

WISCONSIN ELECTRIC POWER COMPANY MICHIGAN

RATE BOOK FOR ELECTRIC SERVICE

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

Copies of the Company's Rate Book for Electric Service are available on Wisconsin Electric Power Company's website at the following website address, http://www.we-energies.com/business/michigan_service_rates/index.htm or at the Michigan Public Service Commission's website at the following website address, http://www.michigan.gov/mpsc/0,1607,7-159-16377_52818_53477-214344--00.html

Territory

This Rate Book for Electric Service applies to the 2015-2019 Large Curtailable Special Contracts customers

**THIS RATE BOOK SUPERSEDES AND CANCELS RATE BOOK
M.P.S.C. No. 3 - Electric**

Issued December 21, 2016
T.T. Eidukas
Vice-President,
Milwaukee, Wisconsin



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TERRITORY SERVED

The Tilden Mining Company L.C. open pit iron ore mine and related ore processing facilities in Tilden Township, Marquette County, Michigan and the Empire Iron Mining Partnership open pit iron ore mine and related ore processing facilities in Richmond Township, Marquette County, Michigan.

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TECHNICAL TERMS AND ABBREVIATIONS (FOR ALL CUSTOMERS)

I. The definitions of the following technical terms and abbreviations are applicable to the Company’s Electric Rate Book and are not contained in the other Sections thereof:

A. For All Utilities

- (1) “Commission” means the Michigan Public Service Commission.
- (2) “Effective Date” means the date when the tariff sheet must be followed.
- (3) “Issue Date” means the date the Company files a tariff sheet with the Commission.
- (4) “Rate Book” means the complete set of Company filings submitted in accordance with the “Filing Procedures for Electric, Wastewater, Steam and Gas Utilities”.
- (5) “Rate Schedule” or “Rider” means the rate or charge for a particular classification of service, including all special terms and conditions under which that service is furnished at the prescribed rate or charge.
- (6) “Rate Sheet” or “Tariff Sheet” means any of the documents filed in accordance with “Filing Procedures for Electric, Wastewater, Steam and Gas Utilities”.
- (7) “Rules and Regulations” means the rules, regulations, practices, classifications, exceptions, and conditions that the Company must observe when providing service.
- (8) “Standard Customer Form” means a contract or other agreement that create or alter a customer’s rights or responsibilities in dealings with the Company. Standard customer forms require a customer signature or are specifically referenced within the Rate Book for execution between the Company and customers.
- (9) “Special Contract” means an electric, steam, or gas rate schedule for utility service provided to a customer under a negotiated agreement providing rates or rules and regulations other than those listed in the utility’s rate book.

B. Company

Advance – For the purposes of deposits and contributions, “in advance” means in advance of commencement of construction; however, under no circumstances will the meter(s) be set or the system energized until the required deposit or contribution has been made.

Ampere: Rate of flow of electricity.

Company – Wisconsin Electric Power Company.

Energy **Waste Reduction** Surcharge: A delivery/distribution surcharge to allow recovery of the energy **waste reduction** alternative compliance payment made by the Company in compliance with Section 91(1) of 2008 PA 295. An annual energy **waste reduction** cost reconciliation shall be conducted. The approved Energy **Waste Reduction** Surcharges are shown on Sheet No. D-5.00.

Full Requirements Service: The provision of retail regulated electric service including generation, transmission, distribution and ancillary services all provided by the Company.

Hertz (Hz): The international unit of frequency equal to one cycle per second.

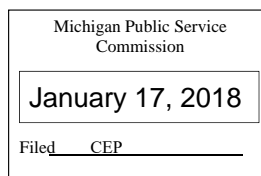
60 Hertz Service: Shortened form of described “60-cycle” (per second) alternating current service” in these rate schedules.

Horsepower (hp) - Unit of mechanical power equivalent to 746 watts of electrical power.

Kilowatt (kW): One thousand watts. Unit of electric power representing rate of consumption.

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TECHNICAL TERMS AND ABBREVIATIONS (FOR ALL CUSTOMERS)
(Continued From Sheet No. A-7.00)

B. Company (Contd)

Kilovoltampere (kVA): Product of volts and amperes, divided by one thousand.

Kilowatthours (kWh): Consumption of energy equivalent to the use of one kilowatt for one hour.

Maximum Demand or Demand: Measured in kilowatts, is the highest power required as metered by a demand recorder.

Month: The term “month” shall refer to the period between two successive, scheduled meter readings.

Power Factor: The ratio of watts to the product of volts and amperes.

Power Supply Cost Recovery Factor: 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 Schedules.

Power Supply Cost Recovery Plan: 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 specific Power Supply Cost Recovery Factor.

Power Supply Costs: Those elements of the costs of fuel and purchased and net interchanged power as determined by the Commission to be included in the calculation of the Power Supply Cost Recovery Factor.

Renewable Energy Surcharge: A power supply surcharge to allow recovery of the incremental cost of compliance with the renewable energy standards included in 2008 PA 295. An annual renewable cost reconciliation shall be conducted pursuant to Section 49 of 2008 PA 295. The approved Renewable Energy Surcharges are shown on Sheet No. D-6.00.

Volt: Unit of electric force or pressure.

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SECTION B
ADMINISTRATIVE RULES INDEX

B1. Technical Standards for Electric Service (R 460.3101 - R 460.3804) (For All Customers)
http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1923_2019-030LR_AdminCode.pdf

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http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1365_2014-038LR_AdminCode.pdf

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http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1365_2014-038LR_AdminCode.pdf

PART 11. APPEAL PROCEDURES

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B4. Billing Practices Applicable to Non-Residential Electric and Gas Customers (R 460.1601 - R 460.1640)
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B5. Underground Electric Lines (R 460.511 - R 460.519)
http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/824_10790_AdminCode.pdf

- R 460.511 Payment of difference in costs
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- R 460.518 Exceptions
- R 460.519 Effective dates

B6. Electrical Supply and Communication Lines and Associated Equipment (R 460.811 - R 460.814)
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- R 460.2702 Measuring animal contact voltage
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- R 460.601 Definitions
- R 460.602 Adoption of standards by reference
- R 460.604 Prohibited practices
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- R 460.610 Appointment of experts
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- R 460.650 Billing and credit for true net metering customers
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- R 460.654 Renewable energy credits
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B14. Uniform System of Accounts for Major and Nonmajor Electric Utilities (R 460.9001- R 460.9019)
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http://www.michigan.gov/documents/mpsc/U-4771_05-10-1976_586636_7.PDF

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SECTION C
COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)

INTENT OF SECTION C

These Company Rules and Regulations for all customers are not to supersede but are in addition to Rule B1., Services Supplied by Electric Utilities; Rule B2., *Consumer Standards and Billing Practices for Electric and Natural Gas Service*, Rule B5., Underground Electric Lines; Rule B6., Electrical Supply and Communication Lines and Associated Equipment; Rule B7., Rules and Regulations Governing Animal Contact Current Mitigation (Stray Voltage); Rule B8., Electric Interconnection Standards; and Rule B9., Service Quality and Reliability Standards for Electric Distribution Systems.

C1. INTRODUCTION

- A. These rules and regulations set forth the terms and conditions under which electric service will be provided by the Company. They shall apply to all classes of service and shall govern the terms of all contracts for such service except that the Company reserves the right to enter into special contracts subject to the general regulations of the Michigan Public Service Commission. Failure of the Company 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 Company which are not in conformance with these rules and regulations, nor with the terms of special contracts executed by authorized representatives of the Company shall not have binding effect on the Company.
- C. No ownership rights in any facilities provided by the Company shall pass to any person as a result of any contribution or deposit made under these rules. No deposits or contributions made by customers shall be refundable unless expressly so provided in these rules.
- D. Copies of the Company's Rules and Regulations and Rate Schedules for electric service, as filed with the Michigan Public Service Commission, are open to public inspection at the Company's offices and are available upon request. Copies of the Company's Rate Book for Electric Service are available on Wisconsin Electric Power Company's website at the following website address,
http://www.we-energies.com/business_new/elec/elecratesmi.htm

C2. TERMS AND CONDITIONS OF SERVICE

C2.1. Membership and Electric Service

Each applicant for electric service may be required to sign the Company'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.

C2.2. Company-Owned Facilities

- A. The Company will normally install, own, operate and maintain all distribution facilities on the supply side of the point of attachment as shown on the Company's standard drawings, including metering equipment. All service entrance conductor wiring from a point of connection to the Company's service line at a location satisfactory to the Company shall be the responsibility of the customer. If building modifications hinder access to metering facilities, create a hazardous condition, or cause a violation of code, the customer will be responsible for all costs incurred by the Company to correct these conditions.

(Continued on Sheet No. C-2.00)

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-1.00)

C2.2. Company-Owned Facilities (Contd)

- B. Access to Premises – The customer shall provide at no expense to the Company suitable space with provisions for installation and maintenance of the Company’s facilities on the customer’s premises. Authorized agents of the Company shall have access to the premises at all reasonable times for construction, operation, maintenance, removal or inspection of the Company’s facilities, or to inspect the customer’s facilities or measure the customer’s load. Authorized employees and agents shall carry identification furnished by the Company and shall display it upon request. Failure to provide access for any of the above reasons may result in termination of service.
- C. Use of Facilities – The Company will not allow use of its poles or other facilities by others for installations or attachments of any kind without written authorization from the Company. This includes, but is not limited to, electrical or communication equipment, lights, signs and fences. The Company assumes no liability for property owned by others attached to its facilities. Unauthorized attachments to Company facilities may be removed by the Company.
- D. Protection – The customer shall use reasonable diligence to protect the Company’s facilities located on the customer’s premises, and to prevent tampering or interference with such facilities. The Company may discontinue service in accordance with any applicable rules of the Michigan Public Service Commission, in case the meter or wiring on the customer’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 Company will continue service only after the customer has agreed to pay for the unmetered energy used, cost of discovery, and make provisions and pay charges for an outdoor meter installation or other metering changes as may be required by the Company. 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 Company or Commission. Restoration of service will be made upon receipt of reasonable assurance of the customer’s compliance with the Company’s approved Standard Rules and Regulations.

C2.3. Customer-Owned Facilities

- A. The Company reserves the right to deny or terminate service to any customer whose wiring or equipment shall constitute a hazard to the Company’s equipment or its service to others. However, it disclaims any responsibility to inspect the customer’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.
- B. The customer shall be responsible for inadequate performance of such facilities. Before purchasing equipment or installing wiring, it shall be the customer’s responsibility to check with the Company as to the characteristics of the service available. Any changes required to bring customer’s service into compliance with code will be paid for by customer. The Company reserves the right to make reasonable service charges for work performed by Company personnel resulting from malfunction of the customer’s facilities.

(Continued on Sheet No. C-3.00)

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(Continued from Sheet No. C-2.00)

C2.3. Customer-Owned Facilities (Contd)

- C. The customer shall be responsible for notifying the Company of any additions to or changes in the customer's equipment which might exceed the capacity of the Company's facilities, or otherwise affect the quality of service. The customer 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 customer shall install and maintain the necessary devices to protect his or her other equipment against service interruptions and other disturbances on the Company's system, as well as the necessary devices to protect the Company's facilities against overload caused by the customer's equipment. Characteristics and installation of all such equipment or devices shall meet the approval of the Company.

C2.4. Customer-Owned Generating Systems

- A. Interconnection of a generating facility with the Company's system shall not be permitted until application has been made to and approval received from the Company. The Company may withhold approval only for good reason such as failure to comply with applicable Company rules or governmental laws. The Company shall require a contract specifying reasonable technical connection and operating aspects for the parallel generating facility.
- B. The Company may require that for each generating facility there be provided between the generator (or generators) and the Company's system a lockable load-break disconnect switch. For installations interconnected at greater than 600 volts, a fused cutout switch may be substituted, where practicable. The switches shall be accessible to the Company for the purpose of isolating the parallel generating facility from the Company's system, when necessary.
- C. The Company shall require a separate distribution transformer for a customer having a generating facility, where necessary for reasons of public or employee safety or where the potential exists for the generating facility to cause problems with the service of other customers. Ordinarily this requirement should not be necessary for an induction-type generator with a capacity of 5 kW or less, or other generating units of 10 kW or less that utilize line-commutated inverters.
- D. Where necessary, to avoid the potential for a generating facility causing problems with the service of other customers, the Company should limit the capacity and operating characteristics of single-phase generators in a manner consistent with its existing limitations for single-phase motors. Ordinarily single-phase generators should be limited to a capacity of 10 kW or less.
- E. The Company shall require that each generating facility have a system for automatically isolating the generator from the Company's system upon loss of the Company supply, unless the Company desires that the local generation be continued to supply isolated load. For synchronous and induction generators such protection against continued operation when isolated from the utility system will ordinarily consist of overcurrent protection, fuse or circuit breaker, plus a voltage or frequency controlled contactor which would automatically disconnect the unit whenever its output voltage or frequency drifted outside predetermined limits. Other suitable protective systems against abnormal voltages or frequencies may be accepted by the Company.

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-3.00)

C2.4. Customer-Owned Generating Systems (Contd)

- F. The Company shall require that the customer discontinue parallel generation operation when it so requests and the Company may isolate the generating installation from its system at times:

When considered necessary to facilitate maintenance or repair of utility facilities.

When considered necessary during system emergencies.

When considered necessary during such times as the generating facility is operating in a hazardous manner, or is operating such that it adversely affects service to other customers or to nearby communication systems or circuits.

- G. The owner of the generating facility shall be required to make the equipment available and permit entry upon the property by Company personnel at reasonable times for the purposes of testing isolation and protective equipment, and evaluating the quality of power delivered to the Company's system; and testing to determine whether the local generating facility is the source of any electric service or communication systems problems.
- H. The power output of the generating facility shall be maintained such that frequency and voltage are compatible with normal Company service and do not cause the Company service to fall outside the prescribed limits of Commission rules and other standard limitations.
- I. The generating facility shall be operated so that variations from acceptable voltage levels and other service impairing disturbances do not result in adverse effects on the service or equipment of other customers, and in a manner which does not produce undesirable levels of harmonics in the Company power supply.
- J. The owner of the generating facility shall be responsible for providing protection for the owner's installed equipment and for adhering to all applicable national, state and local codes. The design and configuration of certain generating equipment, such as that utilizing line-commutated inverters, sometimes requires an isolation transformer as part of the generating installation for safety and for protection of the generating facilities.

C2.5. Use of Service

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

C2.6. Notice of Intent

- A. Application – Prior to use of electrical service, each customer shall make proper application to the Company, and shall furnish all reasonable information required by the Company. Failure to comply with this requirement may result in refusal by the Company to provide service.

Any customer using service without first notifying and enabling the Company 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 preceding his or her occupancy.

(Continued on Sheet No. C-5.00)

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-4.00)

C2.7. Conditions of Use

- A. The rules in this section are designed to assist in maintaining a high standard of electric service for all customers with maximum economy of facilities and are based on industry standards of good practice. When installing any utilization equipment, it shall be the customer's responsibility to comply with the provisions of this section.
- B. The customer shall not use the service in any way that causes a safety hazard, endangers the Company's facilities, or disturbs service to other customers. Failure to comply with this provision may result in discontinuance of the customer's service.
- C. Customer shall install only such motors or other apparatus or appliances as are suitable for operation with the character of the service supplied by the Company, and electric energy must not be used in such a manner as to cause detrimental voltage fluctuations or disturbances in the Company's distribution system.
- D. In order to limit the impact of voltage variations and disturbances to acceptable industry limits, the Company may establish starting and operating criteria for equipment on customer premises. Customer loads shall be sized and operated in accordance with such criteria.
- E. The Company may require the installation of a separate retail power service to serve equipment which does not conform to the rules which govern standard retail service or to serve other devices which are likely to interfere with standard voltage regulation. Power service, as defined in these rules, means service furnished principally for electromotive or industrial purposes and may include service for lighting thereto. Equipment or operations associated with a power service may affect voltage regulation or cause flicker or other disturbances that are not adequate for standard retail service.
- F. Where a customer connects single-phase equipment to a three-phase service, the single-phase equipment shall be connected to prevent unbalance of the loads on the three phases in excess of 10%, and the power factor of such single-phase loads shall not be less than 75% at rated load. When these requirements cannot be met the customer may contract for separate single-phase service.
- G. It shall be the customer's responsibility to install any protective devices such as time-delay under-voltage relays, phase reversal relays, devices to protect against unbalanced phase operation of three-phase equipment and any other device necessary to prevent damage to utilization equipment which might result from imperfections in the service provided.
- H. It shall be the customer's responsibility to avoid installing and/or operating any utilization equipment that causes objectionable distortion of the system voltage waveform, or produces objectionable harmonic or other high frequency currents in the system, or interferes with the operation of any other customer's equipment or the Company's equipment or causes interference with the operation of another utility's facilities which may be in close proximity to the power system facilities. When the source of objectionable voltage distortion or interference is determined to be equipment owned by a specific customer, the customer will be informed and advised of his or her responsibility to correct the problem to acceptable industry limits. The Company has the right to require the customer to correct the problem or to disconnect the equipment causing the objectionable voltage distortion or interference.

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-5.00)

C2.7. Conditions of Use (Contd)

- I. The Company may advise the customer concerning specific installations on request, but will not test or investigate any customer's equipment except when necessary to determine the cause of interference or substandard voltage conditions. The Company may refuse to connect service or may suspend service when such equipment does not conform to these rules and has not been corrected after reasonable notice.

C2.8. Non-standard Service

- A. The Company shall not be required to provide nonstandard service voltages or service at any voltage other than the standard voltages adopted for use on the distribution system.
- B. Customers shall be liable for the cost of any special installation necessary to meet particular requirements for service at other than standard voltages adopted by the Company, or to provide closer voltage regulation or meet specific criteria which exceed that required for standard retail service. (See also, Section C 6.2 Special Service.)
- C. The usual supply of electric service shall be subject to the provision of Michigan Public Service Commission rules, but where special service-supply conditions or problems arise for which provision is not otherwise made, the Company may modify or adapt its supply terms to meet the peculiar requirements of such case.
- D. The Company 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 customers whose establishments are remote from the Company's existing suitable facilities, or whose service requirements exceed the capabilities of the Company system in the area, or otherwise necessitate unusual investments by the Company in service facilities or where the permanence of the service is questionable.

C2.9. Resale of Electric Energy

Customers shall not resell to, or share with others, any electric service furnished by the Company under the terms of its filed rate schedules not applicable to such resale of energy, unless otherwise authorized by the Michigan Public Service Commission.

C2.10. Service to a Single Metering Point

Where resale of electric service exists, the Company will be under no obligation to furnish or maintain meters or other facilities for the resale of service by the reselling customer to the ultimate user. The use of "Master Metering" will be limited to existing customers.

Electric service will no longer be granted where connection is made to a single metering point for the purpose of resale to the reselling customer'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.

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
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C2.11. Point of Attachment

- A. Not more than one service drop or service lateral for either standard retail service or retail power service will be installed to the same building or utilization point except:
 - (1) where more than one point of delivery is necessary because of voltage regulation, governmental requirements, or regulatory orders;
 - (2) for installations where, in the opinion of the Company, more than one service drop or lateral is necessary to meet the load requirements;
- B. Where suitable service is available, the Company will install service connections from its distribution lines to a suitable point of attachment on the customer's premises designated by the Company. Where the customer requests a point of attachment other than that specified by the Company, and such alternative point of attachment is approved by the Company, the cost of installing additional intermediate supports, wires or fixtures necessary to reach the point of attachment requested by the customer, shall be borne by the customer.
- C. Should it become necessary for any cause beyond the Company's control to change the location of the point of attachment of service connections, the entire cost of any changes in the customer's wiring made necessary thereby, shall be borne by the customer.
- D. A service connection will not be made unless the customer has installed his or her service entrance facilities in compliance with code requirements and specifications set forth by the Company.
- E. The customer may be required to provide, at no expense to the Company, space for Company facilities on the customer's premises.
- F. For overhead service, the location of the point of attachment must be such that the Company's service conductors can be installed without attachment to the building in any other locations.
- G. For underground service, the point of attachment may be on the building, meter pedestal, or other agreed point.
- H. Service will be provided to meter poles for service where more than one structure is to be supplied from a single meter. The customer shall be required to install a fused disconnect switch on the pole at his or her own expense in accordance with Company specifications.

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-7.00)

C2.12. Nature and Quality of Service

- A. The Company will endeavor to, but does not guarantee to furnish a continuous supply of electric energy and to maintain voltage and frequency within reasonable limits.
- B. The Company shall not be liable for interruptions in the service, phase failure or reversal, or variations in the service characteristics, or for any loss or damage of any kind or character occasioned thereby, due to causes or conditions beyond the Company's control, and such causes or conditions shall be deemed to specifically include, but not be limited to, the following: acts or omissions of customers or third parties; operation of safety devices, except when such operation is caused by the negligence of the Company; absence of an alternate supply of service; failure, malfunction, breakage, necessary repairs or inspection of machinery, facilities or equipment when the Company has 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.
- C. The customer shall be responsible for giving immediate notice to the Company of interruptions or variations in electric service so that appropriate corrective action can be taken.
- D. The Company reserves 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 interruption, curtailment or suspension.

C2.13. Metering and Metering Equipment

- A. The customer shall provide, free of expense to the Company and close to the point of service entrance, a space suitable to the Company for the installation of the necessary metering equipment. The customer shall permit only authorized agents of the Company 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 customer, the cost of necessary repairs or replacements shall be paid by the customer. The Company reserves the right to make final decisions with respect to methods and equipment used in measurement of loads for billing purposes.
- B. Meter Testing - All testing of metering equipment will be done by qualified personnel, either Company employees or by independent agents meeting the requirements of both the Company and the Commission. The Company may, at its option, either conduct field tests on the customer's premises, or remove metering equipment for shop testing.
- C. Routine Tests - The Company will, through test procedures established by the Commission, endeavor to maintain its metering equipment within the accuracy limits prescribed by the Commission. Test procedures and accuracy limits are set forth in R 460.3101 - **R 460.3804**.

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
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C2.13. Metering and Metering Equipment (Contd)

- D. Location of Meters - Meters 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, 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 Company.

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

C2.14. Special Charges

The Company will make such charges for reasonable special services as necessary to discourage abuse and to minimize subsidy of such services by other customers. The following schedule shall apply where applicable:

Charge for any Special Services at Customer's Request:	
During Regular Working Hours	\$35
Outside Regular Working Hours	\$70
Meter Reading Charge	\$10
Meter Test Charge	\$20
Reconnect Charge:	
During Regular Working Hours	\$31
Outside Regular Working Hours	\$77
Disconnect Charge:	
Disconnect at Pole, During Regular Working Hours Greater of	\$31 or actual cost
Disconnect at Pole, Outside Regular Working Hours Greater of	\$77 or actual cost
Bad Check Handling Charge	\$15
Connections Outside Regular Working Hours	\$40
Charge for usage and billing information per request beyond one within a calendar year	\$15
Switch processing charge per switch request beyond one within a calendar year	\$62
Manual meter interrogation charge	\$15

Bills may be paid at authorized pay stations. A convenience fee may be charged by the third party processing the payment at the authorized pay stations. The Company will not be responsible for payments made to unauthorized pay stations.

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C2.15. Service Disconnect at Customer's Request

Service to the customer's premises may be disconnected by the Company at the customer's request under the following conditions:

- A. Upon Termination – The Company will disconnect service with no charge to the customer upon due notice as provided elsewhere in these rules. However, if restoration of service at the same location is requested by the same customer or property owner(s), a reconnect charge will be applied
- B. For Repairs – The Company will temporarily disconnect service to facilitate repairs or other work on the customer's equipment or premises. Special service charges as set forth in Section C2.14, will be applicable.

C2.16. Rate Application

- A. The rates specified in this schedule are predicated upon the delivery of service to a single metering point for the total requirements of each separate premises of the customer, 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.

C3. CONSTRUCTION POLICY

C3.1. General

- A. This section of the rules and regulations sets forth the terms and conditions under which the Company will construct and extend its facilities to serve new loads and replace, relocate or otherwise modify its facilities.
- B. Except where specifically stated otherwise, service extension policy is based on overhead construction and any financial participation by the customers for underground facilities shall be in addition to other charges provided for in these rules.
- C. Contributions in aid of construction and other deposits made with the Company under the provisions of this section shall be considered nonrefundable except where provisions for refunds are specifically stated.
- D. 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.
- E. Each distribution line extension shall be a separate, distinct unit and any further line extension therefrom shall have no effect upon the agreements under which such extension is constructed.
- F. See also Section C2.8, Non-standard Service.

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C3.2. Non-residential Overhead Extension Policy

- A. Company Financed Extensions – Except for contributions in aid of construction for underground service made under the provisions of Section C3.4 of these rules, the Company will finance the construction cost necessary to extend its facilities to serve commercial or industrial customers when such investment does not exceed 2 times the annual distribution revenue anticipated to be collected from customers initially served by the extension.
- B. Charges – When the estimated cost of construction of such facilities exceeds the Company’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.
- 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 Company’s underground service policy as set forth in this section. The Company 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 customer are sufficient to warrant a greater initial investment by the Company. Such refunds shall be computed as follows:

- (1) Original Customer – At the end of the first complete 12-month period immediately following the date of initial service, the Company will compute a revised initial investment based on 2 times the actual distribution revenue provided by the original customer in the 12-month period. Any amount by which twice the actual annual distribution revenue exceeds the Company’s initial investment will be made available for refund to the customer; no such refund shall exceed the amount deposited under provisions of Paragraph (B) above.

C3.3. Service Extensions to Loads of Questionable Permanence

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 Company will install, own, operate and maintain all distribution facilities up to the point of attachment to the customer’s service equipment subject to the following:

- A. Charges – Prior to commencement of construction, the customer shall make a deposit with the Company in the amount of the Company’s estimated construction and removal less cost of salvage. Such estimates shall include the cost of extending the Company distribution facilities and of increasing capacity of its existing facilities to serve the customer’s load.

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C3.3. Service Extensions to Loads of Questionable Permanence (Contd)

- B. Refunds– At the end of each year the Company will make a refund on the amount deposited from distribution revenues derived from the customer 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 distribution revenue, excluding sales tax revenues.
 - (b) Twenty percent (20%) of the new annual distribution revenue, excluding 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 distribution revenue for that period, excluding sales tax revenues, is equal to or greater than 5 times the original deposit, the balance of the deposit will be refunded.
 - (b) If at the end of the five-year refund period, the total distribution revenue, excluding sales tax revenue, is less than 5 times the original deposit, the refund for the fifth year will be applied in accordance with (1), (a) or (b) above.

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

C3.4. General Underground Service Policy

- A. This portion of the rules provides for the extension and/or replacement of underground electric distribution facilities. The Upper Peninsula of Michigan was excluded from the mandatory underground rules adopted by the Michigan Public Service Commission in Case No. U-3001. The general policy of the Company is that real estate developers, property owners or other applicants for underground service shall make a contribution in aid of construction to the Company in an amount equal to the estimated difference in cost between underground and equivalent overhead facilities.
- B. Methods for determining this cost differential for specific classifications of services 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.

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C3.4. General Underground Service Policy (Contd)

- C. The Company, at the request of the developer, will install an underground electric distribution system for all 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:
- (1) The developer or owners must provide for recorded easements or rights-of-way acceptable to the Company. The easements are to be coordinated with other utilities and will include easements for streetlighting cable.
 - (2) 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 Company that the easements are graded to within four inches of final grade before the underground distribution facilities are installed.
 - (3) The developer or owner requesting underground construction must make a nonrefundable contribution to the Company for primary switching cabinets. When a switching cabinet is required exclusively for one customer, that customer will contribute the actual installed cost of the switching cabinet. When more than one customer is served from the switching cabinet, each customer's contribution will be the prorated total installed cost of the switching cabinet based on the number of positions required for each customer.
 - (4) 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.
 - (5) The developer or owner will be responsible for any costs of relocating Company facilities to accommodate changes in grade or other changes after underground equipment is installed, and also be responsible for any damage to Company facilities caused by his or her operations or the operations of his or her 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.
 - (6) An additional amount of \$1.00 per foot shall be added to trenching charges for practical difficulties associated with winter construction in the period from November 15 to April 30 inclusive. This charge will not apply to jobs which are ready for construction and for which the construction meeting has been held prior to September 30.

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C3.5. Non-residential Underground Service Policy

- A. Commercial Service – Distribution facilities in the vicinity of new commercial loads and built solely to serve such loads will be placed underground (optional for companies serving the Upper Peninsula). 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 Company's judgment, any of the following conditions exist:

Such facilities would serve commercial or industrial customers having loads of temporary duration; or

Such facilities would serve commercial or industrial customers in areas where little aesthetic improvement would be realized if such facilities were placed underground; or

Such facilities would serve commercial or industrial customers 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.

- (1) The Company 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 Company and other utilities where satisfactory agreement for reimbursement exists between the Company and the other utilities.
- (2) The service for individual customers 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.
- (3) In the event the developer(s), owner(s), customer(s) or tenant(s) request 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(s).
- (4) The Company will install underground service connections to commercial and industrial customers 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:

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C3.5. Non-residential Underground Service Policy (Contd)

- (5) 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 Company for installation of cables on his or her property.
- (a) Contribution – For standard installation of distribution facilities, the applicant(s) 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 \$1.90.
- Transformers will be charged on an installed basis of \$4.00 per kVA.
- Service, as this term is generally understood in the electric utility field (on customer's property), is charged on the basis of \$4.00 per trench foot.
- (b) Measurement – “Trench length” shall be determined by measuring along the centerline of the trench as follows:
- i. Primary Extensions – shall be measured along the route of the primary cable from the transition pole to each transformer or other primary termination.
 - ii. 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.
 - iii. Service Laterals – shall be measured from the pole or underground secondary terminal to which the serve lateral is connected along the route of the lateral trench to the point of connection to the customer'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.
- (1) Contribution – The applicant(s) shall make a contribution according to the provisions above for commercial service.

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(Continued from Sheet No. C-15.00)

C3.6. Other Conditions Underground Construction Policy

- A. Obstacles to Construction – Where unusual construction costs are incurred by the Company 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(s) 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 Company reserves the right to refuse to place its facilities under road or railroad rights-of-way in cases where, in the Company’s judgment, such construction is impractical.
- B. Contributions – 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 Company’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. Geographic Exceptions – The Upper Peninsula of Michigan was excluded from the mandatory underground rules adopted by the Michigan Public Service Commission in Case No. U-3001.
- D. Replacement of Overhead Facilities – Existing overhead electric distribution service lines shall, at the request of an applicant(s), be replaced with underground facilities where, in the opinion of the Company, such replacement will not be detrimental to the electric service to other customers.

Before construction is started, the applicant(s) shall be required to pay the Company 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.

- E. Underground Installations for Company’s Convenience – Where the Company, 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 Company. All other costs will be governed by the Company’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 to the estimated difference in cost between the underground and equivalent overhead facilities. The Company 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 Company’s actual construction cost experience.
- G. Local Ordinances- The Company reserves the right, where local ordinance requirements are more stringent than these rules, to apply to the Michigan Public Service Commission for such relief as may be necessary.

C3.7. Miscellaneous General Construction Policy

See also Section C2.8, Non-standard Service. Except where specifically designated as overhead or underground construction policies, the following general policies will be applied to either overhead or underground construction:

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(Continued from Sheet No. C-16.00)

C3.71. Easements and Permits

- A. Easement and Permits – Where suitable easements do not exist, the Company 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 Company, 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 costs incurred by the Company for rights-of-way and permit fees shall be borne by the applicant(s).

C3.72. Moving of Buildings or Equipment

When the Company is requested to assist in the moving of buildings or equipment through, under or over the Company's distribution lines, the Company will require a deposit from the mover in advance of providing such assistance. The amount of the deposit required will be based upon the Company's estimate of the probable cost, but in no event will the required deposit be less than \$100. Upon completion of moving assistance, the Company will determine actual costs and will bill or credit the mover according to the difference between actual costs and the deposit, except 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.
- C. The minimum billing for moving assistance shall not be less than \$100.00.

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C3.73. Relocation of Facilities

- A. The Company will cooperate with political subdivisions in the construction, improvement or rehabilitation of public streets and highways. It is expected that the Company will receive reasonable notice so that any required relocation work can be properly scheduled.
- B. If the Company's poles, anchors, or other appurtenances are located within the confines of the public right-of-way, the Company 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 Company's facilities.
 - (3) The facilities provide public services such as lighting, traffic signals, etc.
- C. If the Company's poles, anchors or other appurtenances are located on private property, the political subdivision must agree in advance to reimburse the Company for any expenses involved in relocating its facilities.
- D. When the Company 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 Company.
 - (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.
- E. Before actual relocation work is performed under C and D above, the Company 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 Company 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.

C3.74. Construction Schedules

Scheduling of construction shall be done on a basis mutually agreeable to the Company and the applicant. The Company reserves the right not to begin construction until the customer has demonstrated to the Company's satisfaction his or her intent to proceed in good faith with installation of his or her facilities by acquiring property ownership, and obtaining all necessary permits.

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(Continued from Sheet No. C-18.00)

C3.75. Design of Facilities

The Company 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 Company at the request of the customer, the customer may be required to reimburse the Company for such excess costs.

C3.76. Billing

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

C3.77 Permanent Removal of Distribution or Service Facilities

If the Company is asked to remove existing distribution or service facilities, the customer shall pay in advance of the removal, the cost of such removal. The customer's contribution is not refundable.

C4. EMERGENCY ELECTRICAL PROCEDURES

C4.1. General

- A. Emergency electrical procedures may be necessary if there is a shortage in the electrical energy supply to meet the demands of customers 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.
- B. The Commission will be promptly advised of the nature, time and duration of all implemented emergency conditions and procedures which affect normal service to customers. The Commission may order the implementation of additional procedures or the termination of the procedures previously employed when circumstances so require.
- C. As may be appropriate in accordance with the nature of the occurring or anticipated emergency, the Company will initiate the following procedures (C4.2 to C4.5).

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C4.2. 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.

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.

C4.3. Anticipated or Predictable Short-Term Power Supply Capacity Shortages

A. In the event an emergency condition of short-term duration is anticipated or experienced which cannot be relieved by sources of power supply within or outside the system, the following steps will be taken at the appropriate time and in the order appropriate to the situation:

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

C4.4. Long-Term Capacity or Fuel Shortage

A. The following actions will be implemented until it is determined by the Company 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 Company 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.

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C4.4. Long-Term Capacity or Fuel Shortage (Contd)

- (2) Initiate voluntary energy curtailment during hours of maximum system demand of all customers by requesting, through mass communication media, voluntary curtailment by all customers 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. 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.
- B. 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.

C4.5. Emergency Procedures of Wholesale Suppliers

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

C5. SUPPLEMENTAL BILLING PRACTICES

A. Payment of bills

The following supplements the provisions of **R 460.123**.

In the case of those commercial and industrial customers voluntarily receiving summary billing service, the Company shall permit each customer 15 calendar days from the date of rendition of each bill for payment in full.

B. Summary billing service

Summary billing service is available to customers with more than one electric service account upon completion and acceptance of an application. Every month, a customer participating in this voluntary service will receive a single bill that summarizes data about each account on one statement. The separate accounts are listed individually on the statement and their sum total is placed on the summary bill. The customer pays the total amount owed on the summary bill account.

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C6. STANDARD NOMINAL SERVICE VOLTAGE, LIMITS AND EXCEPTIONS

C6.1 Primary Voltage Service

- A. When entering into a contract to supply primary voltage service, the Company will specify the nominal voltage and its character at which it will serve the customer's load. The customer shall provide a substation of an appropriate size and design. Should the customer later desire to increase the size of his load above that specified in his contract, or change its character, a new contract for primary service will be entered into between the Company and the customer.
- B. Rule 460.3702 defines the situations in which voltages outside the limits specified in the rule are not considered a violation. Additionally, the following situations are also not considered a violation of rule R460.3702:
 - (1) If they arise from normal system operations or conditions necessary to safeguard employees or the general public.
 - (2) If they arise from equipment failure or temporary separation of parts of the system from the main system.

C6.2 Special Service

- A. The Company shall not be required to furnish service voltages or combinations of service voltages other than those available under these rules.
- B. Where special service, power service, a combination of service voltages, or separate lighting and/or power service is requested due to the nature of the customer's loads or operations, the Company may, at its option, supply such special service where:
 - (1) such service can be reasonably provided by the Company and
 - (2) the customer pays, in advance of construction and in addition to any line extension costs, the total amount by which the extension of special service(s) exceed the cost of extending the service(s) to which the customer is entitled.
- C. Customers having equipment or operations that are sensitive to voltage fluctuations, transients, sags or swells that may affect the performance of certain types of equipment or operations, or that require service conditions that exceed those required for standard retail service, may find it necessary to install, at their own expense, power conditioning equipment or other modifications to protect, mitigate or otherwise provide the type of service needed.

C7. CUSTOMER PROTECTIONS/DATA PRIVACY TARIFF

C7.1 Data Privacy Definitions

- A. *“Aggregate Data” means any Customer Account Information from which all identifying information has been removed so that the individual data or information of a customer cannot be associated with that customer without extraordinary effort.*

(Continued on Sheet No. C-23.00)

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-22.00)

C7.1 Data Privacy Definitions (Contd)

- B. “Anonymized Data” means any Customer Data, from which all identifying information has been removed so that the individual data or information of a customer cannot be associated with that customer without extraordinary effort.**
- C. “Contractor” or “Company Agent” means an entity or person performing a function or service under contract with or on behalf of the Company, including, but not limited to customer service, energy management, energy efficiency programs, payment assistance, payroll services, bill collection, or other functions related to providing electric service.**
- D. “Customer” means a purchaser of electricity that is supplied or distributed by a utility for residential or nonresidential purposes.**
- E. “Customer Account Information” means personally identifiable information including Personal Data and Customer Usage Data. Customer Account Information also includes information received by the Company from the customer for purposes of participating in regulated utility programs, including, but not limited to bill payment assistance, shutoff protection, renewable energy, load management, or energy efficiency.**
- F. “Customer Usage Data” [or “Consumption Data”] means customer specific electric usage data, or weather adjusted data, including but not limited to kW, kWh, voltage, var, or power factor, and other information that is recorded by the electric meter for the Company and stored in its systems.**
- G. “Informed Customer Consent” means, in the case where consent is required: the customer is advised of the (1) data or information to be collected and allowable uses of that data or information by the party seeking consent; (2) the frequency of data or information release and the duration of time for which the consent is valid; and (3) process by which the customer may revoke consent. In no case shall silence by the customer ever be construed to mean Informed Customer Consent. Customer consent must be documented and may be in writing, electronically, or through recording of an oral communication and shall remain in effect until withdrawn by the customer.**
- H. “Personal Data” [or “Personally Identifiable Information”] means specific pieces of information collected or known by the Company that can be used to identify or trace to a specific individual and that merit special protection including, but not limited to, the standard types of positive identification information used to establish an account. Personal Data [Personally Identifiable Information] includes, but is not limited to, name, address, birth date, telephone number, electronic mail address, Social Security Number, financial account numbers, driver’s license number, credit reporting information, bankruptcy or probate information, health information, network, or Internet protocol address.**
- I. “Primary Purpose” means the collection, use, or disclosure of information collected by the Company or supplied by the customer where there is an authorized business need or emergency response in order to: (1) provide, bill, or collect for, regulated electric service; (2) provide for system, grid, or operational needs; (3) provide services as required by state or federal law or as specifically authorized in the Company’s approved tariff or; (4) plan, implement, or evaluate, energy assistance, energy management, renewable energy or energy efficiency programs by the Company or under contract with the Company, under contract with the Commission, or as part of a Commission-authorized program conducted by an entity under the supervision of the Commission, or pursuant to state or federal statutes governing energy assistance.**

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-23.00)

C7.1 Data Privacy Definitions (Contd)

- J. “Secondary Purpose” means any purpose that is not a Primary Purpose.**
- K. “Standard Usage Information” means the usage data that is made available by the electric utility to all similarly situated customers on a regular basis, delivered by the electric utility in a standard format.**
- L. “Third-party” means a person or entity that has no contractual relationship with the Company to perform services or act on behalf of the Company.**
- M. “Weather Adjusted Data” means electric consumption data for a given period that has been normalized using a stated period’s heating or cooling degree days.**
- N. “Written Consent” means a signed form with the customer’s signature received by the Company through mail, facsimile, or email.**

C7.2 Collection and Use of Data and Information

- A. The Company, its Contractor or Company Agent collects Customer Account Information as necessary to accomplish Primary Purposes only. Informed Customer Consent is NOT necessary for Primary Purposes.**
- B. Informed Customer Consent is necessary before collection or use of Customer Account Information for a Secondary Purpose.**
- C. The Company will not sell Customer Account Information, except in connection with sales of certain aged receivables to collection firms for purposes of removing this liability from its accounts, unless it receives Informed Customer Consent.**

C7.3 Disclosure Without Customer Consent

- A. The Company shall disclose Customer Account Information when required by law or Commission requests or rules. This includes law enforcement requests supported by warrants or court orders specifically naming the customers whose information is sought, and judicially enforceable subpoenas. The provision of such information will be reasonably limited to the amount authorized by law or reasonably necessary to fulfill a request compelled by law.**
- B. Informed Customer Consent is not required for the disclosure of customer name and address to a provider of appliance repair services in compliance with MCL 460.10a(9)(a).**
- C. Informed Customer Consent is not required for the disclosure of Aggregated Data.**

C7.4 Disclosure to Company Agents and Contractors

- A. The Company shall disclose only the necessary Customer Account Information to Company Agents and Contractors working on behalf of the Company for Primary Purposes and any other function relating to providing electric service without obtaining Informed Customer Consent.**

(Continued on Sheet No. C-25.00)

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-24.00)

C7.4 Disclosure to Company Agents and Contractors (Cont.)

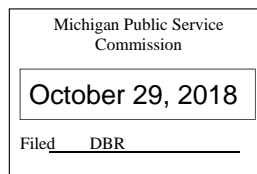
- B. *Contracts between the Company and its Company Agents or Contractors specify that all Company Agents and Contractors are held to the same confidentiality and privacy standards as the Company, its employees, and its operations. These contracts also prohibit Company Agents or Contractors from using any information supplied by the Company for any purpose not defined in the applicable contract.***
- C. *The Company requires its Company Agents and Contractors who maintain Customer Account Information to implement and maintain reasonable data security procedures and practices appropriate to the private nature of the information received. These data security procedures and practices shall be designed to protect the Customer Account Information from unauthorized access, destruction, use, modification, or disclosure. The data security procedures and practices adopted by the Contactor or Company Agent shall meet or exceed the data privacy and security policies and procedures used by the Company to protect Customer Account Information.***
- D. *The Company requires Company Agents and Contractors to return or destroy any Customer Account Information that it maintained and that is no longer necessary for the purpose for which it was transferred.***
- E. *The Company maintains records of the disclosure of customer data to Company Agents and Contractors in accordance with Company record retention policies and Commission rules. These records include all contracts with the Company Agent or Contractor and all executed non-disclosure agreements.***

C7.5 Customer Access to Data

- A. *The customer has a right to know what Customer Account Information the Company maintains about the customer. The Company shall not provide data to a customer which the Company considers proprietary or used for internal Company business. The Company will make a reasonable effort to respond to requests for this information within 14 calendar days of being contacted by the customer.***
- B. *The Company will provide to customers upon request, a clear and concise statement of the customer's actual energy usage, or weather adjusted consumption data for each billing period during the last twelve months, or both. The Company will notify customers at least once each year that customers may request energy usage, or weather adjusted consumption data or both.***
- C. *A customer may request their consumption data by simply calling Customer Service at 800-714-7777 or by requesting such information online at the Company's website at we-energies.com. Upon positive verification, the information will be provided by the end of the following business day.***
- D. *Customers have the opportunity to request corrections or amendments to Customer Account Information that the Company maintains.***
- E. *Customers have the right to share their own Customer Account Information with third parties of their choice to obtain services or products provided by those third parties. These services or products may include, but are not limited to, in-home displays, or energy audits.***

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COMPANY RULES AND REGULATIONS (FOR ALL CUSTOMERS)
(Continued from Sheet No. C-25.00)

C7.5 Customer Access to Data (Contd)

F. A customer may request that his or her Customer Account Information be released to a third party of the customer's choice. Such requests may be obtained by calling Customer Service at 800-714-7777, or by requesting such on-line at the Company's website we-energies.com. Once the Company obtains Informed Customer Consent from the customer, the Company shall release the requested customer account data to the third party by the end of the following business day. The Company will provide the requested data in a readily accessible format, including but not limited to Excel, PDF, or Word.

The Company is not responsible for loss, theft, alteration, or misuse of the data by third parties or customers after the information has been transferred to the customer or the customer's designated third party.

G. Fulfilling certain requests for data in accordance with the provisions of this tariff is consistent with the provision of normal utility service to customers. When the data requested is Standard Usage Information, the request will be fulfilled without charge. Some requests for information extend beyond Standard Usage Information. Fulfilling these requests requires special data processing that is not a part of normal utility service and results in expenses that would not otherwise be incurred. Such requests are fulfilled at the discretion of the Company within the parameters of this Customer Data Privacy tariff. The costs of fulfilling any special requests shall be borne solely by the customer, or third party if deemed appropriate, and be based on the specifics of the data request and the associated costs of developing, processing, and transmitting the requested data.

C7.6 Customer Notice of Privacy Policies

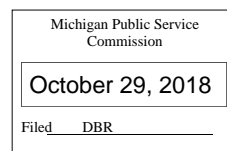
A. New customers receive a copy of the privacy policy upon the initiation of utility service from the Company. Existing customers receive a copy of the privacy policy once per year by whatever method is used to transmit the bill and whenever the privacy policy is amended.

B. Notice of the Company's privacy policies will be made available and is prominently posted on the Company's website. The notice includes a customer service phone number and Internet address where customers can direct additional questions or obtain additional information.

C7.7 Limitation of Liability

A. The Company and each of its directors, officers, affiliates, and employees that disclose Customer Information, Customer Usage Data, Personal Data or Aggregated Data to Customers, Company Agents, or Contractors, as provided in this tariff, shall not be liable or responsible for any claims for loss or damages resulting from such disclosure.

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