from Member-Consumers any net amount by which the amount determined to have been recovered over the period covered was less than the amount determined to have been actually expensed by Cooperative for power supply.

For the twelve (12) month period ending December, 2009 the Power Supply Cost Recovery Factor is \$0.01603 per kWh . The allowance for cost of power supply included in base rates is \$0.05868 per kWh.

Should the Cooperative apply lesser factors than those above, or if the factors are later revised pursuant to Commission Orders or 1982 PA 304, the Cooperative will notify the Commission and file a revision of the above factor.

The following factors are applied pursuant to 1982 PA 304 in the 12 billing months ending December 2008:

<u>Year</u>	<u>Month</u>	Maximum Authorized 2008 PSCR Factor (per kWh)	Actual Factor Billed (per kWh)
2008	January	\$0.01603	\$0.01603
2008	February	\$0.01603	\$0.01603
2008	March	\$0.01603	\$0.01603
2008	April	\$0.01603	\$0.01603
2008	May	\$0.01603	\$0.01603
2008	June	\$0.01603	\$0.01603
2008	July	\$0.01603	\$0.01491
2008	August	\$0.01603	\$0.01491
2008	September	\$0.01603	\$0.00450
2008	October	\$0.01603	\$0.00450
2008	November	\$0.01603	\$0.00450
2008	December	\$0.01603	\$0.00000

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ENERGY OPTIMIZATION PROGRAM CLAUSE

This clause permits, pursuant to Section 89 of 2008 PA 295, the adjustment of distribution rates, via the application of an Energy Optimization Surcharge, to allow recovery of the energy optimization program costs incurred by the Cooperative in compliance with Section 89 of 2008 PA 295.

An energy optimization cost reconciliation shall be conducted at the conclusion of 2009 (filed by April 30, 2010) and annually thereafter.

The approved Energy Optimization Surcharges are shown below.

ENERGY OPTIMIZATION SURCHARGES

<u>Sheet No.</u>	<u>Rate Schedule</u>	<u>2009-2011</u> <u>\$/kWh</u>
D-5.00	Schedule A – Farm and Home Service	\$0.00143
D-6.00	Schedule AS – Seasonal Residential Service	\$0.00143

<u>Sheet No.</u>	<u>Rate Schedule</u>	<u>2009-2011</u> <u>\$/meter/month</u>
D-7.00	Schedule C –General Service	\$1.64
D-12.00	Schedule LCI – Large Commercial and Industrial Service	\$247.81
D-13.00	Schedule LP – Large General Service	\$26.36
D-14.00	Schedule LPTOD - Optional Large Power Time-of-Day Service	\$26.36
D-16.00	Schedule OTD – Optional Irrigation Time-of-Day Service	\$1.64
D-17.00	Schedule PSDS – Primary Service Rate	\$497.36

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dated **May 12, 2009** in Case No. **U-15815**

Requirements for Pole Attachments

The Cooperative may permit a cable television company or other attaching party (as defined in paragraph 1(a) of 1980 PA 470; MCLA 460.6g) to make attachments to its poles, ducts or conduits pursuant to contract between the Cooperative and the attaching party. Upon execution, copies of such contracts shall be filed with the Michigan Public Service Commission. Effective April 1, 1997, the annual pole attachment rate shall be \$3.74 per pole per year.

Attaching parties must obtain any necessary authorizations to occupy public or private rights-of-ways prior to execution of a contract with the Cooperative.

This sheet shall not apply to attachments made or proposed to be made by utilities (as defined in paragraph 1(d) of 1980 PA 470) to the facilities of the Cooperative.

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**REQUIREMENTS FOR OPERATION OF
PARALLEL GENERATION FACILITIES**

(COGENERATORS AND. SMALL POWER PRODUCERS)

In order to provide for the safety of Member-Consumers, utility personnel, and others, and to assure reliable electric service consistent with the requirements of the Public Utility Regulatory Policies Act of 1978 and the Michigan Public Service Commission's Order in Case No. U-6798, the following requirements are established for connection and/or operation of Member-Consumer generation facilities in parallel with the Cooperatives distribution system:

Availability

These requirements include all Member-Consumer generation facilities under 100 kW. Member-Consumer generation facilities of 100 kW and over will be handled on an individual basis.

If the Member-Consumer does not meet all of the requirements listed below, the Cooperative may require termination of parallel operation and the Member-Consumer shall be liable for any damages or injury resulting from unauthorized or improper connection and/or operation of the Member-Consumer's generation facility. These requirements apply to both existing and proposed installations and are subject to change with approval of the Michigan Public Service Commission from time to time.

Safety and Reliability Requirements

The Member-Consumer shall submit for the Cooperative's review detailed electric diagrams, equipment nameplate data, including the interface device and control system of the Member-Consumer's power sources and a site plan.

The Member-Consumer's control and protection system and site plan must be acceptable to the Cooperative and in accordance with these safety and reliability standards. This system shall provide for immediate automatic shutdown or separation of the Member-Consumer's generator and the Cooperative system in the event of momentary or extended loss of power from the Cooperative, including loss of one or more phases if the Member-Consumer is generating three phase power. The shutdown or separation must continue until normal utility service is restored. The shutdown or separation shall occur when frequency, voltage, and or current deviate from normal utility standards. The Member-Consumer shall be liable if the Member-Consumer's protection system fails to function.

A disconnecting device suitable for use as a protective tag location may be required so as to be accessible and in reasonably close proximity to the billing meter.

(Continued on Sheet No. D-3.01)

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REQUIREMENTS FOR OPERATION OF
PARALLEL GENERATION FACILITIES
(Continued from Sheet No. D-3.00)

The completed installation must meet all local, state and national codes and regulations and is subject to inspection by proper enforcement authorities before commencement of parallel operation. In addition, the Cooperative may, at its discretion, inspect or test the facility at any time.

The Member-Consumer shall advise the Cooperative prior to making any revisions to the Member-Consumer's generation facility, the control system, or the interface between the two power systems after the installation. Any such revision must be acceptable to the Cooperative.

Should the parallel operation of the Member-Consumer's generation facility cause interference or adversely affect voltage, frequency, harmonic content or power factor in the Cooperative's system or other Member-Consumers' service, the Cooperative may require disconnection of parallel operation until the condition has been corrected.

Reimbursement of Costs

The Member-Consumer shall pay for all costs associated with any addition to or alteration of the Cooperative's equipment required for metering and for the safe and reliable operation of the Member-Consumer's generating equipment in parallel with the Cooperative's system. The Member-Consumer shall also pay for costs of changes required due to safety or adverse effects on other Member-Consumers and/or on the Cooperative caused by the connection and/or operation of the Member-Consumer's generation facility,

The Cooperative may require reasonable and adequate insurance coverage by the interconnecting Member-Consumer and the Member-Consumer, shall provide proof of liability coverage as may be required by the Cooperative.

Sales to Cooperative

Member-Consumers wishing to sell power must arrange to do so with the generation and transmission Cooperative which provides all of the Cooperative's power requirements. Rates for such sales will be subject to the G & T's tariff provisions. Member-Consumers selling power to the G & T will be charged one (1) mill per kWh sold to cover the Cooperative's administrative costs.

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**DEFINITION OF TIME PERIODS
USED IN TIME-OF-DAY RATES**

Provisions pertinent to the application of time periods used in various time-of-day rates are as follows:

- (1) Peak Period: 5:00 PM to 10:00 PM, weekdays
excluding holidays
- (2) Intermediate Period: 7:00 AM to 5:00 PM and 5:00 PM to
10:00 PM, weekends and holidays
- (3) Off-Peak Period: 10:00 PM to 7:00 AM
- (4) Designated holidays:
 - (a) New Year's Day
 - (b) Good Friday
 - (c) Memorial Day
 - (d) Independence Day
 - (e) Labor Day
 - (f) Thanksgiving Day
 - (g) Christmas Day

The Cooperative may revise the above schedule of time period hours from time to time and, in such an event, will submit to the Michigan Public Service Commission and to Member-Consumers taking service under the relevant rate schedules, a new schedule which will become effective thirty days after its issuance date and which will remain in effect until the effective date of any succeeding schedule.

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**FARM AND HOME SERVICE
SCHEDULE A**

Availability

Available to Member-Consumer of the Cherryland Electric Cooperative for service to individual farm and permanent residential units for all usual farm and residential purposes subject to the Cooperative's established rules and regulations. When a portion of a residence or farm unit is definitely and primarily used for other than usual residential and farm purposes, this schedule is not applicable. However, if the wiring is so arranged that service for residential and farm purposes can be separately metered, this schedule is applicable to the residential and farm portion of the service and the remainder of the service will be separately metered and billed under whatever schedule is applicable. If the wiring is not so arranged that residential and farm use can be separately metered, then service must be taken under the appropriate general service schedule.

An apartment house may elect this schedule, except that the service charge shall be multiplied by the number of apartments. No credit will be given for unoccupied apartments.

Service under this schedule is limited to individual motors up to and including ten (10) horsepower unless otherwise authorized in writing by the Cooperative.

Type of Service

Alternating current, 60 hertz, single-phase, secondary voltage. The particular nature of the voltage is to be determined by the Cooperative.

Monthly Rate

Availability Charge:	\$12.00 per month
Energy Charge:	\$0.08205 per kWh for all kWh

Energy Optimization Surcharge:

This rate is subject to the Energy Optimization Surcharge shown on Sheet No. D-1.03.

Minimum Charge

The minimum charge under the above rate shall be the Availability Charge, except in the case of apartment houses (see "Availability" above).

(Continued on Sheet No. D-5.01)

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**FARM AND HOME SERVICE
SCHEDULE A
(Continued from Sheet No. D-5.00)**

Michigan Sales Tax

This tax shall be added to all bills, including minimums, where applicable.

Terms of Service

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

Power Supply Cost Recovery Clause and Factor:

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and 1.01.

Eligibility

In the event a Member-Consumer claims eligibility for this service rate although records indicate seasonal use, such a Member-Consumer shall be considered eligible for the rate if he can establish that the service address is his primary residence. Voter's registration, driver's license and similar records shall be used in determining a Member-Consumer's primary residence.

Late Payment Charge

A one-time late payment charge of two percent of the unpaid balance, net of taxes, will be assessed on any bill which is delinquent.

Tax Adjustments:

- A. Bills shall be increased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local taxes.
- B. Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority which increases the Cooperative's cost of providing electric energy.

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**SEASONAL RESIDENTIAL SERVICE
SCHEDULE AS**

Availability

Available to any Member-Consumer of the Cooperative who occupy their homes or cottages only a part of each year or at intervals during the year. It is not available for Member-Consumer principal permanent residential units.

Type of Service

Alternating current, 60 hertz, single phase, approximately 120/240 volts.

Rate

Availability Charge: \$72.00 semi-annually

Energy Charge: \$0.1100 per kWh for all kWh

Energy Optimization Surcharge:

This rate is subject to the Energy Optimization Surcharge shown on Sheet No. D-1.03.

Power Supply Cost Recovery Clause and Factor

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01.

Minimum Charge

A minimum semi-annual charge of not less than the Availability Charge, shall be billed in advance to each Member-Consumer taking service under this rate.

Billing

Every Member-Consumer receiving service under this rate schedule will be billed semi-annually in advance for the minimum charge. All charges under the schedule in excess of the minimum charge will be billed semi-annually in accordance with the meter reading schedule.

Meter Reading

Meter readings and usage may be estimated for billing purposes. The Cooperative shall read all meters at least once annually per MPSC Rules.

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(Continued on Sheet No. D-6.01)

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**SEASONAL RESIDENTIAL SERVICE
SCHEDULE AS
(Continued from Sheet No. D-6.00)**

Terms of Payment

In the event the current bill is not paid by the due date, service will be disconnected in accordance with procedures described in the Cooperative's Standard Rules and Regulations, and it will be necessary for the Member-Consumer to pay all back bills before service will be restored.

Terms of Service

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

Late Payment Charge

A one-time late payment charge of two percent of the unpaid balance, net of taxes, will be assessed on any bill which is delinquent.

Tax Adjustment

- A. Bills shall be increased or decreased, within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to recognize such special charges and thereby prevent other Member-Consumers from being compelled to share such local tax increases or decreases.
- B. Bills shall be adjusted to reflect any new, increased, or decreased specific tax or excise imposed by any governmental authority which impacts the Cooperative's cost of providing electric service.

Michigan State Sales Tax

Michigan State Sales Tax will be added on all bills, where applicable.

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**GENERAL SERVICE
SCHEDULE C**

Availability

This rate is available to all Member-Consumers of the Cherryland Electric Cooperative for all uses at secondary voltage, subject to the established rules and regulations of the Cooperative when the demand is less than 50 kW including Member-Consumers with residential usage that do not qualify for Farm and Home Service (Schedule). Semi-annual billing is available at the Cooperative's sole discretion.

Type of Service

Alternating current, 60 hertz, single or three phase, at the Cooperative's standard secondary voltages.

Monthly Rate

Availability Charge:

Single Phase \$15.00 per month or \$90.00 semi-annually

Three Phase \$30.00 per month or \$180.00 semi-annually

Energy Charge: \$0.07712 per kWh for all kWh

Energy Optimization Surcharge:

The Availability Charge is subject to the Energy Optimization Surcharge as shown on Sheet No. D-1.03.

Energy Charge Credit For Controlled Oil-Related Loads

An Energy Charge Credit of \$0.003/kWh shall be applied with respect to qualifying oil-related accounts. This credit shall be applied during any month in which the Member-Consumer's oil-related usage exceeds 500 kWh.

Unmetered Service

Unmetered service is not available to additional Member-Consumers. The Cooperative will estimate the monthly kWh consumption for currently unmetered Member-Consumers that meet the following conditions. Member-Consumer furnishes and installs all fixtures, lamps, ballasts, controls, amplifiers and other equipment, including wiring to point of connection with Cooperative's overhead or underground system, as directed by the Cooperative. Cooperative furnishes and installs, where required for center suspended overhead traffic light signals, messenger cable and supporting wood poles and also makes final

(Continued on Sheet No. D-7.01)

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**GENERAL SERVICE
SCHEDULE C
(Continued from Sheet No. D-7.00)**

connections to its lines. If, in the Cooperative's opinion, the installation of wood poles for traffic lights is not practical, the Member-Consumer shall furnish, install and maintain suitable supports other than wood poles. The Member-Consumer shall maintain the equipment, including lamp renewals, and the Cooperative shall supply the energy for the operation of the equipment. Conversion and/or relocation costs of existing facilities shall be paid for by the Member-Consumer except when initiated by the Cooperative. Member-Consumers served under this provision will be moved to standard metered service upon the installation of suitable metering equipment.

Michigan State Sales Tax

Michigan Sales Tax shall be added to all bills, including minimums, where applicable.

Minimum Charge

The minimum monthly charge shall be the Availability Charge. For Member-Consumers requiring more than 15 kVa of transformer capacity, the minimum monthly charge shall be the Availability Charge plus \$.20 per kVa for all kVa over 15 kVa of required transformer capacity.

The minimum semi-annual charge for Member-Consumers billed semi-annually under this schedule shall be the semi-annual Availability Charge for Member-Consumer requiring not more than 15 kVa of transformer capacity. For Member-Consumer requiring more than 15 kVa of transformer capacity, the minimum semi-annual charge shall be the semi-annual Availability Charge plus \$2.40 per kVa for all kVa over 15 kVa of transformer capacity. Sales tax will be added where applicable. The minimum semi-annual charge will be billed in advance to the Member-Consumer .

Conditions For Service From This Schedule Relating To Controlled Oil-Related Loads:

This service schedule shall be available for service to controlled oil-related loads that meet the following criteria:

- A. The oil-related load covered under this tariff shall be controlled off by Wolverine Power Supply Cooperative, Inc., Cherryland's power supplier, through its load management system. When the control period is over, Wolverine shall restore power to the oil pumping load; however, the Member-Consumers shall provide for the restart of the load, automatically or otherwise.

(Continued on Sheet No. D-7.02)

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**GENERAL SERVICE
SCHEDULE C
(Continued from Sheet No. D-7.01)**

- B. Along with the beam pump, all other large auxiliary loads (e.g., casing compressors, etc.) for each account shall be controlled. The Member-Consumer must notify Cherryland within 30 days after permanent installation of a casing compressor. The Member-Consumer shall also notify Cherryland within 30 days if a casing compressor is removed or a well site is abandoned.
- C. The Member-Consumer must agree to remain on Cherryland's rate for a period of at least 24 months. The Member-Consumer may request that an account be removed from the rate before completing the minimum two years but must refund all billing credits received for that account. After 24 months, the Member-Consumer may terminate the control agreement with 30 days written notice to Cherryland.
- D. If during the first 24 months under this tariff, an oil well no longer qualifies for a credit (i.e., casing compressor is removed and the well will no longer use 500 kWh per month) the Member-Consumer shall notify Cherryland. Under such condition, the Member-Consumer need not refund billing credits received for that account. The Member-Consumer shall provide for the removal of the switch and coupling capacitor and return them to Cherryland.
- E. The Member-Consumer may request notification via fax or phone prior to likely control periods.
- F. The Member-Consumer may request a control override for oil wells undergoing maintenance or other well work (e.g., hot oil treatments, etc.). If control is overridden on the day of electric system peak, then the Member-Consumer shall waive all credits for that account for that month.
- G. The Member-Consumer shall allow routine inspection and testing of control equipment by Cherryland and Wolverine. Inspection dates and times will be coordinated with the Member-Consumer.
- H. With respect to control duration, the following conditions are applicable to this rate:

(Continued on Sheet No. D-7.03)

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**GENERAL SERVICE
SCHEDULE C
(Continued from Sheet No. D-7.02)**

1. Control is limited to a maximum of 400 hours per year
 2. Control is limited to a maximum of 6 hours per day
- I. With respect to casing compressors, the following conditions are applicable to this rate:
1. Casing compressors shall be cycled in winter such that for each 90 minutes of continuous control, the compressor will be restored for 30 continuous minutes.
 2. Control in summer may occur for up to 6 continuous hours.
- J. For purposes of ¶9 above, the winter season shall be defined as all months between and inclusive of November and April of the following year. The summer season shall be defined as all months between and inclusive of May and October of the same year.
- K. For purposes of this rate, oil-related loads include oil and gas production facilities.

Power Supply Cost Recovery Clause and Factor:

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01.

Terms of Service:

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

Late Payment Charge:

A late payment charge of 5% will be added to any bill not paid on or before the due date shown thereon. The due date shall be 21 days following the date of mailing.

(Continued on Sheet No. D-7.04)

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**GENERAL SERVICE
SCHEDULE C**
(Continued from Sheet No. D-7.03)

Tax Adjustments:

- A. Bills shall be increased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local taxes.
- B. Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority which increases the Cooperative's cost of providing electric energy.

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**MEMBER-CONSUMER-OWNED BACKUP GENERATION
SCHEDULE CBG**

Availability

This rate is available only to Member-Consumers served under Schedules LP, LPTOD, COG or PSDS who own and operate the generating unit(s) having a total on-site capacity of 100 KVA or greater which can be called upon from time to time by Wolverine Power Supply Cooperative, Cherryland's power supplier, to provide backup.

This rate schedule is not intended for seasonal loads, nor is it intended for Member-Consumers served under the interruptible PSDS Rate.

Monthly Rate

The Member-Consumer shall be billed under either Schedule LP, LPTOD, or PSDS as appropriate, adjusted for the following credit:

Demand Charge Credit @ \$2.50/kW

The Demand Charge Credit will be applied to the lesser of:

- A. The average Monthly Billing Demand of the retail Member-Consumer for the most recent December, January, and February billings. In instances where the retail Member-Consumer is billed under a Large Power Time-of-Day rate, or its equivalent, the term "Billing Demand" shall refer to the Peak Period Demand.
- B. The actual amount of load interrupted as determined by a test in accordance with the Conditions For Service From this Schedule, paragraph 4.

Conditions For Service From This Schedule

This service schedule shall be available for service to Member-Consumers of Cherryland who own and operate generating units which can be used by Wolverine as backup and which meet the following criteria:

- A. The output from the retail Member-Consumer-owned generating unit(s) shall be separately metered with a recording watt-hour demand meter using either magnetic tape or electronic memory for recording data.

(Continued on Sheet No. D-8.01)

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**MEMBER-CONSUMER-OWNED BACKUP GENERATION
SCHEDULE CBG
(Continued from Sheet No. D-8.00)**

- B. The total rated capacity of the retail Member-Consumer-owned generating unit(s) on each site must be 100 kW or greater.
- C. The retail Member-Consumer-owned generating units must be capable of:
1. Being brought on line by control or command from Wolverine's system Control Center;
 2. Being brought on line in 30 minutes or less; and
 3. Being run to give extended load relief over a period of at least twelve hours.
- D. Wolverine may request operation of the retail Member-Consumer-owned generating unit(s) served under this rate at its own discretion.
1. Wolverine may call upon the Member-Consumer-owned generating units up to four times each year to test the capability and reliability of the unit(s) in order to demonstrate that the capacity will be available when called upon.
 2. Request for operation of the backup generating unit(s) during emergency interruptions shall not be limited to a specific number of occurrences. Total requests for operation excluding emergency will not exceed 200 hours in a calendar year.
- E. Wolverine reserves the right to remove a Member-Consumer from this program if, in the Cooperative's sole judgment, Wolverine cannot rely on the Member-Consumer-owned generating capacity being available when called upon.

Safety and Reliability Requirements

The Member-Consumer-owned generating unit(s) shall not be operated in parallel with the Cooperative's distribution system. When the Member-Consumer is called upon by Wolverine to operate the generating unit(s), the Member-Consumer shall separate its load from the Cooperative's system.

(Continued on Sheet No. D-8.02)

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**MEMBER-CONSUMER-OWNED BACKUP GENERATION
SCHEDULE CBG
(Continued from Sheet No. D-8.01)**

Contracts

A contract shall be required for each Member-Consumer under this rate. The Cooperative reserves the right to require service contracts covering terms and nature of service in cases where special services are required, or where investment by the Cooperative is in excess of that provided for without contribution toward construction by the Member-Consumer in the Cooperative's Standard Rules and Regulations.

Rules and Regulations

Service is governed by the Cooperative's Standard Rules and Regulations.

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**CONTROLLED HEATING SERVICE
SCHEDULE CH**

Availability:

Available to Member-Consumers of the Cooperative already taking monthly service concurrently under Rate Schedules A or C. This rate is for controlled service to space heating loads, storage domestic water heating loads and associated air conditioning loads which are controlled by the Cooperative. Service is subject to the established rules and regulations of the Cooperative. A Member Service Agreement is required for service under this schedule. This rate is also available to Member-Consumers who would otherwise be billed under Schedule C, AS or AC where Member-Consumers keep their seasonal residence open year round.

Type of Service:

Alternating current, 60 hertz, at approximately 120/240 volts, single phase, three-wire, separately metered subject to service availability as follows:

Option No. 1 - Storage Heating

This option is available for electric space heating loads with sufficient heat storage capacity to withstand extended daily control of the electric supply. This option is also available to domestic storage water heaters. Domestic storage water heaters must have a minimum storage capacity of 100 gallons and a minimum heating capacity of 4,500 watts. Service under this option is available only between the hours of 10:00 PM to 7:00 AM.

Option No. 2 - Dual Fuel Heating

This option is available for electric space heating loads when used in conjunction with an alternate fuel heating system. The alternate fuel heating system must be capable of supplying the heating requirements of the Member-Consumer when the electrical supply is controlled. Service under this option is available for all hours except when controlled by the Cooperative. The number of hours when service is controlled shall not exceed 400 hours per heating season or 8 hours per 24 hour period.

(Continued on Sheet No. D-9.01)

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**CONTROLLED HEATING SERVICE
SCHEDULE CH
(Continued from Sheet No. D-9.00)**

Option No. 3 - Air Conditioning

This option is available for air conditioning loads when used in conjunction with one of the two options of controlled space heating load listed above. Service under this option is available for all hours except when controlled by the Cooperative. The number of hours when service is controlled shall not exceed 200 hours per cooling season.

Monthly Rate

Energy Charge 4.75¢ per kWh for all kWh

Terms of Payment:

This rate schedule is subject to the terms of payment as set forth on the concurrent rate schedule that qualifies the Member-Consumer for service.

Michigan State Sales Tax

Michigan State Sales Tax shall be added on all bills, including minimums, where applicable.

Power Supply Cost Recovery Clause and Factor

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01.

Tax Adjustments:

- A. Bills shall be increased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local taxes.
- B. Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority which increases the Cooperative's cost of providing electric energy.

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MEMBER-CONSUMER OWNED GENERATION
SCHEDULE COG

Availability

This rate is available only to Member-Consumers with on-site combined electric generating capacity of 100 KVA or greater. Service will be separately metered with a recording demand meter that uses electronic memory for recording data. The Member-Consumer, at its sole cost, shall provide a phone service to the metering location. If the Cooperative has to read the meter because the *telephone* line did not function properly, the Member-Consumer will pay the authorized meter-reading fee. There are two options for service under this rate, the LP Rate and the LPTOD (Time of Day) Rate.

Type of Service

Alternating current, 60 hertz, single or three-phase, at the Cooperative's standard secondary voltages.

Monthly Rate

LP Rate

Availability Charge: \$60.00 per month

Demand Charge:

Distribution Demand- maximum demand for current month or prior 11 months
\$2.90 per kW for service at secondary voltage
\$2.70 per kW for service at primary voltage

Plus: Demand- maximum demand for current month
\$7.35 per KW

Energy Charge: \$0.041 per kWh

Demand shall be the kilowatts (kW) supplied during the 15-minute period of maximum usage.

(Continued on Sheet No. D-10.01)

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**MEMBER-CONSUMER OWNED GENERATION
SCHEDULE COG
(Continued from Sheet No. D-10.00)**

LPTOD Rate

Availability Charge: \$70.00 per month

Demand Charge:

Distribution Demand- maximum demand for current month or prior 11 months
\$3.00 per kW for service at secondary voltage
\$2.80 per kW for service at primary voltage

Plus: Peak Period Demand- peak period demand for current month
\$13.00 per KW

PLUS: Energy Charge \$0.040 per kWh for all kWh

Determination of Billing Demand

Distribution Demand- The maximum kilowatt demand established by the Member-Consumer consumer for any period of 15 consecutive minutes during the current month or the previous 11 months, as indicated or recorded by a demand meter.

Peak Period Demand - The maximum kilowatt demand established by the Member-Consumer for any period of 15 consecutive minutes during the on-peak period of the month for which the bill is rendered, as indicated or recorded by a demand meter. The peak period is defined on Sheet No. D-4.00.

Power Supply Cost Recovery Clause and Factor

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01.

Minimum Charge

The Minimum Charge shall be the Demand Charges plus the Availability Charge.

(Continued on Sheet No. D-10.02)

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**MEMBER-CONSUMER OWNED GENERATION
SCHEDULE COG
(Continued from Sheet No. D-10.01)**

Parallel Generation

Service is subject to the Cooperative's Requirements for Operation of Parallel Generation Facilities as set forth on Sheet No. **D-3.00-D-3.01**.

Primary Service Discount

A discount of \$0.20 per kVa of contract capacity will be applied to the bill when service is taken by the consumer at the available primary voltage. If primary metering is used, an additional discount of 2.0% shall be applied to the bill. The 2.0% discount shall be applied after the \$0.20 per kVa discount.

Power Factor

The above rate charges are predicated upon the Member-Consumer maintaining a power factor of not less than 90% lagging. The Cooperative reserves the right to measure power factor at any time by means of test or permanently installed metering equipment; and, if the Member-Consumer's average power factor is found to be less than 90% lagging, the current month's demand will be increased by the ratio that 90% bears to the Member-Consumer's actual power factor.

Late Payment Charge:

A late payment charge of 5% will be added to any bill not paid on or before the due date shown thereon. The due date shall be 21 days following the date of mailing.

Terms of Service:

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

(Continued on Sheet No. D-10.03)

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**MEMBER-CONSUMER OWNED GENERATION
SCHEDULE COG
(Continued from Sheet No. D-10.02)**

Tax Adjustment

- A. Bills shall be increased or decreased, within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to recognize such special charges and thereby prevent other Member-Consumers from being compelled to share such local tax increases or decreases.
- B. Bills shall be adjusted to reflect any new, increased, or decreased specific tax or excise imposed by any governmental authority which impacts the Cooperative's cost of providing electric service.

Michigan State Sales Tax

Michigan State Sales Tax will be added on all bills, where applicable.

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**CONTROLLED WATER HEATER SERVICE
SCHEDULE CWH**

Availability:

Available to Member-Consumers of the Cooperative already taking monthly service concurrently under Rate Schedules A or C, who desire controlled water heating service. Energy will be metered through the regular service meter. The Member-Consumer may choose from the three service options as described below. To qualify for this rate, the sole source of water heating must be electricity. The minimum period of service is for one year and requires a signed agreement with the Cooperative. Service is subject to the Cooperative's rules and regulations. This service option is not available to Member-Consumers using time clocks, remote control or other devices intended to prevent the load from adding to system peak demand.

Type of Service:

Alternating current, 60 hertz, at approximately 240 volts, single phase, three-wire service will controlled by Cooperative's Load Management System.

Hours of Service:

Option No. 1: For Member-Consumers choosing Option No. 1, control of service shall not exceed 3 hours per day. The control hours will be established from time to time by the Cooperative but shall be predominantly between the hours of 5 to 9 p.m. Member-Consumers choosing this option must have water heaters with a tank capacity of 30 gallons or more.

Option No. 2: For Member-Consumers choosing Option No. 2, control of service shall not exceed 4 hours per day. The Control hours will be established from time to time by the Cooperative but shall be predominantly between the hours of 5 to 9 p.m. Member-Consumers choosing this option must have water heaters with a tank capacity of 50 gallons or more.

Option No. 3: For Member-Consumers choosing Option No. 3, control of service shall not exceed 6 hours per day. The control hours will be established from time to time by the Cooperative but shall be predominantly between the hours of 4 to 10 p.m. Member-Consumers choosing this option must have water heaters with a tank capacity of 80 gallons or more.

(Continued on Sheet No. D-11.01)

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CONTROLLED WATER HEATER SERVICE
SCHEDULE CWH
(Continued from Sheet No. D-11.00)

Monthly Rate:

For Member-Consumers choosing Option No. 1, a credit of \$4.50 per month will be applied to the bills of Member-Consumers who permit the Cooperative to install a remote control device on the Member-Consumer's water heater. No such credit will be allowed until such time as it has been certified to the Commission that the required load management equipment is operational. The Member-Consumer must use a minimum of 350 kWh per month per water heater before a water heater credit will be given.

For Member-Consumers choosing Option No. 2, a credit of \$6.00 per month will be applied to the bills of Member-Consumers who permit the Cooperative to install a remote control device on the Member-Consumer's water heater. The Member-Consumer must use a minimum of 350 kWh per month per water heater before a water heater credit will be given.

For Member-Consumers choosing Option No. 3, a credit of \$7.50 per month will be applied to the bills of Member-Consumers who permit the Cooperative to install a remote control device on the Member-Consumer's water heater. The Member-Consumer must use a minimum of 350 kWh per month per water heater before a water heater credit will be given.

Energy will be charged the appropriate rate per kWh as specified on Sheet No. D-5.00 in conjunction with Schedule A or Sheet No. D-7.00 in conjunction with Schedule C, including applicable Power Supply Cost Recovery adjustments and taxes. The applicable credit is available on a per meter basis such that only one credit per meter will be allowed regardless of the number of water heaters registering on a single meter.

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**LARGE COMMERCIAL AND INDUSTRIAL SERVICE
SCHEDULE LCI**

Availability:

Available for commercial and industrial Member-Consumers that desire secondary service from the Cooperative where billing demand is 250 kW or more. This rate is not available to seasonal Member-Consumers .

Subject to the Cooperative's Retail Access Service Tariff, this schedule is available to Member-Consumers for delivery of power from the Point of Distribution Receipt to the Point of Distribution Delivery subject to the following conditions:

- A. The Member-Consumer must have a Maximum Demand of at least 250 kW. Individual Member-Consumers receiving demand metered service who are eligible to be taking service under the Cooperative's Schedule LP, Schedule LC&I and Schedule PSDS may achieve the 250 kW Maximum Demand threshold by aggregating or summing the Maximum Demands for each metering point occurring during a single month. The applicable rate schedule will apply to all aggregated metering points on an individual account basis.
- B. The Member-Consumer must enter a Retail Access Service Agreement with the Cooperative.
- C. The transmission of power to the Distribution Point of Receipt and all related costs shall be the responsibility of the Member-Consumer and/or Alternative Electric Supplier (AES).
- D. The Member-Consumer must agree to purchase any default energy delivered pursuant to Schedule RASS-Retail Access Standby Service in addition to the service specified herein.

Type of Service:

Primary or secondary three phase 60 hz service. The nature and level of the service voltage shall be determined in each case by the Cooperative.

(Continued on Sheet No. D-12.01)

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LARGE COMMERCIAL AND INDUSTRIAL SERVICE
SCHEDULE LCI
(Continued from Sheet No. D-12.00)

Monthly Rate:

Distribution Delivery Service

Availability Charge	\$130.00
Distribution Demand Charge	\$7.15 per kW
PSDF Charge	\$0.00532 per kWh

Energy Optimization Surcharge:

This service is subject to the Energy Optimization Surcharge shown on Sheet No. D-1.03.

Power Supply Service – not applicable to Retail Access Service

The monthly rate for service through Wolverine Power Supply Cooperative, Inc.'s Rider C&I tariff shall be:

Demand Charge:	\$7.60 per kW
Reactive Charge	\$0.2650 per kVAR
Energy Charge:	\$0.02768 per kWh for kWh

Reactive Demand:

The Reactive Demand for the month shall be the maximum kVAR demand leading or lagging of the Member-Consumer for any 60 minute period during this billing period.

Conditions for Service from this Schedule:

This service shall be available for service to any commercial or industrial Member-Consumers taking service with a load which has a minimum 250 kW or more of Billing Demand. This load will be separately metered with a recording watt-hour demand meter that uses electronic memory for recording data. The Member-Consumer at its sole cost shall provide a dedicated phone service to metering location.

(Continued on Sheet No. D-12.02)

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LARGE COMMERCIAL AND INDUSTRIAL SERVICE
SCHEDULE LCI
(Continued from Sheet No. D-12.01)

Terms of Payment:

A one-time late payment charge of 5% of the unpaid balance, excluding sales tax, will be assessed on any bill not paid by the due date.

Monthly Billing Demand

Power Supply Component

The Monthly Power Supply Billing Demand shall be the Member-Consumer's demand in kilowatts (kW) supplied during the 60 minute period when Wolverine Power Supply Cooperative, Inc. experiences its monthly system coincidental peak demand.

Distribution Delivery Component

The Monthly Distribution Delivery Billing Demand shall be the kW supplied during the 60 minute period of maximum usage in the billing period.

Minimum Monthly Billing Demand

The Minimum Monthly Billing Demand for both the Power Supply and Distribution Delivery Components shall be 250 kW.

Power Supply Cost Recovery

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01, except for Retail Access Member-Consumers.

Power Factor

The above rate charges are predicated upon the Member-Consumer maintaining a power factor not less than ninety (90%) percent lagging. Cooperative reserves the right to measure power factor at any time by means of test or permanently installed metering equipment; and, if the Member-Consumer's average power factor is found to be less than ninety (90%) percent lagging, the billing demand will be increased by the ratio that ninety (90%) percent bears to the Member-Consumer's actual power factor.

(Continued on Sheet No. D-12.03)

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**LARGE COMMERCIAL AND INDUSTRIAL SERVICE
SCHEDULE LCI
(Continued from Sheet No. D-12.02)**

Primary Service and Metering:

A discount of \$0.20 per kVA of contract capacity will be applied to the bill when service is taken by the consumer at the available primary voltage. If primary metering is used, an additional discount of 2.0% shall be applied to the bill. The 2.0% discount shall be applied after the \$0.20 per kVA discount.

Michigan State Sales Tax

Michigan State Sales Tax will be added on all bills, where applicable.

Rules and Regulations

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations and *Retail Access Service Tariff* which are on file with the Michigan Public Service Commission and incorporated herein by reference.

Tax Adjustments:

- A. Bills shall be increased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and /or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local taxes.
- B. Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority which increases the Cooperative's cost of providing electric energy.

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**LARGE GENERAL SERVICE
SCHEDULE LP**

Availability

This rate is available to all Member-Consumers of the Cherryland Electric Cooperative (Cherryland) for all uses at secondary voltage when billing demand is 25 kW or more, subject to rules and regulations of the Cooperative. This rate is not available to Member-Consumers with combined generating unit capacities above 100 KVA.

Subject to the Cooperative's Retail Access Service Tariff, this schedule is available to Member-Consumers for delivery of power from the Point of Distribution Receipt to the Point of Distribution Delivery subject to the following conditions:

- A. The Member-Consumer must have a Maximum Demand of at least 200 kW. Individual Member-Consumers receiving demand metered service at multiple metering points who are eligible to be taking service under the Cooperative's Schedule LP, Schedule LC&I and Schedule PSDS may achieve the 200 kW Maximum Demand threshold by aggregating or summing the Maximum Demands for each metering point occurring during a single month. The applicable rate schedule will apply to all aggregated metering points on an individual account basis.
- B. The Member-Consumer must enter a Retail Access Service Agreement with the Cooperative.
- C. The transmission of power to the Distribution Point of Receipt and all related costs shall be the responsibility of the Member-Consumer and/or Alternative Electric Supplier (AES).
- D. The Member-Consumer must agree to purchase any default energy delivered pursuant to Schedule RASS-Retail Access Standby Service in addition to the service specified herein.

Type of Service

Alternating current, 60 hertz, single or three-phase, at the Cooperative's standard secondary voltages.

(Continued on Sheet No. D-13.01)

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**LARGE GENERAL SERVICE
SCHEDULE LP
(Continued from Sheet No. D-13.00)**

Monthly Rates

Availability Charge: \$60.00 per month

Distribution Service

Distribution Demand Charge \$2.34 per kW

Distribution Variable Charge \$0.00568 per kWh

PSDF Charge \$0.00532 per kWh

Energy Optimization Surcharge:

This service is subject to the Energy Optimization Surcharge shown on Sheet No. D-1.03.

Power Supply Service (not applicable to Retail Access Service)

Demand Charge \$7.91 per kW

Energy Charge \$0.0300 per kWh for all kWh

Minimum Charge

The Minimum Charge shall be the Demand Charge for 25 kW plus the Availability Charge, **plus the Energy Optimization Surcharge amount shown on Sheet No. D-1.03**, or for Retail Access Choice Member-Consumers, the Distribution Demand Charge for 200 kW plus the Availability Charge, **plus the Energy Optimization Surcharge amount shown on Sheet No. D-1.03**. The Cooperative reserves the right to make special determination of the billing demand and/or minimum charge should circumstances require. Such minimum charges will be specified in a supplemental contract between the Cooperative and the Member-Consumer.

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**LARGE GENERAL SERVICE
SCHEDULE LP
(Continued from Sheet No. D-13.01)**

Billing Demand

The Billing Demand shall be the kilowatts (kW) supplied during the 15-minute period of maximum usage in the billing period.

For qualifying controlled oil-related large power loads, a billing demand credit shall be calculated according to the following formula:

$$\text{Cherryland Demand Charge} \times \text{MC Monthly Load Factor} = \text{BD Credit}$$

Where MC = Member-Consumer
BD = Billing Demand

For the above formula, the monthly load factor shall be equal to that month's energy (in kWh) divided by the product of that month's demand (in kW) multiplied by 730 (hours per month) for the oil-related load.

The above referenced billing demand credit shall be applied only during months in which the oil—related load is interrupted by Wolverine's load management system.

Power Factor

The above rate charges are predicated upon the Member-Consumer maintaining a power factor of not less than 90% lagging. The Cooperative reserves the right to measure power factor at any time by means of test or permanently installed metering equipment; and, if the Member-Consumer's average power factor is found to be less than 90% lagging, the Billing Demand will be increased by the ratio that 90% bears to the Member-Consumer's actual power factor.

Service To Controlled Oil-Related Loads

This service schedule shall be available for service to controlled oil-related loads that meet the following criteria:

- A. The oil-related load covered under this tariff shall be controlled off by Wolverine Power Supply Cooperative, Inc., Cherryland's power supplier, through its load management system. When the control period is over, Wolverine shall restore power to the oil pumping load; however, the Member-Consumer shall provide for the restart of the load, automatically or otherwise.

(Continued on Sheet No. D-13.03)

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**LARGE GENERAL SERVICE
SCHEDULE LP
(Continued from Sheet No. D-13.02)**

- B. **Along with the beam pump, all other large auxiliary loads (e.g., casing compressors, etc.) for each account shall be controlled. The Member-Consumer must notify Cherryland within 30 days after permanent installation of a casing compressor. The Member-Consumer shall also notify Cherryland within 30 days if a casing compressor is removed or a well site is abandoned.**
- C. The Member-Consumer must agree to remain on Cherryland's rate for a period of at least 24 months. The Member-Consumer may request that an account be removed from the rate before completing the minimum two years but must refund all billing credits received for that account. After 24 months, the Member-Consumer may terminate the control agreement with 30 days written notice to Cherryland.
- D. If during the first 24 months under this tariff, an oil well no longer qualifies for a credit (i.e., casing compressor is removed and the well will no longer use 500 kWh per month) the Member-Consumer shall notify Cherryland. Under such condition, the Member-Consumer need not refund billing credits received for that account. The Member-Consumer shall provide for the removal of the switch and coupling capacitor and return them to Cherryland.
- E. The Member-Consumer may request notification via fax or telephone prior to likely control periods.
- F. The Member-Consumer may request a control override for oil wells undergoing maintenance or other well work (e.g., hot oil treatments, etc.). If control is overridden on the day of electric system peak, then the Member-Consumer shall waive all credits for that account for that month.
- G. The Member-Consumer shall allow routine inspection and testing of control equipment by Cherryland and Wolverine. Inspection dates and times will be coordinated with the Member-Consumer .
- H. With respect to control duration, the following conditions are applicable to this rate:
1. Control is limited to a maximum of 400 hours per year
 2. Control is limited to a maximum of 6 hours per day
- I. With respect to casing compressors, the following conditions are applicable to this rate:

(Continued on Sheet No. D-13.04)

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**LARGE GENERAL SERVICE
SCHEDULE LP
(Continued from Sheet No. D-13.03)**

1. Casing compressors shall be cycled in winter such that for each 90 minutes of continuous control, the compressor will be restored for 30 continuous minutes.
 2. Control in summer may occur for up to 6 continuous hours.
- J. For purposes of ¶I above, the winter season shall be defined as all months between and inclusive of November and April of the following year. The summer season shall be defined as all months between and inclusive of May and October of the same year.
- K. For purposes of this rate, oil-related loads include oil and gas production facilities.

Terms of Payment

A late payment charge of 5% will be added to any bill not paid on or before the due date shown thereon. The due date shall be 21 days following the date of mailing.

Primary Service Discount

A discount of \$0.20 per kVa of contract capacity will be applied to the bill when service is taken by the consumer at the available primary voltage. If primary metering is used, an additional discount of 2.0% shall be applied to the bill. The 2.0% discount shall be applied after the \$0.20 per kVa discount.

Power Supply Cost Recovery Clause and Factor

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01, except for Choice (Retail Access) Member-Consumers.

Terms of Service

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

(Continued on Sheet No. D-13.05)

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**LARGE GENERAL SERVICE
SCHEDULE LP
(Continued from Sheet No. D-13.04)**

Tax Adjustment

- A. Bills shall be increased or decreased, within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to recognize such special charges and thereby prevent other Member-Consumers from being compelled to share such local tax increases or decreases.
- B. Bills shall be adjusted to reflect any new, increased, or decreased specific tax or excise imposed by any governmental authority which impacts the Cooperative's cost of providing electric service.

Michigan State Sales Tax

Michigan State Sales Tax will be added on all bills, where applicable.

Rules and Regulations

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations and *Retail Access Service Tariff* which are on file with the Michigan Public Service Commission and incorporated herein by reference.

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OPTIONAL LARGE POWER TIME-OF-DAY SERVICE
SCHEDULE LPTOD

Availability

This rate is available to all Member-Consumer of the Cherryland Electric Cooperative for all uses at secondary voltage, when billing demand is 25 kW or more, subject to rules and regulations of the Cooperative. This rate is not available to Member-Consumers with combined generating unit capacities above 100 KVA.

Type of Service

Alternating current, 60 hertz, single or three phase at the Cooperative's standard secondary voltages.

Monthly Rate

Availability Charge: \$70.00 per month

Demand Charge:

Peak Period \$13.00 per kW plus
Maximum \$ 3.00 per kW

Energy Charge \$ 0.040 per kWh for all kWh

Energy Optimization Surcharge:

This rate is subject to the Energy Optimization Surcharge shown on Sheet No. D-1.03.

Minimum Charge

The Minimum Charge shall be the Demand Charge for 25 kW plus the Availability Charge, **plus the Energy Optimization Surcharge amount shown on Sheet No. D-1.03.**

Power Supply Cost Recovery

The rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01.

Determination of Billing Demand

Peak Period - The Peak Period Billing Demand shall be the maximum kilowatt demand established by the Member-Consumer for any period of 15 consecutive minutes recorded during the peak period for the month for which the bill is rendered, as indicated or recorded by a demand meter. The peak period is defined on Sheet No. D-4.00.

(Continued on Sheet No. D-14.01)

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**OPTIONAL LARGE POWER TIME-OF-DAY SERVICE
SCHEDULE LPTOD
(Continued from Sheet No. D-14.00)**

Maximum Demand - The Maximum Billing Demand shall be the maximum kilowatt demand established by the Member-Consumer for any period of 15 consecutive minutes during the month for which the bill is rendered, as indicated or recorded by a demand meter.

Primary Service Discount

A discount of \$0.20 per kVa of contract capacity will be applied to the bill when service is taken by the consumer at the available primary voltage. If primary metering is used, an additional discount of 2.0% shall be applied to the bill. The 2.0% discount shall be applied after the \$0.20 per kVa discount.

Power Factor

The above rate charges are predicated upon the Member-Consumer maintaining a power factor not less than 90% lagging. The Cooperative reserves the right to measure power factor at any time by means of test or permanently installed metering equipment; and, if the Member-Consumer's average power factor is found to be less than 90% lagging, the billing demand will be increased by the ratio that 90% bears to the Member-Consumer's actual power factor.

Terms of Service

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

Late Payment Charge

A late payment charge of 5% shall be added to any bill not paid on or before the due date shown thereon. The due date shall be 21 days following the date of mailing.

Tax Adjustment

- A. A. Bills shall be increased or decreased, within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to recognize such special charges and thereby prevent other Member-Consumers from being compelled to share such local tax increases or decreases.

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**OPTIONAL LARGE POWER TIME-OF-DAY SERVICE
SCHEDULE LPTOD
(Continued from Sheet No. D-14.01)**

- B. Bills shall be adjusted to reflect any new, increased, or decreased specific tax or excise imposed by any governmental authority which impacts the Cooperative's cost of providing electric service.

Michigan State Sales Tax

Michigan State Sales Tax shall be added to all bills, including minimums, where applicable.

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**OUTDOOR LIGHTING SERVICE
SCHEDULE OL**

Availability

The Energy Policy Act of 2005 requires that mercury vapor lamp ballasts shall not be manufactured or imported after January 1, 2008. To the extent that the Cooperative has the necessary materials, the Cooperative will continue to maintain existing mercury vapor lamp installations in accordance with this Electric Rate Schedule. With respect to mercury vapor lamp installations, rates apply to existing luminaires only and are not open to new business except where the Cooperative elects, at the customer's request, to install additional luminaires within an area already served by a mercury vapor unmetered lighting system. Any such election is subject to the Cooperative having the necessary materials and to the discretion of the Cooperative.

Available for private area outdoor lighting service and to municipalities, political subdivisions and others for public street lighting with the provision that such users are or become Member-Consumers of the Cooperative.

Hours of Service

Dusk to dawn, controlled by photo-sensitive device, at night for approximately 4,200 hours per year.

Type of Service

Lighting from secondary or service lines. The Cooperative will own, operate and maintain the lighting fixtures. Burned out lamps must be reported by the Member-Consumer, and the Cooperative will undertake to replace lamps as soon as possible during regular working hours. Broken lamps or damage to fixtures by accident or vandalism will be repaired or replaced at the Member-Consumer's expense.

Monthly Rate

A. Using existing pole and secondary facilities:

- *175 watt mercury vapor lamp (7,500 Lumen) - \$10.60 per month per fixture
- 100 watt high pressure sodium lamp (8,500 Lumen) - \$8.40 per month per lamp
- *250 watt high pressure sodium lamp (24,000 Lumen) - \$13.40 per month per lamp

(Continued on Sheet No. D-15.01)

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OUTDOOR LIGHTING SERVICE
SCHEDULE OL
(Continued from Sheet No. D-15.00)

B. Requiring new pole and one span of new secondary facilities:

***175 watt mercury vapor lamp (7,500 Lumen) - \$11.70 per month per fixture**

100 watt high pressure sodium lamp (8,500 Lumen) - \$9.50 per month per lamp

***250 watt high pressure sodium lamp (24,000 Lumen) - \$14.50 per month per lamp**

***For lamp sizes in excess of 250 watt high pressure sodium or 175 watt mercury vapor, a special contract is required.**

The following consumption assumptions are applicable:

175 Watt Mercury Vapor Lamp	80 kWh
100 Watt High Pressure Sodium Lamp	46 kWh
250 Watt High Pressure Sodium Lamp	115 kWh

Annual Rate

The annual rate shall be twelve (12) times the monthly rate. Member-Consumers selecting this rate shall be billed for such service in advance during January of each calendar year.

Special Terms and Conditions

Initial minimum term for each installation shall be for 48 consecutive months. The Cooperative is not required to change the type of service (from one lamp size to another) during said 48 month period. When more than one new pole and one span of new secondary facilities are required, or where the Member-Consumer desires other than standard wood poles, underground wiring or other special equipment not covered herein, the Cooperative at its option may provide such facilities. The cost to provide additional facilities will be charged to the Member-Consumer in advance of construction.

Terms of Service

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

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OUTDOOR LIGHTING SERVICE
SCHEDULE OL
(Continued from Sheet No. D-15.01)

Power Supply Cost Recovery Clause and Factor

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01.

Michigan State Sales Tax

Michigan State Sales Tax shall be added to all bills, including minimums, where applicable.

Late Payment Charge

A late payment charge of 5% will be added to any bill not paid on or before the due date shown thereon. The due date shall be 21 days following the date of mailing.

Tax Adjustments:

- A. Bills shall be increased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local taxes.
- B. Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority which increases the Cooperative's cost of providing electric energy.

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OPTIONAL IRRIGATION TIME-OF-DAY SERVICE
SCHEDULE OTD

Availability

Available to all Member-Consumers of the Cooperative who use secondary service primarily for irrigation on a seasonal basis.

Type of Service

Alternating current, 60 hertz, single phase or three phase, at available secondary voltages.

Monthly Rate

Availability Charge:

Single Phase	\$30.00
Three Phase	\$60.00

Energy Charge:

Peak Period	\$0.150 per kWh
Intermediate Period	\$0.085 per kWh
Off-Peak Period	\$0.045 per kWh

Energy Optimization Surcharge:

This rate is subject to the Energy Optimization Surcharge shown on Sheet No. D-1.03.

Minimum Charges

The Minimum Monthly Charge shall be the Availability Charge, **plus the Energy Optimization Surcharge amount shown on Sheet No. D-1.03.** For Member-Consumers requiring more than 15 kVa of transformer capacity, the Minimum Monthly Charge shall be the Availability Charge plus \$0.20 per kVa for all over 15 kVa of required transformer capacity, **plus the Energy Optimization Surcharge amount shown on Sheet No. D-1.03.**

Terms of Service

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations which are on file with the Michigan Public Service Commission and which are incorporated herein by reference.

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**OPTIONAL IRRIGATION TIME-OF-DAY SERVICE
SCHEDULE OTD
(Continued from Sheet No. D-16.00)**

Power Supply Cost Recovery Clause and Factor

This rate is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 and D-1.01.

Meter Reading

The Member-Consumer will be required to read the meter monthly during pumping seasons.

Late Payment Charge

A late payment charge of 5% shall be added to any bill not paid on or before the due date shown thereon. The due date shall be 21 days following the date of mailing.

Michigan State Sales Tax

Michigan State Sales Tax shall be added to all bills, including minimums, where applicable.

Time Periods

The time periods applicable to the rate are set forth on sheet No. D-4.00

Tax Adjustments

- A. Bills shall be increased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local taxes.
- B. Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority which increases the Cooperative's cost of providing electric energy.

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**PRIMARY SERVICE RATE
SCHEDULE PSDS**

Availability

This rate is available only to Member-Consumers with Firm Primary Service Loads of 500 kW or greater. This rate is subject to the availability of Wolverine Power Supply Cooperative's (Wolverine) Rider C&I. The Member-Consumer at its sole cost shall provide a dedicated phone service to metering location.

Subject to the Cooperative's Retail Access Service Tariff, this schedule is available to Member-Consumers for delivery of power from the Point of Distribution Receipt to the Point of Distribution Delivery subject to the following conditions:

- A. The Member-Consumer must have a Maximum Demand of at least 500 kW. Individual Member-Consumers receiving demand metered service who are eligible to be taking service under the Cooperative's Schedule LP, Schedule LC&I and Schedule PSDS may achieve the 500 kW Maximum Demand threshold by aggregating or summing the Maximum Demands for each metering point occurring during a single month. The applicable rate schedule will apply to all aggregated metering points on an individual account basis.
- B. The Member-Consumer must enter a Retail Access Service Agreement with the Cooperative.
- C. The transmission of power to the Distribution Point of Receipt and all related costs shall be the responsibility of the Member-Consumer and/or Alternative Electric Supplier (AES).
- D. The Member-Consumer must agree to purchase any default energy delivered pursuant to Schedule RASS-Retail Access Standby Service in addition to the service specified herein.

Service Options

Service may be taken 1) directly from a distribution substation, 2) from an existing three phase primary line, or 3) from a new three phase primary line. "Directly from a distribution substation" is defined as service in which the delivery point to the Consumer is within 1,000 feet of a distribution substation. "Service from an existing three phase primary line" is defined as service in which the delivery point to the Consumer is within 1,000 feet of an existing three phase primary line.

(Continued on Sheet No. D-17.01)

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**PRIMARY SERVICE RATE
SCHEDULE PSDS
(Continued from Sheet No. D-17.00)**

All rates assume service directly from a distribution substation. For Member-Consumers served from an existing three-phase primary line, add \$1.10 per kW; or for Member-Consumers served from a new three-phase primary line, add \$2.20 per kW.

Rate

Distribution Service

Availability Charge: \$130.00 per mo.

Firm Service Demand Charge \$3.60 per kW

PSDF Charge \$0.005 per kWh

Energy Optimization Surcharge:

This service is subject to the Energy Optimization Surcharge shown on Sheet No. D-1.03.

Power Supply Service (not applicable to Retail Access Service)

Demand Charge \$7.16 per kW

Energy Charge \$0.02640 per kWh for all kWh

Reactive Charge \$0.25 per kVar

Reactive Demand

The reactive demand for the month shall be the maximum kVAR demand, leading or lagging, for any one-hour period for any day.

Minimum Charge

The Minimum Charge shall be the maximum Demand Charge times 500 kW, **plus the Energy Optimization Surcharge amount shown on Sheet No. D-1.03.** The Cooperative reserves the right to make special determination of the billing demand and/or minimum charge should circumstances require.

(Continued on Sheet No. D-17.02)

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**PRIMARY SERVICE RATE
SCHEDULE PSDS
(Continued from Sheet No. D-17.01)**

Billing Demand

Distribution Delivery Component

The billing demand shall be the average kilowatts (kW) load during the 15-minute period of maximum use during the billing month. Cooperative reserves the right to make special determination of the billing demand and/or minimum charge should circumstances require. The minimum monthly billing demand shall be the greater of the metered demand, the contract minimum demand, or 500 kW

Power Supply Component – For Non-Retail Access Member-Consumers.

The Monthly Power Supply Billing Demand shall be the Member-Consumer's demand in kilowatts (kW) supplied during the 60 minute period when Wolverine Power Supply Cooperative, Inc. experiences its monthly system coincidental peak demand.

Power Supply Cost Recovery

This rate schedule is subject to the Cooperative's Power Supply Cost Recovery Clause as set forth on Sheet Nos. D-1.00 to D-1.01, except for Retail Access Member-Consumers.

Power Factor

The above rate charges are predicated upon the Member-Consumer maintaining a power factor not less than ninety (90%) percent lagging. Cooperative reserves the right to measure power factor at any time by means of test or permanently installed metering equipment; and, if the Member-Consumer's average power factor is found to be less than ninety (90%) percent lagging, the billing demand will be increased by the ratio that ninety (90%) percent bears to the Member-Consumer's actual power factor.

(Continued on Sheet No. D-17.03)

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**PRIMARY SERVICE RATE
SCHEDULE PSDS
(Continued from Sheet No. D-17.02)**

Contracts

A contract shall be required for each Member-Consumer under this rate. The Cooperative reserves the right to require service contracts covering terms and nature of service in cases where special services are required, or where investment by the Cooperative is in excess of that provided for without contribution toward construction by the Member-Consumer in the Cooperative's Standard Rules and Regulations.

Terms of Payment

A late payment charge of 5% shall be added to any bill not paid on or before the due date shown thereon. The due date shall be 21 days following the date of mailing.

Michigan State Sales Tax

Michigan State Sales Tax will be added on all bills, where applicable.

Rules and Regulations

Terms and conditions of service under this schedule shall be governed by the Cooperative's Standard Rules and Regulations and *Retail Access Service Tariff* which are on file with the Michigan Public Service Commission and incorporated herein by reference.

Tax Adjustment

- A. Bills shall be increased or decreased, within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to recognize such special charges and thereby prevent other Member-Consumers from being compelled to share such local tax increases or decreases.
- B. Bills shall be adjusted to reflect any new, increased, or decreased specific tax or excise imposed by any governmental authority which impacts the Cooperative's cost of providing electric service.

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**PARTIAL CONTROLLED HEATING SERVICES
SCHEDULE PCH**

Availability

Available to Member-Consumers taking monthly service concurrently under Rate Schedules A or C. This rate is for controlled service to electric space heating loads which are controlled by the Cooperative where the amount of control exercised by the Cooperative is limited as described below:

Type of Service

Single-phase, or three phase, 60 hertz, at available secondary voltage. Service under this schedule will be available at all times except when controlled by the Cooperative during times of peak system demand or system emergencies. The total number of hours that this load will be controlled shall be limited to a maximum of 400 hours per heating system. Air conditioning, which is used in conjunction with controlled space heating, is eligible for service under this rate subject to interruption up to 200 hours per cooling season. In instances where the entire electric heating load is under the control of the Cooperative, the control period is limited to a maximum of 40 minutes out of each hour for a maximum of 6 hours per day. Where 50 percent or more of the entire heating load is under the control of the Cooperative, the control may be exercised for up to six hours per day. To qualify for service under this rate, the portion of the Member-Consumer's load subject to control must be either separately metered or sub-metered off the master meter.

Monthly Rate

Energy Charge for Controlled Load

As set forth in Schedule A or C, whichever is applicable, including the power supply cost recovery provision, discounted @ 1.5¢ per kWh

Tax Adjustments

- A. Bills shall be increased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local increases.
- B. Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority which increases the Cooperative's cost of providing electric service.

(Continued on Sheet No. D-18.01)

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**PARTIAL CONTROLLED HEATING SERVICES
SCHEDULE PCH
(Continued from Sheet No. D-18.00)**

Terms Of Payment

This rate schedule is subject to the terms of payment as set forth on the concurrent rate schedule that qualifies the Member-Consumer for this service.

Rules And Regulations

Service is governed by the Cooperative's Standard Rules and Regulations.

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**NET METERING PROGRAM
GENERATORS WITH A CAPACITY OF 20 KW AND LESS**

Availability

This rate is available only to Member-Consumers who operate renewable electric generation facilities with a nameplate capacity of 20 kW or less and are interconnected with the Cooperative's system, to generate a portion or all of the Member-Consumer's own electricity. If a Member-Consumer has more than one electric generator, the generator's rating(s) shall be summed and the sum may not exceed 20 kW.

The Cooperative's Net Metering Program is available on a first come, first serve basis until the nameplate capacity of all participating generators is equal to the maximum program limit of 1% of the Cooperative's peak load for the preceding calendar year. The maximum program limit of 1% shall be further allocated as follows:

- a) No more than 0.5% for Member-Consumers with a system capable of generating 20 kilowatts or less.
- b) No more than 0.25% for Member-Consumers with a system capable of generating more than 20 kilowatts but not more than 150 kilowatts.
- c) No more than 0.25% for Member-Consumers with a system capable of generating more than 150 kilowatts, but not more than 550 kW.

Upon enrolling in the Net Metering Program Member-Consumers shall be eligible to continue participation for a minimum period of ten years. A participating Member-Consumer may terminate participation in the Cooperative's Net Metering Program at any time for any reason.

Member-Consumer Eligibility

To be eligible to participate in the Net Metering Program, Member-Consumers must (1) generate a portion or all of their own retail electricity requirements using an eligible electric generator as defined in MCL 460.1005, specifically solar, wind, geothermal, biomass, including waste-to energy and landfill gas, or hydroelectric, and (2) be Full Requirements Service Member-Consumers taking service under one of the Cooperative's standard electric rates.

The generation equipment must be located on the Member-Consumer's premises, serving only the Member-Consumer's premises and must be intended primarily to offset a portion or all of the Member-Consumer's requirements for electricity. At the Member-Consumer's option, the generation capacity shall be determined by one of the following methods:

(Continued on Sheet No. D-19.01)

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NET METERING PROGRAM
GENERATORS WITH A CAPACITY OF 20 KW AND LESS
(Continued from Sheet No. D-19.00)

- a) Aggregate nameplate capacity of the generator(s).
- b) Aggregate projected annual kWh output of the generators(s)

The Member-Consumer is required to provide the Cooperative with the capacity rating in kW of the generating unit(s) and a projection of the annual kWh output of the generating unit(s) when completing the Cooperative's Net Metering Application.

The Member-Consumer shall determine its annual electricity needs using one of the following methods:

- a) The Member-Consumer's annual energy usage, measured in kWh, during the previous 12 month period:
- b) Where metered demand data is available, the maximum integrated hourly demand measured in kW during the previous 12 month period: or
- c) In cases where no data, incomplete data, or incorrect data for the Member-Consumer's past annual energy usage is available, or where the Member-Consumer is making changes on-site that will affect their future total annual electric usage, the Cooperative and the Member-Consumer shall mutually agree on a method to determine the Member-Consumer's future annual energy usage.

The requirements for interconnecting a generator with the Cooperative's facilities are contained in the Michigan Public Service Commission's Electric Interconnection and Net Metering Standards Rules (R 460.601a-460.656) and the Cooperative's Michigan Electric Utility Generator Interconnection Requirements, copies of which will be provided to Member-Consumers upon request. Member-Consumers shall be provided a copy of the Cooperative's Generator Interconnection Application and Net Metering Application and shall be required to complete both applications and submit them with all applicable application fees (including, but not limited to, the \$25.00 net metering application fee as required in Rule 460.642(6)) for review and approval prior to interconnection of their generator to the Cooperative's facilities. All requirements of the MPSC's Electric Interconnection and Net Metering Standards and the Cooperative's Net Metering Program must be met prior to commencing Net Metering service.

A Member-Consumer that is enrolled in the Net Metering Program will continue to take electric service under the Cooperative's applicable service tariff.

(Continued on Sheet No. D-19.02)

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NET METERING PROGRAM
GENERATORS WITH A CAPACITY OF 20 KW AND LESS
(Continued from Sheet No. D-19.01)

METERING

The Member-Consumer's net usage shall be determined with metering capable of reverse registration or, at the Cooperative's discretion and expense, a single meter with separate registers measuring power flow in each direction. If the Member-Consumer's existing meter is not capable of reverse registration, the incremental cost above that for meters provided for similarly situated non-generating Member-Consumers shall be paid by the Member-Consumer.

MONTHLY CHARGES:

The Member-Consumer shall pay the full retail rate in accordance with the Cooperative's standard service tariff applicable to the Member-Consumer when the Member-Consumer's monthly net usage results in a net flow of energy from the Cooperative to the Member-Consumer. When the Member-Consumer's monthly net usage results in a net flow of energy from the Member-Consumer to the Cooperative, the Member-Consumer shall be credited the full retail rate for the energy provided to the Cooperative in accordance with the Cooperative's standard service tariff applicable to the Member-Consumer.

The credit for any excess generation, as determined by each month's meter reading, shall be credited against the following month's bill. Any credit carried forward to the following month that is not used up that month, shall be carried forward for use in subsequent billing periods. If a Member-Consumer terminates service with the Cooperative while having a net metering credit amount on their account, the Cooperative shall refund the remaining credit amount to the Member-Consumer following a final reading by the Cooperative of the Member-Consumer's net meter.

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SECTION E
RETAIL ACCESS SERVICE TARIFF

1.0 INTRODUCTION AND DEFINITIONS

This tariff expresses the terms and conditions associated with Retail Access Service and provides information regarding the roles of the various market participants. This tariff includes the following sections:

Introduction and Definitions	Section 1.0
Member-Consumer Section	Section 2.0
Alternative Electric Supplier Section	Section 3.0
Dispute Resolution	Section 4.0
Liability and Exclusions	Section 5.0

When a Member-Consumer participates in Retail Access Service and obtains Generation Services from an Alternative Electric Supplier (AES), the Cooperative will maintain a relationship and interact with the separate participants – including the Member-Consumer, the Transmission Service Provider, and the AES.

1.1 The Member-Consumer Role

The Member-Consumer is the end-user of Power in the State of Michigan who has facilities connected to the Cooperative's Distribution System. Under Retail Access Service, the Member-Consumer will conduct transactions with at least two participants – including the Cooperative and an AES. The Member-Consumer is responsible for choosing an AES. Member-Consumers may receive transmission service directly from the Transmission Service Provider or the AES may make such arrangements as part of its service to the Member-Consumer.

The Cooperative's principal requirement is that the Member-Consumer must be taking service under the Cooperative's Schedule LP or PSDS and have a Maximum Demand of at least **50 kW**. An Individual Member-Consumer currently demand metered and who is eligible to be taking service under the Cooperative's Schedule LP may achieve the **50 kW** Maximum Demand threshold by aggregating or summing the Maximum Demands for each demand metering point occurring during a single month. All charges or fees specified herein and all related rate schedules apply to aggregated demand metering points on an individual account basis. No more than 30% of the total number of member-consumers between 50 kW and 199 kW shall be entitled to take service under this tariff.

(Continued on Sheet No. E-1.01)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.00)

The Member-Consumer is ultimately responsible for the purchase and delivery of power to the Cooperative's distribution system that is sufficient to meet the Member-Consumer's electrical requirements for each hour of each day. If for any reason, including but not limited to the failure or default of the AES, the failure of its generation resources and/or transmission system constraints, power is delivered to a retail open access Member-Consumer by the Cooperative then the Member-Consumer shall purchase said power from the Cooperative pursuant to the Default Service provisions of this tariff.

1.2 The Alternative Electric Supplier Role

An Alternative Electric Supplier (AES) is a Person that has been licensed by the Michigan Public Service Commission to sell electric generation service to retail consumers in this state. The AES takes title to Power and sells Power in Michigan's retail electric market.

An AES makes necessary arrangements to provide Power to Member-Consumers, assembles products and/or services, and sells the products and/or services to Member-Consumers. An AES must meet all applicable statutory and regulatory requirements of Michigan and federal law.

Market participation responsibilities of the AES or Member-Consumer include: scheduling energy, obtaining and paying for transmission and ancillary services (including energy imbalance charges), and payment or provision of energy for losses incurred on the Transmission System and the Distribution System to deliver Power. The AES is responsible for assuring power supply, arranging deliveries to the Cooperative's Distribution System, and managing its own retail sales.

1.3 Transmission Service Provider Role

The Transmission Service Provider delivers electrical energy to the Cooperative's distribution system. To obtain retail access service, the Member-Consumer or the AES on behalf of the Member-Consumer must arrange for transmission service from the Transmission Service Provider. The Transmission Service Provider provides services to transmission Consumers, whether an AES or a Member-Consumer as defined herein, pursuant to its Open Access Transmission Tariff (OATT) rules and regulations as approved by the Federal Energy Regulatory Commission or pursuant to a Transmission Tariff approved by another appropriate regulatory authority.

(Continued on Sheet No. E-1.02)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.01)

1.4 Cooperative Role

The Cooperative provides facilities and related services for the distribution of electricity and is the Member-Consumer's primary contact for electric service. Under Retail Access, the Cooperative arranges for the physical connection of the Member-Consumer's facilities to the Distribution system and provides system maintenance, outage restoration, metering equipment, meter data processing, bill processing for distribution services and other Consumer support services.

The Cooperative's Generation Services (Default Service and Full Requirements Service) offered herein are supplied by purchases for resale from the Cooperative's wholesale power supplier. Such purchases are made pursuant to tariffs that are established by the wholesale power supplier and approved by the Federal Energy Regulatory Commission or other appropriate regulatory authority.

1.5 Definitions

“Aggregate” or “Aggregation” means to combine or the combination of multiple metering points serving an individual Member-Consumer for the purpose of qualifying for Retail Access Service.

“Alternative Electric Supplier” or “AES” means a Person properly licensed by the Michigan Public Service Commission to sell electric Generation Service to retail Consumers in the state of Michigan. AES does not include a Person who physically delivers electricity from the AES directly to retail Consumers in Michigan.

“Commission” means the Michigan Public Service Commission.

“Cooperative” means Cherryland Electric Cooperative or its agent.

“Default Service” means Generation Service provided by the Cooperative. Default Service shall be purchased under the rates, terms, and conditions in the applicable Retail Access Standby Service tariff approved by the Commission.

“Demand” means the amount of Power required to meet the Member-Consumer's load averaged over a designated interval of time, expressed in kilowatts or megawatts.

(Continued on Sheet No. E-1.03)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.02)

“Distribution Point of Delivery” means the point of interconnection between the Cooperative’s Distribution System and the Member-Consumer’s service Location.

“Distribution Point of Receipt” means the point of interconnection between the Cooperative’s Distribution System and the Transmission System or other facilities where electric Energy is received for delivery to a Member-Consumer.

“Distribution Service” means the provision of retail Regulated Electric Service including delivery of Generation over the Distribution System, and ancillary services all provided by the Cooperative pursuant to its rates for Retail Access Service.

“Distribution System” means facilities operated by the Cooperative for the purpose of distributing electric power within the Cooperative’s electric service territory, which are subject to the jurisdiction of the Commission.

“Drop Request” means a request by an AES to terminate Generation Service to a Member-Consumer.

“Drop Response” means a response sent by the Cooperative to an AES which submitted a Drop Request that confirms the requested Member-Consumer drop as pending and provides certain Member-Consumer information or, if the Drop Request is denied, provides a reason or invalidation code explaining why the request was denied.

“Energy” refers to “electrical energy.” Energy is usually measured in kilowatt-hours (kWh) or megawatt-hours (MWh).

“Full Requirements Service” means the provision of retail Regulated Electric Service including generation, transmission, distribution, and ancillary services all provided by the Cooperative pursuant to its rates for standard electric service.

“Generation Service” means the provision of electric Power, transmission, and related ancillary services.

(Continued on Sheet No. E-1.04)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.03)

“Interval Demand Meter” means a meter capable of measuring and recording kW demands and kVAR demands on a sub-hour time interval and hourly integrated basis and measuring energy in kWh on a cumulative basis.

“Load” means any end-use device drawing energy from the electric system.

“Location” means each Member-Consumer facility, whether owned or leased, where power is delivered by the Cooperative.

“Maximum Demand” (also known as “Peak Demand”) means the highest 15-minute integrated demand created during the current and previous eleven (11) billing months at each voltage level, whether the Member-Consumer received service under this tariff or another Cooperative retail tariff.

“Member-Consumer” means, for purposes of Retail Access Service, a Person with electrical load facilities connected to the Cooperative’s Distribution System and to whom Power is delivered to its Location pursuant to this tariff. All Member-Consumers, regardless of the voltage level of the service, are considered to be connected to the Cooperative’s Distribution System.

“Open Access Transmission Tariff (OATT)” means Open Access Transmission Tariff of a Person owning or controlling the Transmission System, on file with the Federal Energy Regulatory Commission, as may be amended from time to time.

“Person” means an individual, governmental body, corporation, partnership, association, or other legal entity.

“Power” means a combination of the electric Demand and Energy requirements of the Member-Consumer.

“Retail Access Service” means the service offered by the Cooperative under applicable laws, regulations, tariffs and agreements, which allows the Member-Consumer to purchase Generation Service from a licensed AES, with Power delivered through the Cooperative’s Distribution System.

(Continued on Sheet No. E-1.05)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.04)

“*Regulated Electric Service*” means the services offered by the Cooperative under terms and conditions approved by the Commission.

“*Relevant Market*” means either the Upper Peninsula or the Lower Peninsula of this state.

“*Slamming*” means the act of changing the Member-Consumer’s chosen AES, or changing the Member-Consumer from Full Requirements Service to Generation Service from an AES, without the Member-Consumer’s consent.

“*Switch*” means a Member-Consumer move from one provider of Generation Service to another.

“*Switch Date*” means the date on which the Member-Consumer is actually assigned to a new Generation Service provider for purposes of Energy supply responsibility.

“*Switch Request*” means a request by an AES to switch the Member-Consumer from the Cooperative or another AES to the requesting AES, for Generation Service.

“*Switch Response*” means a response sent by the Cooperative to an AES which submitted a Switch Request that confirms the requested Member-Consumer switch as pending and provides certain Member-Consumer information or, if the Switch Request is denied, provides a reason or invalidation code explaining why the request was denied.

“*Transmission Service Provider*” means a Person that owns, controls and/or operates transmission facilities and provides transmission and related services to the Cooperative including scheduling of power supply resources into the transmission system on behalf of the Cooperative.

“*Transmission System*” means facilities operated by a Person used for transmitting electric Power to the Distribution Point of Receipt, and subject to the jurisdiction of the Federal Energy Regulatory Commission.

“*Uniform Data Transaction*” means specific technical arrangements for trading information, initiating business requests and executing other common transactions. These arrangements may encompass a number of electronic media and use specified transport protocols.

(Continued on Sheet No. E-1.06)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.05)

2.0 MEMBER-CONSUMER SECTION

2.1 Availability

Retail Access Service is available to all existing or new Member-Consumers that meet the terms and conditions of this Retail Access Service tariff and other applicable Cooperative tariffs, subject to contracting with an AES.

2.2 Eligibility

2.2.1 A Member-Consumer's eligibility to take Retail Access Service is subject to the full satisfaction of any terms or conditions imposed by pre-existing contracts with or tariffs of the Cooperative. Member-Consumers must have satisfied any past due amounts for Regulated Electric Service owed to the Cooperative under any other arrangements or provisions for Regulated Electric Service before taking service under this tariff.

2.2.2 An Individual Member-Consumer who is eligible to be taking service under the Cooperative's Schedule LP or PSDS and having a demand meter with a Maximum Demand of at least **50 kW** is eligible to take service under this tariff. An Individual Member-Consumer receiving demand metered service at multiple metering points and who is eligible to be taking service under the Cooperative's Schedule LP may achieve the **50 kW** Maximum Demand threshold by aggregating or summing the Maximum Demands for each metering point occurring during a single month. All charges or fees specified herein and all related rate schedules apply to all aggregated metering points on an individual account basis. No more than 30% of the total number of member-consumers between 50 kW and 199 kW shall be entitled to take service under this tariff.

2.3 Member-Consumer Information

Member-Consumers will be provided their own usage and billing information upon request. No fee shall be charged for the first request per calendar year related to a specific Member-Consumer account. An AES must obtain written authorization from the Member-Consumer before the Cooperative will provide an AES with a Member-Consumer's currently available usage and billing information. Subsequent requests by the Member-Consumer or the AES will require a fee of \$20.00 per account that will be billed to the Member-Consumer.

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.06)

2.4 Member-Consumer Enrollment and Switching

- 2.4.1 A Member-Consumer which switches to an AES cannot return to the Cooperative's Full Requirements Service for two years after the switch to the AES has been effectuated. See Return to Service Provision in Section 2.6.
- 2.4.2 A Member-Consumer will specify only one AES at any given time for the supply of Power to each Member-Consumer account or Member-Consumer Location. Member-Consumers that are receiving Retail Access Service through aggregated Locations will specify the same AES for all accounts or locations at any given time.
- 2.4.3 A Member-Consumer shall be permitted to change AESs. Assuming all other requirements are met, the changes will become effective at the completion of their normal billing cycle. Member-Consumers will be assessed a fee of \$10.00 per Member-Consumer account for each change beyond one (1) within a calendar year. The change will be submitted to the Cooperative by the Member-Consumer's newly chosen AES as a Switch Request.
- 2.4.4 The AES shall submit to the Cooperative a Switch Request via a Uniform Data Transaction after a required ten (10) day Consumer rescission period.
- 2.4.5 The Cooperative will process one (1) valid Switch Request per Member-Consumer per meter reading cycle. Where multiple Switch Requests for the same Member-Consumer are received during the same meter reading cycle, the Cooperative will process the first valid Switch Request received during a meter read cycle. A Switch Response for each rejected Switch Request will be sent to the appropriate AES via a Uniform Data Transaction within three (3) business days.

The Cooperative will normally validate a Switch Request within three (3) business days of the receipt of the Switch Request and will transmit a Switch Response to the AES. As part of the validation process, the Cooperative shall notify the Member-Consumer in writing that a Switch Request has been received and is being processed.

(Continued on Sheet No. E-1.08)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.07)

For valid Switch Requests from one AES to another, the Cooperative will at the same time send to the AES currently serving the Member-Consumer, via the appropriate Uniform Data Transaction, notice that the AES's service is to be terminated, including the scheduled Member-Consumer Switch Date. In the event that the Member-Consumer or the new AES cancels the Switch before the Switch Date, the Cooperative will send to the current AES, via appropriate Uniform Data Transaction, notice reinstating the current AES's service unless the current AES has submitted a valid Drop Request.

Cut-off time for the receipt of Switch Requests is eight (8) business days in advance of the Member-Consumer's Switch Date. In the case of errors or omissions in Switch Requests received by the Cooperative, final disposition of exceptions may take up to five (5) business days.

- 2.4.6 Other than in situations where Member-Consumers require new meter installations as part of a Switch, Member-Consumer Switches will be scheduled to take place on the scheduled meter reading date, and will be effective on the actual meter reading date or the date of an estimated meter reading for billing purposes. The Switch Date shall be effective on the next scheduled meter read date that is not less than eight (8) business days after the Switch Request has been confirmed as pending. The AES change shall occur at midnight (00:00) local time at the beginning of the effective date.
- 2.4.7 The Cooperative shall process Drop Requests submitted by AESs in the same manner as it processes Switch Requests, including Member-Consumer notification. AESs shall be subject to the same timing, validation and Uniform Data Transaction requirements for Drop Requests as for Switch Requests. An AES shall inform the Member-Consumer in writing of the submission of a Drop Request.

(Continued on Sheet No. E-1.09)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.08)

2.5 Metering

- 2.5.1 Metering equipment for Member-Consumers taking Retail Access Service shall be furnished, installed, read, maintained, and owned by the Cooperative.
- 2.5.2 Member-Consumers shall be required to have an Interval Demand Meter at each metering point.
- 2.5.3 If a new Interval Demand Meter is required, time and material costs to install it will be assessed to the Member-Consumer.
- 2.5.4 The Cooperative may require that the meter be read via telephone. In such cases, Member-Consumers will be required to provide a telephone connection for purposes of meter interrogation by the Cooperative. If a Member-Consumer is not able to allow sharing of a telephone connection, the Member-Consumer may be required to obtain a separate telephone connection for such purposes. The Member-Consumer is responsible for assuring the performance of the telephone connection. The Member-Consumer shall be responsible for all costs of the required telephone connection.
- 2.5.5 In cases where a telephone connection used by the Cooperative for meter interrogation is out of service, the Cooperative may retrieve the data manually for a nominal monthly fee of \$15.00 payable by the Member-Consumer. In the event that the telephone connection is out for three consecutive billing months, the Member-Consumer's Retail Access Service may be terminated and the Member-Consumer will be returned to service under the Cooperative's Full Requirements Service tariffs subject to the provisions of Section 2.6, unless said outage is due to non-performance by the telecommunications service provider.
- 2.5.6 Energy consumption and Demand for settlement purposes shall be based on the data from the Interval Demand Meters.

(Continued on Sheet No. E-1.10)

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(Continued from Sheet No. E-1.09)

2.5.7 Where monthly metered Energy data is not available due to metering errors, malfunctions, or otherwise, the billing quantities will be estimated by the Cooperative using the available historical data and other relevant information for the Member-Consumer.

2.6 Return to Full Requirements Service

2.6.1 A Member-Consumer which switches to an AES cannot return to the Cooperative's Full Requirements Service for two (2) years after the switch to the AES has been effectuated. After such two (2) year period, a Member-Consumer may return to full service after giving the Cooperative at least 30 days written notice, unless the Member-Consumer wants to take service during the summer months of June through September, in which case the Member-Consumer must give the Cooperative notice no later than the preceding December 1. The Cooperative will return the Member-Consumer to Full Requirements Service following the notice period. Said notice period commences with the beginning of the Member-Consumer's billing cycle following receipt of the Member-Consumer's written notice of intent to return to Full Requirements Service. If the Member-Consumer returns to the Cooperative's Full Requirements Service for any reason prior to such two (2) year period or prior to the expiration of the notice period, the Member-Consumer's rate will be determined as the greater of:

- A. The charges for Default Service plus the applicable Retail Access Service rate, or
- B. 110% of the applicable Full Requirements Service Rate.

2.6.2 A Member-Consumer, having given notice of its intent to return to Full Requirements Service under Section 2.6.1, will receive Cooperative Default Service if, at any time during the notice period, it discontinues purchasing Generation Service from an AES.

(Continued on Sheet No. E-1.11)

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- 2.6.3 A Member-Consumer taking Default Service under the provisions of Section 2.6.2 may switch to another AES as provided in Section 2.4 at any point during the period that they are on Default Service.
- 2.6.4 The AES shall transmit a Member-Consumer Drop Request to the Cooperative via a Uniform Data Transaction when the Member-Consumer requests return to Full Requirements Service or when AES service is not being continued for any reason. The AES shall inform the Member-Consumer of the Drop Request in writing.
- 2.6.5 The Cooperative will normally validate a Drop Request within three (3) business days of the receipt of the Drop Request and will transmit a Drop Response to the AES. As part of the validation process, the Cooperative will notify the Member-Consumer in writing that a Drop Request has been received and is being processed.
- 2.6.6 The Switch from AES to Full Requirements Service will be processed on the next meter read date after the AES submits the necessary Drop Request to the Cooperative, provided that the requirements of section 2.6.1 are met. If the requirements of section 2.6.1 are not met, then the Member-Consumer will be switched to Cooperative Default Service until said requirements are met. The Switch shall occur at midnight (00:00) local time at the beginning of the effective date.
- 2.6.7 A Member-Consumer returning to Full Requirements Service must remain on such service for the minimum term stated in the applicable Full Requirements Service tariff, but not less than twelve (12) months.
- 2.6.8 In the event of Slamming from Full Requirements Service, a Member-Consumer who desires to return to Full Requirements Service may do so. The Cooperative will waive the twelve (12) month minimum term requirements. The Cooperative's Default Service does not apply to such Member-Consumers.

(Continued on Sheet No. E-1.12)

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2.6.9 In the event a Member-Consumer is dropped by the AES due to the bankruptcy of the AES or upon the complete withdrawal of the AES from the Relevant Market, the Member-Consumer may receive Default Service from the Cooperative for not more than three (3) full billing cycles. By the end of that time period, the Member-Consumer must either have a Switch Request completed on their behalf as provided in Section 2.4, or give notice of its intent to return to Full Requirements Service as provided in Section 2.6.1. A Member-Consumer that does not arrange for Generation Service from a different AES or give notice of its intent to return to Full Requirements Service within three (3) months shall be disconnected.

2.7 Billing and Payment

2.7.1 The Cooperative will bill the Member-Consumer for Retail Access Service as outlined in Section 3.3 of this tariff.

2.7.2 The Member-Consumer shall pay the Cooperative the amount billed by the Cooperative on or before a due date established by Member-Consumer billing rules approved by the Commission in accordance with the Commission's consumer standards and billing practices, R 460.3901 et seq., as amended, for nonresidential Consumers.

2.7.3 Where incorrect billing results from an error discovered by either the Cooperative, the AES or the Member-Consumer, the error will be corrected and revised bills, as appropriate for the Member-Consumer and/or AES, will be calculated and settled on the next billing period after the error is discovered. Billing errors discovered by the Cooperative shall be adjusted as provided for in the Commission's applicable billing rules.

(Continued on Sheet No. E-1.13)

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(Continued from Sheet No. E-1.12)

2.8 Disconnection of Service

The Cooperative is the only Person allowed to physically disconnect service to a Member-Consumer. Disconnection of service to a Member-Consumer for non-payment of the Cooperative's bill or for any violation of the Cooperative's tariffs shall be in accordance with applicable Commission rules and Cooperative tariffs. The Cooperative shall notify the AES in writing of the intent to disconnect and the date and time of actual disconnection. The Cooperative shall not be liable for any losses to the AES due to disconnection.

(Continued on Sheet No. E-1.14)

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RETAIL ACCESS SERVICE TARIFF
(Continued from Sheet No. E-1.13)

3.0 ALTERNATIVE ELECTRIC SUPPLIER SECTION

3.1 Availability

The AES will not be eligible to enroll Member-Consumers unless and until the following conditions have been satisfied and continue to be satisfied. The AES has sole responsibility for conditions 3.1.1, 3.1.2, and 3.1.3. The Cooperative will check and verify conditions 3.1.4 and 3.1.5.

- 3.1.1 The AES has been granted a license by the Commission.
- 3.1.2 The AES has obtained and maintains a Member-Consumer-signed Enrollment indicating that the Member-Consumer has chosen to switch its Generation Service to the AES.
- 3.1.3 The AES has executed agreements with the appropriate Transmission Service Provider(s).
- 3.1.4 The AES has demonstrated its capability to meet the Cooperative's defined standards and protocols for Uniform Data Transactions.
- 3.1.5 The AES has executed a Retail Access Service agreement (which may include, but is not limited to, a portfolio of Member-Consumers, negotiated services, etc.) with the Cooperative and complied with the Cooperative's Member-Consumer enrollment requirements to prevent Slamming.

3.2 Switch and Drop Requests

- 3.2.1 Switch Requests and Drop Requests will be handled in accordance with Section 2.4 of this tariff and will be accepted for processing by the Cooperative.
- 3.2.2 When a Member-Consumer requests to discontinue receiving Generation Service from the AES or when the AES's service is being discontinued for any reason, the AES shall transmit a Member-Consumer Drop Request to the Cooperative via a Uniform Data Transaction within no more than three (3) business days.

(Continued on Sheet No. E-1.15)

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3.3 Billing

- 3.3.1 Unless otherwise agreed, the Cooperative and the AES will separately bill the Member-Consumer for the respective services provided by each. The Member-Consumer will receive separate bills for services provided and is responsible for making payments to the Cooperative for service provided in accordance with requirements of the Cooperative as set forth in the applicable billing rules and Commission approved tariffs.
- 3.3.2 The Cooperative may elect to offer a service where it bills the Member-Consumer for services that the Cooperative provides as well as services provided by the AES. If the Cooperative bills for AES charges, the following conditions will apply:
- A. The Cooperative and the AES must have entered into a billing agreement that specifies the terms and conditions under which such billing will occur.
 - B. Any discrepancies in charges collected and remitted will be corrected and reflected in the subsequent billing cycles.
- Payments received from or on behalf of a Member-Consumer shall be applied in the following order:
 - 1. To the Member-Consumer's past due balance owed the Cooperative,
 - 2. To current balances due the Cooperative,
 - 3. To current balances due the Cooperative for other charges such as facilities or loan agreements, and
 - 4. To the AES for all balances due for services provided.
 - Optional Services (i.e., billing and remittance processing, credit and collections, meter read information, Member-Consumer information, etc.) may be provided by the Cooperative pursuant to terms negotiated with the AES, and shall be offered on a non-discriminatory basis.

(Continued on Sheet No. E-1.16)

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(Continued from Sheet No. E-1.15)

- Amounts owed to the Cooperative by an AES may be deducted from the AES's Member-Consumer payments received by the Cooperative prior to remittance to the AES.
- The Cooperative will not pursue collections action for any AES.

3.3.3 Unless otherwise specified by the Cooperative, all payments made to the Cooperative by the AES will be made by electronic funds transfer to the Cooperative's account.

3.4 Terms and Conditions of Service

- 3.4.1 The AES is responsible for providing Power to be transmitted by the appropriate Transmission Service Provider(s) to the Cooperative's Distribution Point of Receipt. The AES shall meet all obligations necessary to schedule Power to match the Member-Consumer's Load, subject to energy imbalance charges and penalties in accordance with the terms of the OATT of the Transmission Service Provider(s).
- 3.4.2 Retail Access Service may not commence until metering has been installed as specified in this Tariff as outlined in Section 2.5.
- 3.4.3 The AES will provide to the Cooperative or the Cooperative's designated recipient daily energy schedules for all services including losses associated with use of the Distribution System. The AES will provide verification that it has arranged for and scheduled transmission service to deliver Energy, the energy schedule has been approved by the Transmission Service Provider(s), and the AES has covered losses on the Transmission System(s).
- 3.4.4 The AES will pay the Cooperative under applicable tariffs for all applicable ancillary services, emergency energy services, standby and backup services provided by the Cooperative to the AES for the AES's Member-Consumer(s) from the service commencement date to the service termination date.

(Continued on Sheet No. E-1.17)

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(Continued from Sheet No. E-1.16)

3.4.5 The Cooperative shall bill the AES for all associated switching fees incurred as a result of Slamming by the AES plus the actual administrative cost incurred for switching a slammed Member-Consumer from one rate service to another.

3.4.6 An AES shall not resell Member-Consumer account information or transfer it to other parties for any other purpose. The Cooperative will only release Member-Consumer data to the Member-Consumer or its authorized representative, which may be the AES.

3.5 Distribution Power Losses

The AES is responsible for replacing losses associated with the delivery of Power to the Member-Consumer's meter. The amount that the AES shall cause to be delivered to the Cooperative's Distribution System will be the amount of Power delivered at the

Member-Consumer meter plus an amount to reflect loss factors. For calendar year 2004, the loss factors were:

Secondary Service	6.0%
Primary Service	2.4%
Primary Substation Service	0

Please contact the Cooperative to obtain the applicable loss factors for the current billing period.

(Continued on Sheet No. E-1.18)

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(Continued from Sheet No. E-1.17)

4.0 DISPUTE RESOLUTION

- 4.1 The Cooperative shall have no duty or obligation to resolve any complaints or disputes between AESs and Member-Consumers.
- 4.2 The Cooperative shall have no duty or obligation to resolve any complaints or disputes between AESs or Member-Consumers and their Transmission Service Provider(s). Disputes involving a Transmission Service Provider's OATT shall be resolved using the dispute resolution procedures as described in the OATT.
- 4.3 In the event the AES has a dispute over the implementation of the Cooperative's Retail Access Service, then the AES shall provide the Cooperative with a statement of the dispute and the proposed resolution to the designated Cooperative contact. Upon receipt of the statement of dispute, the Cooperative shall attempt to resolve the dispute according to the following process:
- 4.3.1 The Cooperative will investigate the dispute and attempt to resolve the dispute informally in a manner that is satisfactory to both parties within five (5) business days of initial receipt of the statement of dispute.
- 4.3.2 If the dispute is not resolved in five (5) business days, the parties shall attempt to resolve the dispute by promptly appointing a senior representative of each party to attempt to mutually agree upon a resolution. The two senior representatives shall meet within ten (10) business days. If the two senior representatives cannot reach a resolution within a 30-day period, the dispute may, on demand of either party, be submitted to arbitration as provided in this section.
- 4.3.3 The dispute, if mutually agreed by the parties, may be submitted for resolution in accordance with the American Arbitration Association ("AAA") commercial arbitration rules. The judgment rendered by the arbitrator may be enforced in any court having jurisdiction of the subject matter and the parties.

(Continued on Sheet No. E-1.19)

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(Continued from Sheet No. E-1.18)

- 4.3.4 The arbitrator may be determined by AAA.
- 4.3.5 The findings and award of the arbitrator shall be final and conclusive and shall be binding upon the parties, except as otherwise provided by law. Any award shall specify the manner and extent of the division of the costs between the parties.
- 4.4 Nothing in this section shall restrict the rights of any party to seek resolution of the dispute with the appropriate regulatory agency with jurisdiction.

(Continued on Sheet No. E-1.20)

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(Continued from Sheet No. E-1.19)

5.0 LIABILITY AND EXCLUSIONS

- 5.1 In no event will the Cooperative or its suppliers be liable under any cause of action relating to the subject matter of this tariff, whether based on contract, warranty, tort (including negligence), strict liability, indemnity or otherwise for any incidental or consequential damages including but not limited to loss of use, interest charges, inability to operate full capacity, lost profits or claims of AESs or Member-Consumers.
- 5.2 The Cooperative will not be liable to an AES or Member-Consumer for damages caused by interruption of service, voltage or frequency variations, single-phase supply to three-phase lines, reversal of phase rotation, or carrier-current frequencies imposed by the Cooperative for system operations or equipment control, except such as result from the failure of the Cooperative to exercise reasonable care and skill in furnishing the service.
- 5.3 In no event will Cooperative be liable to an AES or Member-Consumer for loss of revenue or other losses due to meter or calculation errors or malfunctions. The Cooperative's sole obligation and the AES's or Member-Consumer's sole remedy will be for the Cooperative to repair or replace the meter and prepare revised bills as described in Section 2.7.3.

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**SCHEDULE RASS
RETAIL ACCESS STANDBY SERVICE**

Availability

The schedule is available on a best efforts basis to Member-Consumers of the Cooperative receiving power supply service from an alternate electric supplier and distribution service under the Cooperative's Large General Service Rate (Schedule LP), Large Commercial and Industrial Rate (Schedule LC&I) or Primary Service Rate (Schedule PSDS).

Nature of Service

Service under this schedule is only available on a best efforts basis to the Member-Consumer when an Alternative Electric Supplier (AES) has ceased service to the Member-Consumer. The Member-Consumer may arrange to return to Full Requirements Service by following the procedures detailed in the Cooperative's Retail Access Service Tariff, subject to the terms and conditions set forth in said tariff.

Standby Service under this schedule does not include net under- or over- deliveries of Energy that result when Energy is delivered on behalf of a Member-Consumer but deviates from the Member-Consumer's scheduled Energy requirements plus applicable provisions for line losses. Any change in the Member-Consumer's Energy schedule must be reported to the Transmission Service Provider according to the provisions in the applicable Open Access Transmission Tariff (OATT). These charges represent Schedule 4 ancillary services and will be summarized each month with payment to the Member-Consumer or due from the Member-Consumer per the calculation.

Charges for Service

The charges for this service shall be equal to the Cooperative's out-of-pocket cost of standby power delivered to the Member-Consumer, plus a service fee of one-cent (\$0.01) per kWh delivered to the Member-Consumer.

The Cooperative's out-of-pocket cost shall be equal to the amount it is billed by its wholesale supplier for Standby Service delivered to the Member-Consumer.

(Continued on Sheet No. E-2.01)

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SCHEDULE RASS
RETAIL ACCESS STANDBY SERVICE
(Continued from Sheet No. E-2.00)

Terms of Payment

- A. Monthly bills for Standby Service rendered by the Cooperative are due and payable on or before the due date listed on the bill.
- B. The above rates are net. A one-time late payment charge of five (5%) percent of the unpaid balance, excluding sales tax, will be assessed on any bill for Standby Service not paid by the due date.
- C. The Cooperative will not collect any monies on behalf of any AES, retailer or other third party without a written agreement between the Cooperative, the Member-Consumer and the third party.

Third Party Disputes

The Cooperative has no obligation or duty to intervene, mediate or participate in contractual disputes between the Member Consumer and its AES Supplier or third parties. Further, the Cooperative will not shut off service or otherwise enforce any provision of a contract between the Member Consumer and any third party.

Tax Adjustment

- A. Bills shall be increased or decreased within the limits of political subdivisions which levy special taxes, license fees or rentals against the Cooperative's property, or its operations, or the production and/or sale of electric energy, to offset such special charges and thereby prevent other Member-Consumers from being compelled to share such local increases or decreases.
- B. Bills shall be adjusted to offset any new, increased or decreased specific tax or excise imposed by any governmental authority, which increases or decreases the Cooperative's cost of providing electric service.

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SECTION F
STANDARD CUSTOMER FORMS INDEX

<http://www.cecelec.com/rates/>

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