

*never published
by N S P
as agreed*

ORDINANCE NO. 127

VILLAGE OF FALCON HEIGHTS, RAMSEY COUNTY, MINNESOTA

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR, AND MAINTAIN, IN THE VILLAGE OF FALCON HEIGHTS, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, AND FIXTURES AND APPURTENANCES; FOR THE FURNISHING OF ELECTRIC ENERGY TO THE VILLAGE AND ITS INHABITANTS, AND OTHERS, AND TO USE THE STREETS, ALLEYS, PUBLIC WAYS AND PUBLIC GROUNDS OF SAID VILLAGE FOR SUCH PURPOSES; PRESCRIBING CERTAIN TERMS AND CONDITIONS THEREOF, AND PRESCRIBING THE RATES TO BE CHARGED THEREFOR,

THE COUNCIL OF THE VILLAGE OF FALCON HEIGHTS
DOES ORDAIN AS FOLLOWS:

Section 1. PURPOSES. Northern States Power Company, a corporation organized under the laws of the State of Minnesota, owns and operates property used and useful in the production, transmission, distribution and sale of electricity in the Village of Falcon Heights.

The Village Council has determined that it is desirable, in the public interest, and to the advantage of the consumers of electricity in Falcon Heights, that a franchise be granted to Company upon the terms and conditions contained herein.

Company, in consideration of benefits accruing to it under the franchise agrees to supply electric service in Falcon Heights upon the terms and conditions

contained herein.

Section 2. DEFINITIONS. Subdivision 1. In this ordinance "Municipality", "Municipal Council", and "Municipal Clerk" mean, respectively, the Village of Falcon Heights, the Council of the Village of Falcon Heights, and the Clerk of the Village of Falcon Heights. If at any time the powers of the Municipality, the Municipal Council, or the Municipal Clerk shall be transferred to any other authority, board, office, or officers, then such authority, board, officer, or officers shall have the rights, powers, and duties herein given to the Municipality, the Municipal Council, and the Municipal Clerk, respectively.

Subd. 2. "Company" means Northern States Power Company, a Minnesota Corporation, its successors and assigns.

Subd. 3. "Metro Area" includes all areas served with electricity by Company in the Counties of Hennepin, Ramsey, Washington, Dakota, Anoka, Carver, and Scott.

Subd. 4. "Metro Rate Authority" or "Authority" means the organization of municipalities created by joint agreement and amendments thereto, pursuant to Minnesota Statutes Section 471.59 and which is authorized to administer provisions of this ordinance as herein provided. The Authority consists of representatives of all municipalities which adopt this uniform franchise ordinance.

Subd. 5. "Executive Committee" or "Committee" means the committee appointed by the Authority. The Committee shall consist of not more than 15 members. The Committee shall have those powers specified in this franchise and those delegated to it by the Authority pursuant to the joint agreement.

Subd. 6. "Party" means the Municipality, the Authority or Company.

Subd. 7. "Person" may extend and be applied to bodies politic and corporate, and to partnerships and other unincorporated associations.

Subd. 8. "Notice" means a writing served by any party or parties on any party or parties. In the case of Company, notice shall be mailed to an officer thereof at 414 Nicollet Mall, Minneapolis, Minnesota. In the case of Authority, notice shall be mailed to the Rate Administrator. In the case of Municipality, notice shall be mailed to the Municipal Clerk.

Subd. 9. "Rate Administrator" means a professional person qualified and experienced in public utility regulatory matters. The Rate Administrator is appointed by the Authority.

Section 3. GRANT. Subdivision 1. There hereby is granted to Company for the period extending to January 1, 1983, (subject to termination on December 31, 1977 upon

notice from Company to Municipality and Authority, or upon notice of Municipality to Authority and Company at least 90 days before said date of December 31, 1977) the right and privilege of constructing, operating, repairing, and maintaining in, on, over, under, and across the streets, alleys, public ways, and public grounds of Municipality, an electric distribution system and electric transmission lines, including all poles, pole lines, conduits, and fixtures and appurtenances, usually, conveniently, or necessarily used in connection therewith, for the purpose of transmitting and furnishing electric energy for light, heat, power, and other purposes for public and private use in and to Municipality and the inhabitants thereof, and others, and for the purpose of transmitting electric energy into and through Municipality. The electric distribution system and transmission lines shall be so located as not to interfere with the safety and convenience of ordinary travel along and over said streets, alleys, public ways, and public grounds.

Subd. 2. This ordinance is intended to regulate the exercise of the rights and privileges granted to Company herein. Nothing in this ordinance is to be construed to modify, alter or amend any statutory or charter power of the Municipality to regulate the use of its streets, alleys, public ways and public grounds. Such regulations, insofar as they do not affect the rate

regulation and administration provisions of this ordinance, need not be identical among members of the Authority.

Subd. 3. Nothing in this ordinance prevents the powers of the Authority from being hereafter delegated by law to some other governmental authority.

Section 4. EXTENSIONS; SERVICE; RULES AND REGULATIONS.

Subdivision 1. Company shall provide reasonably efficient, adequate and non-discriminatory service, at reasonable rates, to all members of the public within the Municipality who apply for such service in accordance with rules and regulations of Company.

Subd. 2. Company may, from time to time, promulgate rules and regulations which are reasonably necessary or convenient in the conduct of its business. The rules and regulations may govern matters, including but not limited to, forms, contracts, extensions of service, curtailment of service, reconnection charges, billings, security deposits, and late payment charges, if any. Existing rules and regulations of Company shall be filed promptly with the Authority and shall become effective on filing. They shall be kept open for public inspection. Thereafter Company may file amendments thereto or additional rules and regulations. Within 60 days after such filing the Executive Committee may, on its own motion or on the request of Municipality, review such amendments or rules and regulations.

The Committee, after public hearing, may by resolution disapprove any such amendment or rule and regulation which is unreasonable or unlawful.

Section 5. SERVICE INTERRUPTION. Subdivision 1. Company will provide continuous, adequate and non-discriminatory electrical service in the Municipality.

Subd. 2. Company's provision of electric service to its customers is subject to interruption and disturbance of service due to:

- (a) conditions beyond its control;
- (b) necessary maintenance and operation of its system;
- (c) effect of operations of any interconnecting electric systems;
- (d) curtailment of electric service as may be prudent to maintain service to priority loads or to maintain the operating stability of Company's system; or
- (e) Temporary interruptions or disturbance of service;

neither Company, Municipality, the Authority nor any customer shall be liable for damage or loss for interruption or disturbance of service due to said causes. Company will not be in breach of this franchise for interruptions of service due to such causes.

Subd. 3. Company will promptly take such action as may be practicable under the circumstances to remove the cause of any interruption, disturbance, or curtailment and to resume normal delivery of electric service.

Section 6. NONEXCLUSIVE FRANCHISE. This is not an exclusive franchise.

Section 7. RATES. Subdivision 1. The rates and charges imposed and collected by Company for services in the Metro Area shall be fair, just, reasonable and compensatory and designed to recover all reasonable costs of service therein, including a reasonable return as herein provided on the capital investment in the business under an economical and efficient management.

Subd. 2. The rates charged to any class of customers will not cast an undue burden on any other class of customers nor shall any rates charged to customers within the same class of service cast an undue burden on other customers within that class.

Subd. 3. The schedule of rates contained in Appendix A, attached and made a part hereof by reference, is effective as to all bills computed on regular meter readings on and after the effective date of this ordinance. The schedule shall remain in effect until changed in accordance with Section 8 of this franchise. The cost to the Company of any franchise fee, street rental charge, gross receipts taxes, or any other duties or imposts, imposed by the

Municipality will be recovered by Company as a surcharge to such rates within the Municipality. Ad valorem taxes may not be recovered by a surcharge. Such surcharge will be equitably distributed among electric customers in the Municipality.

Section 8. RATE CHANGES. Subdivision 1. Company may change its rate structure by changing classification of rates, the number of blocks, size of blocks, the price differential between blocks, or by adding a new classification of rates or by closing or withdrawing any existing rate classification or schedule. Any such change which does not result in a higher rate for an existing customer may be made upon twenty days notice to the Rate Administrator and shall be supported by data showing the desirability of the change and the reasonableness thereof. Other changes in rate structure shall be made under Subd. 2 of this section.

Subd. 2. The rates contained in Appendix A shall remain in effect until March 15, 1974. On or before February 1, 1974, and thereafter on or before February 1 of each year during the term of this ordinance, Company shall file notice with the Authority that it will either continue, decrease, or increase the rates or continue or change the rate structure which will become effective on bills rendered on and after March 15 of that year, to enable Company to realize Actual Net Earnings during the

calendar year of filing equal to the Allowable Annual Return, as defined in Section 10 plus part or all of any debit balance or less part or all of any credit balance in the Stabilization Reserve Account established under Section 15. The filing shall recite the proposed change or continuance and the forecasts substantiating it. Provided however, in order to minimize or prevent excessive fluctuation in the rates, the Company may additionally once during a calendar year, but not prior to July 15 thereof, adjust the rates in the same manner as provided above.

Subd. 3. The rates to become effective on and after March 15, 1974, pursuant to Subd. 2 of this section, shall be subject to a temporary reduction during the year 1974 totaling \$6,000,000. Such reduction and any credit balance in the Stabilization Reserve Account resulting from 1973 operations will be applied only to the bills of customers located in those areas of the Metro Area in which the base electric rates for residential service, general service, and large general service were no less than such base electric rates charged in the City of Minneapolis on January 1, 1973. Base electric rate means the charge to the customer for electric service excluding any franchise fee, street rental charge, gross receipts tax or duties or imposts, imposed by the municipality included in or added to said charge.

Subd. 4. Increases or decreases in rates or the continuance of existing rates shall be based on forecasts for the calendar year of filing of expenses, capital costs and of the revenues required to enable Company to earn an amount equal to the Allowable Annual Return defined in Section 10, plus part or all of any debit balance or less part or all of any credit balance in the Stabilization Reserve Account as provided in Section 15.

Subd. 5. Company will annually supply forecast data to the Rate Administrator in accordance with the following schedule:

Revenue Budget	November 1
Expense Budget	December 1
Capital Budget	December 15

or on such later dates as the Rate Administrator may authorize.

Subd. 6. On or before December 1, 1975, and at intervals of no more than five years thereafter, Company shall furnish a current study of its rate structure to the Authority.

Subd. 7. On or before March 1 of each year Company will supply Authority with a tabulation of customers and revenues attributable to each Municipality in the Metro Area for the previous calendar year.

Section 9. RATES; RATE FILING. Subdivision 1. Any filing by Company with the Authority to change or continue

any rates or rate structures as provided in Section 8, Subd. 2, may be altered, amended, or revised by the Executive Committee in conformance with and subject to the provisions of this ordinance.

Subd. 2. The Rate Administrator shall make written recommendations as to the filing to the Executive Committee within 20 days of the filing.

Subd. 3. Any alteration, amendment, or revision in the filing shall be made by written order of the Executive Committee which sets forth its findings and conclusions upon all material issues. The order shall be served on Company within 35 days after notice of the proposed change or continuance of rates has been filed with the Authority.

Subd. 4. Company may obtain judicial review de novo of any Executive Committee order of alteration, amendment or revision of rates in the District Court of Hennepin County if proper application is made therefor within 30 days after service of the order of the Executive Committee upon Company. If judicial review is applied for, the rate proposed by Company in Section 8, shall be in effect until the question of such alteration, amendment, or revision is finally determined by the court. In such review and determination Company has the burden of proof. At the time of applying for judicial review, Company shall, if ordered by the Court, file with the Clerk a corporate undertaking obligating it to comply with such relief as

the court may order consistent with the provisions of this franchise.

Subd. 5. The rates determined under Section 8 or this Section are the "Metro Area Rates".

Section 10. RATE MAKING: DEFINITIONS. Subdivision 1. For the purposes of this ordinance, the terms defined in this section have the meanings given them.

Subd. 2. "Allowable Annual Return" means the product obtained by multiplying the Allowable Rate Base by the Allowable Rate of Return.

Subd. 3. "Allowable Rate of Return" means the weighted average actual cost for the year of filing of 1) Senior Capital of Company and its utility subsidiaries and 2) the Allowable Return on Common Equity. The weight to be given to each class of capital shall be based on Company and its utility subsidiaries' actual average outstanding amount of each class throughout the year of filing.

Subd. 4. "Allowable Return on Common Equity" means that return on common equity capital determined pursuant to Section 12.

Subd. 5. "Senior Capital" means all debt, including short-term debt, and preferred stock.

Subd. 6. "Cost of Senior Capital" means the weighted average cost of all senior capital, where the cost of each issue is obtained by multiplying the principal amount of the issue by the interest rate in the case of

debt and by the dividend rate in the case of preferred stock, and dividing by the net proceeds of the issue.

Subd. 7. "Net proceeds" in the case of long-term debt capital means the principal amount issued, plus premiums received, less issuance expense and discounts. In the case of short-term debt capital, the term means the sum of a) the principal amount of bank loans outstanding, and b) the principal amount of commercial notes, less prepaid interest. In the case of preferred stock, the term means the stated value plus premiums, less issuance expense and discounts. In the case of re-acquisition, retirement or refunding of long-term debt or preferred stock, the call premiums, expenses and discounts are to be considered as part of the over-all cost of capital.

Subd. 8. "Actual Net Earnings" for the year 1973 means actual gross revenues of Company received for electric utility service furnished in the Metro Area less operating expenses reasonably incurred in rendering such service. For subsequent years said term means gross revenues of Company for electric utility service furnished in the Metro Area computed at the Metro Area Rates, less operating expenses reasonably incurred in rendering such service. To the resulting net income shall be added that portion of the amount credited under the Uniform System of Accounts to Allowance for Funds Used During Construction applicable

to construction work in progress included in the Allowable Rate Base in Subd. 9 hereof. For the years 1973 and 1974 such allowance shall be computed at the rate of 8%. Thereafter, the annual percentage rate applied to determine the Allowance for Funds Used During Construction shall be the lower of a) the nearest even one-half percent below the projected overall rate of return or b) the current incremental cost of financing new construction, and shall change only in increments of one-half percent, provided, however, that such annual percentage rate shall not be more nor less than that required by the Federal Power Commission.

Operating expenses shall include Research and Development expenses and donations made for charitable, social, or community welfare purposes. Research and Development expenses shall be accounted for in the manner provided in the Uniform System of Accounts.

Subd. 9. "Allowable Rate Base" means the average of net plant less customer contributed capital and plus working capital. Net plant means a) the original cost of electric utility plant and common utility plant used and useful in rendering electric service in the Metro Area, plus b) that portion of the original cost of plant held for future use and construction work in progress applicable to the Metro Area, less c) related booked reserves for depreciation and amortization.

Customer contributed capital means amounts

related to service in the Metro Area contributed or advanced by customers for construction and amounts collected from customers through rates and charges for deferred operating expenses and taxes except where deduction of the deferred amount is specifically prohibited by Internal Revenue Laws. Said amounts shall include but are not necessarily limited to amounts credited under the current Federal Power Commission Uniform System of Accounts to Accounts 252 Customer Advances for Construction, 255 Accumulated Deferred Investment Tax Credits (except that portion where deduction from the rate base is prohibited by the Internal Revenue Laws), 271 Contributions in Aid of Construction, 281 Accumulated Deferred Income Taxes - Accelerated Amortization, 282 Accumulated Deferred Income Taxes - Liberalized Depreciation, and 283 Accumulated Deferred Income Taxes - Other.

Unless otherwise mutually agreed upon between Company and the Executive Committee, working capital means and includes the following, based on amounts allocable to the Metro Area: (a) cash working capital equal to one-eighth of operation and maintenance expenses excluding purchased power and one-half of fuel expenses, plus average compensating bank balances to support short-term borrowings, less the monthly average of accrued property and income taxes, but cash working capital shall not be less than

zero; plus (b) monthly average prepayments; plus (c) monthly average materials and supplies; plus (d) monthly average fuel stocks; plus (e) monthly average miscellaneous deferred debits.

Section 11. ALLOWABLE RATES OF RETURN. Subdivision

1. At the time of an annual rate filing, a projection of Allowable Rate of Return shall be used as a basis for calculating allowable revenue for the calendar year of filing. At the close of such year the Allowable Rate of Return shall be determined and shall be used as a basis for the Allowable Annual Return.

Subd. 2. Allowable Rates of Return and projections thereof shall be calculated to the nearest one-hundredth of one percent.

Section 12. ALLOWABLE RETURN ON COMMON EQUITY.

Subdivision 1. Company shall be allowed a Return on Common Equity for the Metro Area for the calendar year 1973 of 13.25%. For the calendar year 1974 Company shall be allowed a Return on Common Equity for the Metro Area of 12.95%. For years subsequent to 1974, Company or the Executive Committee may request a prospective change in the Allowable Return on Common Equity. Such requests shall be made during the period between November 15 and December 15 in any year, to be effective as of January 1 of the next year, by serving upon the other Party a notice stating the reasons supporting such change and specifying the

proposed Allowable Return on Common Equity for the year. If no request is made the Allowable Return on Common Equity remains in effect.

Subd. 2. The request for change in the Allowable Return on Common Equity shall be reviewed by the Rate Administrator who shall forthwith set a date prior to January 15 for hearing upon such request. He shall give 10 days notice of such hearing published once in a legal newspaper in each county in the Metro Area. At least two days prior to the hearing date, any person may file with the Rate Administrator a written notice of intention to appear at the hearing and of the nature and extent of his participation. Only persons complying with this notice provision may be heard at the hearing. The Rate Administrator shall prescribe reasonable rules and regulations for the conduct of such hearings. Upon completion of the hearing, and no later than February 15, the Rate Administrator will serve on Company and the Authority a written order determining the Allowable Return on Common Equity for the current year and setting forth his findings and conclusions on all material issues relative to his determination. If no appeal is taken from the Rate Administrator's order of determination, the order is final. If an appeal is taken from the Rate Administrator's order of determination, the order is an interim order and shall remain in effect until finally

determined, provided that the effective Allowable Return on Common Equity for interim rates shall not be less than that existing at the time of the filing for a change in the Allowable Return on Common Equity. The Allowable Return on Common Equity finally determined shall be effective as of the proposed effective date.

Subd. 3. Within ten days after receipt of the order of determination, any Party may appeal the order to a hearing panel by filing a notice of appeal with the Authority and Company. The panel shall consist of three members of professional standing, each having one vote. The members of the hearing panel shall be selected as follows: Within 20 days of notice of appeal the Company and the Authority shall each appoint a panel member and each shall immediately notify the other of such appointment. The two panel members so appointed shall, within five days after the second member is appointed, select a third panel member. If the first two panel members are unable to agree on a third panel member, the third panel member shall be appointed by the Chief Judge of the Hennepin County District Court upon application of either Company or Authority with five days notice to the other. In the event either Company or Authority fails within said twenty days to appoint a panel member, the member appointed by the other party shall proceed as a single member and issue his order, which shall constitute the order of the panel.

Subd. 4. The review by the panel of the Rate Administrator's determination shall be de novo and the panel shall consider all evidence material and relevant to the issues raised by such appeal. The hearing shall be conducted in the manner prescribed by Chapter 15, Minnesota Statutes, for conduct of administrative hearings. The burden of proof shall be upon the appellant. Only those Parties and Persons who appeared before the Rate Administrator may appear before the panel.

Subd. 5. The panel shall determine the Allowable Return on Common Equity by written order served on Company and the Authority, which order shall set forth its findings and conclusions, including the bases therefor, upon all material issues relative to such determination. The determination of the panel shall be made within 60 days after the third panel member is selected. If no appeal is taken from the panel's order of determination the order is final.

Subd. 6. Any Party aggrieved by a final order of the hearing panel is entitled to judicial review thereof in the District Court of Hennepin County if proper application is made therefor within thirty days after the hearing panel has served its order. The review shall be conducted by the Court without a jury and shall be confined to the record, except that in cases of alleged irregularity in procedure before the hearing panel not shown on the record, testimony thereon may be taken by the Court. Except as otherwise

provided, all proceedings shall be conducted according to the provisions of Minnesota Statutes Sections 15.0424 - 15.0426.

Subd. 7. The Court may affirm the decision of the hearing panel or remand the case for further proceedings; or it may reverse or modify the decision if the substantial rights of the appellant have been prejudiced because the hearing panel's findings or conclusions are:

- (a) In violation of constitutional provisions; or
- (b) In excess of the authority conferred upon said hearing panel by this ordinance; or
- (c) Made upon unlawful procedures; or
- (d) Affected by other error of law; or
- (e) Unsupported by substantial evidence in view of the entire record as submitted; or
- (f) Arbitrary or capricious.

Section 13. STANDARDS FOR DETERMINING ALLOWABLE RETURN ON COMMON EQUITY. The Allowable Return on Common Equity is determined by and must satisfy the following standards:

- (a) The Allowable Return on Common Equity shall permit Company to earn a return on its equity investment in property which it employs for the convenience of the public equal to that generally being made at the same time and in the same general part of the country on similar investments in other business undertakings

which are attended by corresponding risks and uncertainties.

- (b) The Allowable Return on Common Equity shall be reasonably sufficient to assure confidence in the financial soundness of Company.
- (c) The Allowable Return on Common Equity shall be adequate under efficient and economical management to maintain and support Company's credit and enable it to raise the money necessary for the proper discharge of its public duties.

Section 14. ACTUAL NET EARNINGS. Subdivision

1. In the computation of Actual Net Earnings, appropriate items may be amortized or accrued according to generally accepted accounting principles and, except as otherwise provided in this ordinance for specific items, the amounts and rates of amortization or accrual shall be based upon the actual experience of Company where such experience exists.

Subd. 2. An allocation shall be made by Company of operating expenses and utility plant within and outside the Metro Area on a basis that reasonably reflects the occurrence of such expenses and plant for rendering service within and outside the Metro Area.

Section 15. STABILIZATION RESERVE ACCOUNT.

Subdivision 1. Actual Net Earnings greater or less than the Allowable Annual Return in any calendar year

shall be credited or debited to an account designated the "Stabilization Reserve Account".

Subd. 2. Any credit balance in said account shall be credited monthly with interest computed at the current prime interest rate.

Subd. 3. All or part of any debit or credit balance in said account may be amortized over not more than two years to balance earnings and to minimize fluctuations and stabilize rates in the Metro Area. By agreement of the Executive Committee and Company all or part of any debit or credit balance in said account may be amortized over more than two years to balance earnings and to minimize fluctuations and stabilize rates in the Metro Area.

Subd. 4. Any credit balance in the Stabilization Reserve Account shall not be used to benefit customers located in Municipalities where rates lower than the Metro Area Rates were charged in the period during which such credit accrued.

Subd. 5. Any balance in said account at termination of the rate-making process in the Metro Area provided for in this franchise shall be promptly refunded or otherwise recognized for customers' benefit.

Section 16. RESERVE FOR DEPRECIATION AND AMORTIZATION OF UTILITY PLANT. Subdivision 1. The Company's

books of account shall contain an account designated as "Reserve for Depreciation and Amortization of Utility Plant", or similar caption, which shall show accumulated charges to operating expenses on account of depreciation adjusted for salvage and retirements in accordance with Subd. 2 of this section. The annual charges to operating expenses for depreciation of depreciable property used and useful in rendering electric service in the Metro Area shall be an amount designed to recover ratably the original cost of such depreciable property over the estimated average service life of each group of property. Annual depreciation rates shall be revised periodically so as to reflect all factors bearing on the recovery of the original cost of such depreciable property over its estimated average service life. At least once every five years the Company shall prepare a depreciation study analyzing retirement experience and other factors relevant to the establishment of depreciation rates. Such study shall be used as a guide in determining the depreciation rates to be used to recover the original cost of depreciable property.

Subd. 2. The actual original cost of property abandoned, otherwise retired from service or not used and useful in the public service for any cause, shall be credited to the appropriate plant account. Such original

cost plus the costs incidental to said abandonment or retirement shall be debited to the Reserve for Depreciation and Amortization of Utility Plant, subject, however, to the provisions of Subd. 3 of this section. The salvage value received and any other amounts recovered from said property shall be credited to said Reserve.

Subd. 3. When a substantial segment of Company's utility plant is abandoned or retired from service because of unusual obsolescence or property damage and such property is not fully covered by the Reserve for Depreciation and Amortization of Utility Plant, other reserves or by insurance, the unrecovered balance of such property after consideration of tax effects shall be credited to said Reserve or other appropriate reserve and be debited to a deferred account designated as "Extraordinary Property Losses", or similar caption. Debits to said deferred account shall be amortized by charges to operating expenses as provided for in Section 14, and the unamortized balance shall be included in the Allowable Rate Base.

Subd. 4. If the actual original cost is not shown by the books and records of Company or its predecessors, such amount shall be estimated and a record be made by Company showing the facts upon which said estimate was based, the manner in which it was determined, and the person by whom it was made.

Section 17. ACCOUNTS AND RECORDS. Subdivision

1. All expense items, whether charged directly and entirely in a calendar year or amortized or accrued over a longer period, all revenue items and all balance sheet items shall be recorded in substantial accordance with the applicable provisions of the Uniform System of Accounts, as amended from time to time, by the Federal Power Commission. When optional accounting is permitted under the Federal Power Commissions Uniform System of Accounts, Executive Committee and Company shall agree on the option to be followed for book and rate making purposes.

Subd. 2. Company shall file with the Authority (a) schedules showing all of its rates and charges, (b) forms of service contracts or agreements, and (c) any rules and regulations relating to rates, charges or service by Company to its customers in the Metro Area, all of which shall be open for public inspection. Such schedules, forms and rules and regulations shall also be kept by Company, and shall be available at all reasonable times for public inspection.

Subd. 3. Company shall keep, maintain and preserve proper and accurate engineering, accounting, financial and statistical records relating to the construction, cost, maintenance and operation of its utility plant which show all financial transactions, including receipts and disbursements and the particulars thereof.

Subd. 4. The Authority shall have access at all

reasonable times to inspect, examine or audit all of the accounts, books, records, reports, contracts, documents and papers of Company relating to its electric operations.

Subd. 5. Procedures and Accounting Manual. As soon as practicable after the effective date of this Ordinance, Company and the Rate Administrator shall compile a manual of procedures and accounting methods to implement this ordinance in accordance with the standards set forth herein. The terms of said manual shall apply to all rate filings and determinations until changed, modified or amended by mutual agreement of the Company and the Rate Administrator.

Subd. 6. Company shall prepare and file with the Rate Administrator statements for its electric utility operations as provided in the Procedures and Accounting Manual.

Section 18. INDEMNIFICATION. Company shall indemnify, keep, and hold Municipality, its officers, employees and agents free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, removal or operation of Company's property located in, on, over, under, or across the streets, alleys, public ways and public grounds of Municipality, unless such injury or damage is the result of the negligence of Municipality, its employees, officers or agents, or results from the performance in a proper manner of acts reasonably determined to be hazardous by Company, but such performance is

nevertheless ordered or directed by Municipality after notice of such determination by Company. In the event that suit shall be brought against Municipality under circumstances where the above agreement to indemnify applies, Company, at its sole cost and expense, shall defend Municipality in such suit if written notice of the suit is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If such notice is not seasonably given as hereinbefore provided, Company shall have no duty to indemnify nor defend. If Company is required to indemnify and defend, it will thereafter have complete control of such litigation, but Company may not settle such litigation without the consent of the Municipality unless Municipality unreasonably withholds such consent.

Section 19. RELOCATIONS. Subdivision 1.

Whenever Municipality shall grade, regrade or change the line of any street or public place or otherwise improve any street or public place or construct or reconstruct any sewer or water system therein and shall, with due regard to seasonal working conditions, reasonably order Company to relocate permanently its electrical facilities located in said street or public place, Company shall relocate its facilities at its own expense. Municipality shall give Company reasonable notice of plans requiring such relocation. Nothing in this ordinance contained shall

deprive Company of its rights under Minnesota Statutes Section 161.46, as amended.

Subd. 2. Where the Municipality orders Company to relocate any of its facilities, Company shall proceed with such relocation. If such relocation is done without an agreement first being made as to who shall pay for the relocation cost, such relocation of the facilities by Company shall not be construed as a waiver of its right to be reimbursed for the relocation cost. If Company claims that it should be reimbursed for such relocation costs, it shall notify the Municipality within ten (10) days after receipt of such order.

Subd. 3. Except where required primarily for a municipal improvement project, the vacation of any street, alley, public way or public ground, after the installation of electrical facilities, shall not operate to deprive Company of the right to operate and maintain such electrical facilities, until the reasonable costs of relocating the same and the loss and expense resulting from such relocation are first paid to Company.

Section 20. TREE TRIMMING. Company shall have the permission and authority to trim all trees and shrubs in the streets, alleys, public ways and public grounds of Municipality, interfering with the proper construction, operation, repair, and maintenance of any poles, pole lines, conduits, fixtures or appurtenances, installed in pursuance

of the authority hereby granted, provided that Company shall save Municipality harmless from any liability in the premises.

Section 21. FRANCHISE TERMINATION. If Company shall be in default in the performance of any of the material terms and conditions of this ordinance and shall continue in default for more than ninety (90) days after receiving notice from the Municipality of such default, the Municipal Council may, by ordinance duly passed and adopted, terminate all rights granted under this ordinance to Company. The notice of default shall be in writing and shall specify the provisions of this ordinance in the performance of which it is claimed that Company is in default. The validity and reasonableness of any ordinance so passed declaring a forfeiture of the rights and privileges granted by this franchise ordinance shall be subject to review by a court of competent jurisdiction.

Section 22. CHANGE IN FORM OF GOVERNMENT. Any change of the form of government of the Municipality as authorized by the State of Minnesota shall not affect the validity of this franchise. Any municipal corporation succeeding the Municipality shall, without the consent of Company, succeed to all the rights and obligations of the Municipality provided in this franchise.

Section 23. COSTS OF ADMINISTRATION. The Company agrees to pay to the Authority, an initial sum

of \$150,000 within 30 days after written acceptance of this franchise by Company, and not less than \$160,000 per year payable in quarterly installments commencing on January 10, 1974, to be allowed as an operating expense to the Company and which shall be used to secure compliance with this ordinance, and for such other purposes relating to the Company's costs of service as the Authority shall deem necessary. The amount of such annual payment shall be subject to review and revision by the Authority and Company at the end of 1975 and thereafter as mutually agreed to.

Section 24. ASSIGNMENT. Company upon notice to the municipality shall have full right and authority to assign all rights conferred upon it by this ordinance to any person, persons, firm or corporation. The assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this ordinance.

Section 25. WRITTEN ACCEPTANCE. Company shall, if it accepts this ordinance and the rights hereby granted, file a written acceptance of the rights hereby granted with the Municipal Clerk within 30 days after the effective date of the agreement establishing the Authority.

Section 26. REVOCATION. If this uniform franchise ordinance is not adopted by July 31, 1973, by Municipalities

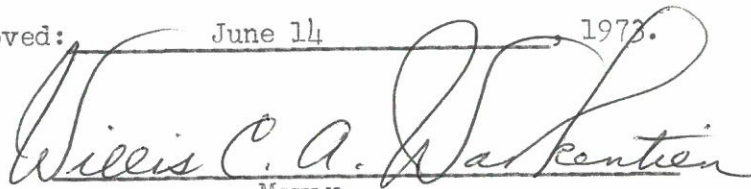
in which 60% of Company's electric customers in the Metro Area were located on January 1, 1973, the Municipal Council may revoke the same. However, this right of revocation shall terminate when the Authority is established. For the purpose of this section each Customer Account of Company shall be deemed a customer. Company shall notify the Municipal Clerk in writing whether the above condition has been met. If revoked, the provisions of this ordinance shall be without prejudice in any subsequent proceeding.

Section 27. EFFECT ON EXISTING FRANCHISE. It is the intention of the Council that this franchise ordinance is effective upon compliance with Section 25 and that it shall thereafter govern the rights and duties of Company and Municipality until its termination.


Section 28. PUBLICATION EXPENSE. The expense of publication of this franchise ordinance shall be paid by Company.

Section 29. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage and publication.

Passed and approved: June 14 1973.


Willis C. A. Davenport
Mayor

Attest:


Dewar B. Barnes
Clerk-Administrator

APPENDIX A

RESIDENTIAL SERVICE

Availability Available to any residential customer for domestic purposes only, in a single private residence.

<u>Rate</u>	First	60	kilowatt-hours	per month	@	5.10¢	per kwh		
	Next	140	"	"	"	"	"	@	2.75 " "
	Next	300	"	"	"	"	"	@	2.28 " "
	Next	300	"	"	"	"	"	@	2.00 " "
	Excess		"	"	"	"	"	@	1.65 " "

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00

Underground Residential Distribution For service from an Underground Residential Distribution system in which all underground facilities are installed, owned and maintained by Company, a charge of \$2.00 will be added to the monthly bill computed above for a period of not to exceed 30 years from date of installation. In lieu of the monthly charge, a nonrefundable contribution of \$220 may be made at any time. Such contribution for any residence served hereunder shall apply to that residence only and shall relieve the contributor and any successor customer at that residence of any obligation to pay a monthly charge thereafter. Such monthly charge or contribution shall be in addition to any payments which may be required under Section 4 of Company's Rules for Application of Residential Service Rates.

Other Provisions This schedule is also subject to provisions contained under "Rules for Application of Residential Service Rates."

RULES FOR APPLICATION OF RESIDENTIAL SERVICE RATES

1. The Residential Service rate is available to any residential customer for domestic purposes only, for lighting, heating, cooking, and domestic power service in a single private residence, except as hereinafter provided.
2.
 - a. All normally sized equipment for domestic illuminating, heating, cooking, and power used strictly for household purposes, may be supplied through one meter.
 - b. Motors and other equipment which interfere with service to neighboring customers, all motors larger than 5 horsepower, and snow melting installations or other temporary or seasonal loads totaling more than 25 kilowatts will not be permitted on the Residential Service rate.
3. Only single phase service, rendered through one meter, is available under the Residential Service rate.
4. An Underground Residential Distribution system is defined to be a system serving an area of single private residences or duplexes (single buildings consisting of two apartments or dwelling units) on contiguous lots in which underground electric facilities will be the only electric facilities used to serve customers in the area. Where an Underground Residential Distribution system will serve an area consisting of less than 8 lots or an area where the average lot frontage exceeds 130 feet or where unusual construction conditions will be encountered or where a service connection in such Underground Distribution system will exceed 100 feet, a payment to Company will be required in advance of construction.
5. Three phase service, service to motors larger than 5 horsepower, and service to snow melting installations totaling more than 25 kilowatts may be had under such rates as are available to commercial customers for the respective classes of service.
6. A customer occupying a building or apartment for residential and commercial purposes jointly may combine his residential and commercial use on such rates as are available to commercial customers for the respective classes of service.
7. Each apartment or dwelling unit shall be considered as a single private residence but service for a duplex (a single building consisting of two apartments or dwelling units) may be taken through one meter under a single billing provided that the billing shall be computed as though each apartment or dwelling unit used an equal portion of the total service metered and were independently billed, except that the minimum charge shall be the minimum charge for a single apartment or dwelling unit. An apartment is defined to be a room or suite of rooms used for the general functions of a household and permanently equipped with a sink and cooking facilities, occupying space specifically designed for them, such as a kitchen, kitchenette or pullman kitchen.

ALL ELECTRIC RESIDENTIAL SERVICE

Availability Available to any residential customer in a single private residence for domestic purposes only where 120/240 volt single phase electric service is used through one meter and customer has in regular use either an Approved Water Heating Installation or an Approved Space Heating Installation or both.

<u>Rate</u>	First	50	kilowatt-hours per month				@	5.1¢	per kwh	
	Next	50	"	"	"	"	@	2.8	" "	
	Next	200	"	"	"	"	@	2.1	" "	
	Next	700	"	"	"	"	@	1.65	" "	
	Next	1 000	"	"	"	"	@	1.45	" "	
	Excess		"	"	"	"	@	1.35	" "	

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00

Underground Residential Distribution For service from an Underground Residential Distribution system in which all underground facilities are installed, owned and maintained by Company, a charge of \$2.00 will be added to the monthly bill computed above for a period of not to exceed 30 years from date of installation. In lieu of the monthly charge, a nonrefundable contribution of \$220 may be made at any time. Such contribution for any residence served hereunder shall apply to that residence only and shall relieve the contributor and any successor customer at that residence of any obligation to pay a monthly charge thereafter. Such monthly charge or contribution shall be in addition to any payments which may be required under Section 4 of Company's Rules for Application of Residential Service Rates.

Rules for Application of All Electric Residential Service Rate

1. The specifications for an Approved Water Heating Installation under this rate are as follows:

a. The water heater shall be equipped with no more than two heating elements. Each heating element shall be noninductive, thermostatically operated and designed for 240 volts.

b. For a water heater equipped with two heating elements:
The tank size shall be not less than 40 gallons; the rating of either heating element shall not exceed 5500 watts; and, if the total of the ratings of the two elements exceeds 5500 watts, the elements shall be so interlocked that they cannot operate simultaneously.

(Continued on following sheet)

ALL ELECTRIC RESIDENTIAL SERVICE (Contd)

c. For a water heater equipped with one heating element:
The tank size and the rating of the heating element for each tank size shall be as follows:

<u>Tank Size in Gallons</u>	<u>Heating Element Rating in Watts</u>
30	3 500
50	5 500
80	5 500

d. Electric water heating service will be supplied only under a single applicable rate schedule.

e. The installation shall not be used to supplement any other system of providing hot water service.

f. Company reserves the right to control service to the water heating load.

2. The specifications for an Approved Space Heating Installation under this rate are as follows:

a. Electric space heating equipment (except 120 volt units individually rated at 15 amperes or less) shall be designed to operate at 240 volts, shall be permanently installed and shall be the sole source of space heating except that provided by fireplaces.

b. Not more than 10 kilowatts shall be switched at one time by the heating system controls.

c. Company reserves the right to control service to the space heating load.

3. Service may be taken under this schedule through one meter for a duplex (a single building consisting of two apartments or dwelling units) meeting the above specifications provided that the billing shall be computed as though each apartment or dwelling unit used an equal portion of the total service metered and were independently billed, except that the minimum charge shall be the minimum charge for a single apartment or dwelling unit.

4. Snow melting installations or other infrequently used loads totaling more than 25 kilowatts will not be permitted on this rate except where customer has an Approved Space Heating Installation in which case 25 kw or 50% of the space heating load, whichever is greater, will be allowed. In all other cases the General Service rate or other rates are available for such loads.

5. A customer occupying a building or apartment for residential and commercial purposes jointly may combine his residential and commercial use on such rates as are available to commercial customers for the respective classes of service but not under this rate.

MULTIPLE DWELLING SERVICE

Availability Available to any customer using single phase electric service for a multiple dwelling.

Rate

<u>Single Apartment</u>							
First	50	kilowatt-hours	per	month	@	5.5¢	per kwh
Next	150	"	"	"	@	2.95	" "
Next	500	"	"	"	@	2.2	" "
Excess		"	"	"	@	1.65	" "

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00

Rules for Application of Multiple Dwelling Service Rate

1. Service for two or more apartments may be taken through one meter under a single billing provided that the billing shall be computed as though each apartment or dwelling unit used an equal portion of the total service metered and were independently billed, except that the minimum charge shall be the minimum charge for a single apartment or dwelling unit. An apartment is defined to be a room or suite of rooms used for the general functions of a household and permanently equipped with a sink and cooking facilities, occupying space specifically designed for them, such as a kitchen, kitchenette or pullman kitchen.
2. The general service required by the apartment building, such as service for hall lighting, garages for private use, laundry rooms, drying rooms, boiler rooms, janitor's supply rooms, refrigeration equipment, oil burners, furnace stokers, and air conditioning equipment, may be taken on the multiple dwelling schedule provided the kilowatt-hours in the second and third blocks of the rate schedule be increased by 150 and 500 kilowatt-hours, respectively, for each apartment not served on this same meter.
3. Three phase service, service to motors larger than 5 horsepower, and service to snow melting installations totaling more than 25 kilowatts may be had under such rates as are available to commercial customers for the respective classes of service.
4. A customer occupying a building or apartment for residential and commercial purposes jointly may combine his residential and commercial use on such rates as are available to commercial customers for the respective classes of service.

AUTOMATIC PROTECTIVE LIGHTING SERVICE

Availability Available to any customer for illumination of areas of private property.

<u>Rate</u>	<u>Designation of Lamps</u>	<u>Monthly Rate per Unit</u>
	F48 T10/CW Fluorescent	\$3.75(1)
	175 Watt Mercury	3.75
	400 Watt Mercury	5.50

(1) Available to existing installations only.

Service Included in Rate Company shall own, operate and maintain the lighting unit including the fixture, lamp, ballast, photo-electric control, mounting brackets and all necessary wiring. Company shall furnish all electric energy required for operation of the unit.

Special Terms and Conditions

1. Above rate contemplates installation of the lighting unit on an existing utility owned wood pole upon which Company's 120 or 240 volt lines are attached. If necessary, Company will extend its 120 or 240 volt lines on existing Company poles for not to exceed two spans provided customer pays the entire cost thereof. No additional transformer capacity will be provided hereunder.
2. The lamp shall be lighted and extinguished by a photo-electric control furnished by the Company. The hours of burning shall be from approximately one-half hour after sunset until one-half hour before sunrise, every night.
3. If illumination of a lamp is interrupted and said illumination is not resumed within seventy-two hours from the time Company receives notice thereof from customer, 1/30th of the monthly compensation for such unit shall be deducted for each night of nonillumination after such notice is received.
4. Company reserves the right to discontinue service if equipment is abused.

Term of Agreement Agreement shall be for a term of three years, and, if not then terminated by at least 30 days' prior written notice by either party, shall continue until so terminated.

GENERAL SERVICE

Availability Available to any customer for single or three phase electric service supplied through one meter.

<u>Rate</u>	First	200	kilowatt-hours	per month	@	5.2¢	per kwh
	Next	300	"	"	@	4.2	" "
	Next	500	"	"	@	3.3	" "
	Excess		"	"	@	2.7	" "

All energy in excess of 200 kilowatt-hours per month per kilowatt of demand @ 1.7¢ " "

Primary Distribution Voltage Discount A discount of 5% will be allowed where customer takes service at available primary voltage.

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00

Determination of Demand The demand in kilowatts for billing purposes shall be the greatest 15-minute load during the month for which bill is rendered, but in no event shall it be considered less than 5 kw. For billing purposes, a fraction of a kw if less than one-half will be dropped, if one-half or more will be billed as one-half.

ALL ELECTRIC GENERAL SERVICE

Availability Available to any customer who has in regular use an Approved Space Heating Installation.

<u>Rate</u>	First	400	kilowatt-hours	per	month	@	3.1¢	per	kwh
	Next	600	"	"	"	@	2.6	"	"
	Next	1 000	"	"	"	@	2.2	"	"
	Excess		"	"	"	@	1.9	"	"

All energy in excess of 200 kilowatt-hours per month per kilowatt of demand @ 1.7¢ " "

Primary Distribution Voltage Discount A discount of 5% will be allowed where customer takes service at available primary voltage.

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00

Determination of Demand The demand in kilowatts for billing purposes shall be the greatest 15-minute load during the month for which bill is rendered, but in no event shall it be considered less than 5 kw. For billing purposes, a fraction of a kw if less than one-half will be dropped, if one-half or more will be billed as one-half.

Special Requirements

The specifications for an Approved Space Heating Installation are as follows:

1. Electricity shall be the sole source of space heating in all areas served through the meter.
2. At least 40% of the total connected load must be permanently connected space heating equipment.
3. Company reserves the right to control the space heating load.

GENERAL WATER HEATING SERVICE

Availability Available to any customer for single or three phase service at 208 volts or higher, uncontrolled as to time of use, for an Approved Water Heating Installation supplied through a separate meter.

Rate Energy Charge:

First 100 kilowatt-hours per month per kilowatt of demand @ 1.63¢ per kwh
 Excess " " " " " " " " " @ 1.35 " "

Excess Wattage Charge:

An additional charge of \$1.50 per 1000 watts or fraction thereof will be made for connected loads in excess of:

- a. storage tank installation
350 watts per gallon of tank capacity.
- b. swimming pool installation
50 watts per square foot of water surface area of swimming pools.

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00

Determination of Demand The demand in kilowatts shall be the greatest 15-minute load during the month for which bill is rendered but in no event shall it be considered less than 10 kilowatts. The demand may at Company's option be determined by periodic test or measurement.

Approved Water Heating Installation The specifications for an Approved Water Heating Installation under this rate are as follows:

1. The water heater shall be equipped with thermostatically operated non-inductive heating elements designed to operate at 208 volts or higher.
2. The water heater shall be connected by means of a tamperproof circuit to Company's water heating meter.
3. The storage capacity of the water heater shall be 40 gallons or more and the connected load shall be 4500 watts or more, except that a water heater having a storage capacity of 30 gallons and a single heating element rated at 3500 watts will be permitted.

(Continued on following sheet)

GENERAL WATER HEATING SERVICE (Contd)

4. Water heating service will be supplied only under a single applicable rate schedule.
5. The installation shall not be used to supply hot water for space heating purposes.
6. The installation shall not be used to supplement any other system of providing hot water service.
7. Company reserves the right to control service to the water heating load.
8. The above specifications for an Approved Water Heating Installation shall apply to heating water for swimming pools subject to the following modifications:
 - a. The storage capacity specification of Section 3 shall be waived.
 - b. The installation shall not be used to heat water for other purposes.

LARGE GENERAL SERVICE

Availability Available to any customer for general service.

Kind of Service Alternating current at the following nominal voltages:

- (a) Secondary Voltage: single or three phase at 208 volts or higher,
 - (b) Primary Distribution Voltage: three phase at 2400 volts or higher,
 - (c) Transmission Line Voltage: three phase at 34,500 volts or higher.
- Service voltage available in any given case is dependent upon voltage and capacity of Company lines in vicinity of customer's premises.

Rate Demand Charge for Service at Secondary Voltage:

First	100	kilovolt-amperes or less of demand	-	\$240.00	per month				
Next	100	kilovolt-amperes of demand	@	\$1.70	per kva per month				
Next	800	" " " "	@	1.55	" " " "				
Next	9 000	" " " "	@	1.45	" " " "				
Excess		" " " "	@	1.30	" " " "				

Demand Charge for Service at Primary Distribution Voltage: The Demand Charge for Service at Secondary Voltage less \$.15 per month per kilovolt-ampere of demand.

Demand Charge for Service at Transmission Line Voltage: The Demand Charge for Service at Secondary Voltage less \$.25 per month per kilovolt-ampere of demand.

Plus an Energy Charge of:

First	20 000	kilowatt-hours per month	@	1.65¢	per kwh		
Next	30 000	" " " "	@	1.30	" "		
Next	50 000	" " " "	@	1.11	" "		
Next	400 000	" " " "	@	.97	" "		
Next	500 000	" " " "	@	.91	" "		
Next	9 000 000	" " " "	@	.76	" "		
Excess		" " " "	@	.70	" "		

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Prompt Payment Provision A charge of 5% will be added to net bill which charge shall constitute a discount from gross bill for payment within the discount period.

(Continued on following sheet)

LARGE GENERAL SERVICE (Contd)

Determination of Demand The demand in kilovolt-amperes for billing purposes shall be determined by dividing the maximum demand in kilowatts by the monthly average power factor and shall be rounded to the nearest whole kva, but in no month shall the demand to be billed be considered as less than 50% of the greatest demand in kva billed during the preceding eleven months nor in any event less than 100 kva.

Maximum Demand The maximum demand in kilowatts shall be the greatest 15-minute load during the month for which bill is rendered.

Average Power Factor The average power factor is defined to be the quotient obtained by dividing the kilowatt-hours used during the month by the square root of the sum of the squares of the kilowatt-hours used and the lagging reactive kilovolt-ampere-hours supplied during the same period. Any leading kilovolt-ampere-hours supplied during the period will not be considered in determining the average power factor.

Minimum Demand to be Billed The monthly minimum billing demand shall not be less than provided above, whether or not energy is used.

Standby and Supplementary Service

Availability Available at 12,400 volts or higher to any large commercial or industrial customer who normally supplies part or all of his electric power requirements from another independent source of power for which the Company's service may be substituted wholly or in part. Customer shall contract for capacity adequate to supply the entire electric requirements for which such service may be used which capacity shall equal or exceed the agreed kva demand for standby to customer's other source of power. Company shall not be obligated to supply capacity in excess of that contracted for.

Rate The billing shall be in accordance with Company's Large General Service rate schedule for Service at Primary Distribution Voltage except that the paragraph "Determination of Demand" shall be modified to read as follows: "The demand in kilovolt-amperes for billing purposes shall be determined by dividing the maximum demand in kilowatts by the monthly average power factor, but in no month shall the demand to be billed be considered as less than the agreed standby demand plus 50% of the greatest excess demand in kva over such standby demand billed during the preceding eleven months nor in any event less than 2500 kva."

(Continued on following sheet)

LARGE GENERAL SERVICE (Contd)

Parallel Operation Interconnection and parallel operation of Customer's independent source of power (Customer's system) and Company's service (Company's system) will be permitted by Company under the following conditions:

1. The interconnection between the systems must be at 12,400 volts or higher at a point on Company's system where Customer's operations will not interfere with the quality of Company's service to any of its other customers.
2. Customer agrees to provide the necessary equipment as approved by Company to enable Customer to operate its generating equipment in parallel with Company's system. Since the power factor and the voltage at which Company's system and Customer's system are operated will vary, each party agrees to operate its system at such power factor and voltage as is conducive to best operating standards and in such manner as to absorb its share of the reactive power.
3. Company reserves the right to disconnect service in the event service to Customer results in trouble on Company's system such as interruptions, grounds, radio or telephone interference, surges or objectionable voltage fluctuations, where such trouble is caused by negligence of Customer if, after giving notice in writing to Customer of such trouble, Customer fails to remedy the causes thereof within a reasonable time.
4. Company's meters will be ratcheted to measure the flow of power and energy from Company to Customer only. Reverse flow if any will be ignored unless the amount is substantial in which event it will be a matter for negotiation and further agreement between the parties.

LARGE ALL ELECTRIC GENERAL SERVICE

Availability Available to any customer who has in regular use an Approved Space Heating Installation.

Kind of Service Alternating current at the following nominal voltages: (a) Service at Secondary Distribution Voltage: three wire single phase and three or four wire three phase at 208 volts or higher, (b) Service at Primary Distribution Voltage: three phase at 2400 volts or higher. Service voltage available in any given case is dependent upon voltage and capacity of existing Company lines in vicinity of customer's premises.

Rate

First	10 000 kilowatt-hours or less -	\$280.00 per month
Next	10 000 kilowatt-hours per month @	1.70¢ per kwh
Next	80 000 " " " " @	1.50 " "
Excess	" " " " @	1.40 " "

All energy in excess of 200 kilowatt-hours per month per kilowatt of demand:

First	600 000 kilowatt-hours	@	1.15¢ per kwh
Excess	" "	@	.75 " "

Primary Distribution Voltage Discount A discount of \$.10 per month per kilowatt of demand will be allowed where customer takes service at available primary voltage.

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Prompt Payment Provision A charge of 5% will be added to net bill which charge shall constitute a discount from gross bill for payment within the discount period.

Determination of Demand The demand in kilowatts for billing purposes shall be the greatest 15-minute load (subject to Power Factor Adjustment) during the month for which bill is rendered, but in no event shall the demand for billing purposes be considered as less than 50% of the greatest demand used for billing purposes during the preceding eleven months, nor less than 100 kw.

(Continued on following sheet)

LARGE ALL ELECTRIC GENERAL SERVICE (Contd)

Power Factor Adjustment The customer shall at all times take and use power in such manner that the average power factor shall be as near 100% as possible, but when the average power factor is less than 80%, then the greatest 15-minute load shall be adjusted by multiplying it by 80% and dividing the product thus obtained by the average power factor expressed in percent.

The average power factor is defined to be the quotient obtained by dividing the kilowatt-hours used during the month by the square root of the sum of the squares of the kilowatt-hours used and the lagging reactive kilovolt-ampere-hours supplied during the same period. Any leading kilovolt-ampere-hours supplied during the period will not be considered in determining the average power factor.

Special Requirements

The specifications for an Approved Space Heating Installation are as follows:

1. Electricity shall be the sole source of space heating in all areas served through the meter.
2. At least 40% of the total connected load must be permanently connected space heating equipment.
3. Company reserves the right to control the space heating load.

LARGE COMMERCIAL SERVICE

Availability Available to any commercial or industrial customer for combined lighting and power purposes.

Kind of Service 1. Alternating current at the following nominal voltages:
 (a) Secondary Voltage: single phase or three phase at 208 volts or higher,
 (b) Primary Distribution Voltage: three phase at 2400 volts or higher.
 Service voltage available in any given case is dependent upon voltage and capacity of Company lines in vicinity of customer's premises.

2. Direct current, only where and to the extent now used, at a nominal voltage of 120/240 alone or in combination with secondary voltage alternating current.

<u>Rate Demand Charge for Service at Secondary Voltage:</u>									
First	10	kilowatts of demand	@	\$3.95	per kw	per month			
Next	40	" " "	@	3.00	" "	" "	" "		
Next	50	" " "	@	2.70	" "	" "	" "		
Next	100	" " "	@	2.25	" "	" "	" "		
Excess		" " "	@	2.00	" "	" "	" "		

Demand Charge for Service at Primary Distribution Voltage: The Demand Charge for Service at Secondary Voltage less \$.15 per month per kilowatt of demand.

<u>Plus an Energy Charge of:</u>									
First	2 000	kilowatt-hours per month	@	3.60¢	per kwh				
Next	3 000	" " "	@	2.60	" "	" "			
Next	15 000	" " "	@	1.65	" "	" "			
Next	30 000	" " "	@	1.40	" "	" "			
Next	50 000	" " "	@	1.20	" "	" "			
Excess		" " "	@	1.10	" "	" "			

Plus a Direct Current Additional Charge of: 0.60¢ per kilowatt-hour for all direct current kilowatt-hours.

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Prompt Payment Provision A charge of 5% will be added to net bill which charge shall constitute a discount from gross bill for payment within the discount period.

(Continued on following sheet)

LARGE COMMERCIAL SERVICE (Contd)

Determination of Demand The demand in kilowatts for billing purposes shall be the greatest 15-minute coincident load (subject to power factor adjustment) during the month for which bill is rendered, but in no event shall the demand to be billed be considered as less than 50% of the greatest demand billed during the preceding eleven months, nor less than 3 kw for Service at Secondary Voltage and 25 kw for Service at Primary Distribution Voltage.

Minimum Demand to be Billed The monthly demand charge shall not be less than provided above, whether or not energy is used.

Power Factor The customer shall at all times take and use power in such manner that the average power factor shall be as near 100% as possible, but when the average power factor is less than 80%, then the demand as determined above shall be adjusted by multiplying it by 80% and dividing the product thus obtained by the average power factor expressed in percent.

The average power factor is defined to be the quotient obtained by dividing the kilowatt-hours used during the month by the square root of the sum of the squares of the kilowatt-hours used and the lagging reactive kilovolt-ampere-hours supplied during the same period. Any leading kilovolt-ampere-hours supplied during the period will not be considered in determining the average power factor.

Where customer's demand is less than 40 kw the average power factor may at the Company's option be determined by periodic test or measurement.

Standby, Supplementary, Emergency and Incidental Service (Alternating Current Only)

Availability Available for service to customers who normally supply their requirements either directly or indirectly from another independent source of power for which the Company's service may be substituted wholly or in part. Customer shall contract for capacity adequate to supply the entire electrical requirements for which such service may be used and Company shall not be obligated to supply capacity in excess of the amount contracted for by customer.

Rate The billing shall be in accordance with the Large Commercial Service rate schedule, except that the paragraph "Determination of Demand" shall be modified to read as follows: "The demand in kilowatts shall be the greatest 15-minute load during the month for which bill is rendered, but in no month shall the demand to be billed be based on less than the greatest demand previously supplied nor on less than the demand contracted for. In addition, for new customers taking service subsequent to January 1, 1965, the demand to be billed shall in no event be considered as less than 100 kw."

FIRM AND INTERRUPTIBLE LARGE GENERAL SERVICE

Availability Available to any customer taking his entire electrical requirements from Company at 12,400 volts or higher who agrees that Company's service to the equipment listed in Schedule A attached to the contract may be interrupted by Company at any time and for such periods as Company, in its sole discretion, considers the supply of such service detrimental to its operations as a public utility.

Rate Demand Charge for Firm Service:

First	100	kilovolt-amperes	or less of demand	- \$225.00	per month
Next	100	kilovolt-amperes	of demand	@ \$1.55	per kva per month
Next	800	"	" " " "	@ 1.40	" " " "
Next	9 000	"	" " " "	@ 1.30	" " " "
Excess		"	" " " "	@ 1.15	" " " "

Demand Charge for Interruptible Service:

First	10 000	kilovolt-amperes	or less of demand	- \$3 400.00	per month
Excess		kilovolt-amperes	of demand	@ \$.34	per kva per month

Plus an Energy Charge of:

First	20 000	kilowatt-hours	per month	@ 1.65¢	per kwh
Next	30 000	"	" " " "	@ 1.30	" "
Next	50 000	"	" " " "	@ 1.11	" "
Next	400 000	"	" " " "	@ .97	" "
Next	500 000	"	" " " "	@ .91	" "
Next	9 000 000	"	" " " "	@ .76	" "
Excess		"	" " " "	@ .70	" "

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Prompt Payment Provision A charge of 5% will be added to net bill which charge shall constitute a discount from gross bill for payment within the discount period.

Determination of Demand The Firm Service and Interruptible Service demands in kilovolt-amperes for billing purposes shall be determined by dividing the maximum demand in kilowatts by the monthly average power factor and shall be rounded to the nearest whole kva, but in no month shall the demand to be billed be considered as less than 50% of the greatest demand in kva billed during the preceding eleven months nor in any event less than 100 kva for Firm Service and 10,000 kva for Interruptible Service.

(Continued on following sheet)

FIRM AND INTERRUPTIBLE LARGE GENERAL SERVICE (Contd)

Maximum Demand The maximum demand in kilowatts shall be the greatest 15-minute load during the month for which bill is rendered.

Average Power Factor The average power factor is defined to be the quotient obtained by dividing the kilowatt-hours used during the month by the square root of the sum of the squares of the kilowatt-hours used and the lagging reactive kilovolt-ampere-hours supplied during the same period. Any leading kilovolt-ampere-hours supplied during the period will not be considered in determining the average power factor. The average power factor shall be determined for each of the Services.

Minimum Demand to be Billed The monthly minimum billing demand for each of the Services shall not be less than provided above, whether or not energy is used.

OVERHEAD STREET LIGHTING SERVICE

Availability Available for year-round illumination of public streets, parkways, and highways by electric lamps in luminaires supported on wood poles, where the facilities for this service are furnished by Company.

Rate

<u>Designation of Lamps</u>	<u>Number of Lamps per Luminaire</u>	<u>Monthly Rate per Luminaire</u>
1 500 Lumen - Incandescent	1	\$ 2.05(1)
2 500 " " "	1	2.30(1)
4 000 " " "	1	2.75(1)
175 Watt - Mercury	1	\$ 3.95
250 " " "	1	4.90
400 " " "	1	6.40
700 " " "	1	9.10
1 000 " " "	1	15.00
250 Watt - High Pressure Sodium	1	\$ 9.25
400 " " " "	1	12.25
F48EHO - Fluorescent	1	\$ 4.00(1)
F48EHO " "	2	5.30(1)
F72HO " "	2	5.50(1)
F72HO " "	4	6.90(1)
F72EHO " "	4	10.00(1)

(1) Available to existing installations only.

Service Included in Rate Company shall own, operate, and maintain the Overhead Street Lighting system using Company's standard street lighting equipment.

Daily Operating Schedule The daily operating schedule of the above lamps shall be from approximately one-half hour after sunset until one-half hour before sunrise.

Outages If illumination from any lamp is interrupted and said illumination is not resumed within 24 hours from the time Company receives notice thereof from Customer, 1/30 of the monthly rate for such lamp shall be deducted for each night of nonillumination after such notice is received.

ORNAMENTAL STREET LIGHTING SERVICE
(CUSTOMER OWNED EQUIPMENT)

Availability Available for year-round illumination of public streets, parkways, and highways by electric lamps mounted on standards where Customer owns an Ornamental Street Lighting system complete with standards, luminaires with globes, lamps and other appurtenances, together with all necessary cables extending between standards and to points of connection to Company's facilities as designated by Company.

RateGroup I

<u>Designation of Lamps</u>	<u>Number of Lamps per Luminaire</u>	<u>Daily Operating Schedule</u>	<u>Monthly Rate per Luminaire</u>
1 500 Lumen - Incandescent	1	AN	\$ 1.90(1)
2 500 " "	1	AN	2.00(1)
4 000 " "	1	AN	2.30(1)
4 000 " "	1	MN	2.05(1)
6 000 " "	1	AN	2.80(1)
6 000 " "	1	MN	2.45(1)
10 000 " "	1	AN	3.90(1)
10 000 " "	1	MN	3.40(1)
15 000 " "	1	AN	5.10(1)
15 000 " "	1	MN	4.35(1)
 100 Watt - Mercury	 1	 AN	 \$ 1.75
100 " "	1	MN	1.50
175 " "	1	AN	2.25
175 " "	1	MN	2.00
250 " "	1	AN	2.75
250 " "	1	MN	2.25
400 " "	1	AN	3.50
400 " "	1	MN	3.00
700 " "	1	AN	5.25
700 " "	1	MN	4.50
1 000 " "	1	AN	7.25
1 000 " "	1	MN	6.25
 250 Watt - High Pressure Sodium	 1	 AN	 \$ 3.75
400 " " " "	1	AN	5.00
1 000 " " " "	1	AN	11.25
 F48EHO - Fluorescent	 1	 AN	 \$ 2.00(1)
F48EHO - "	2	AN	2.75(1)
F48EHO - "	2	MN	2.25(1)
F72HO - "	1	AN	1.75(1)
F72HO - "	2	AN	2.25

(Continued on following sheet)

ORNAMENTAL STREET LIGHTING SERVICE (Contd)
(CUSTOMER OWNED EQUIPMENT)

Group I (Contd)

<u>Designation of Lamps</u>	<u>Number of Lamps per Luminaire</u>	<u>Daily Operating Schedule</u>	<u>Monthly Rate per Luminaire</u>
F72HO - Fluorescent	4	AN	\$ 3.50
F72HO - "	4	2AN-2MN	3.25
F72HO - "	4	MN	3.00(1)
F72EHO - "	1	AN	2.25(1)
F72EHO - "	2	AN	3.25
F72EHO - "	2	MN	2.75(1)
F72EHO - "	4	AN	6.00
F72EHO - "	4	2AN-2MN	5.50

(1) Available to existing installations only.

Where more than one of the above luminaires is mounted on a single standard, the monthly rate for each luminaire in excess of one shall be reduced by 25¢ (except as modified in Service Included in Rate - Group I paragraph).

Group II (For installations consisting of standards which do not require painting and globes which are unbreakable)

175 Watt - Mercury	1	AN	\$ 1.75
250 " "	1	AN	2.25
400 " "	1	AN	3.00

Service Included In Rate

Group I

Company shall furnish all electric energy necessary to operate Customer's Ornamental Street Lighting system, shall make all lamp and globe renewals, clean the globes, light and extinguish all lamps, paint the metal portions of the standards and furnish all the materials and labor necessary therefor.

At Customer's option Company shall make all ballast renewals in lieu of painting the standards; in which case the 25¢ per luminaire reduction for more than one luminaire per standard, as provided for under the above Rate, shall not apply.

Group II

Company shall furnish all electric energy necessary to operate Customer's Ornamental Street Lighting system, shall make all lamp renewals, clean the globes, light and extinguish all lamps and furnish all the materials and labor necessary therefor.

Daily Operating Schedule The daily operating schedule of the above lamps on the All-night (AN) schedule shall be from approximately one-half hour after sunset until one-half hour before sunrise, and on the Midnight (MN) schedule shall be from approximately one-half hour after sunset until midnight (Central Standard Time.)

Outages If illumination from any lamp is interrupted and said illumination is not resumed within 24 hours from the time Company receives notice thereof from Customer, 1/30 of the monthly rate for such lamp shall be deducted for each night of non-illumination after such notice is received.

CUSTOM RESIDENTIAL STREET LIGHTING SERVICE

Availability Available for year-round illumination of public streets by electric lamps in luminaires mounted on standards and served through underground circuits, where the facilities for this service are furnished by Company. Street lighting service under this schedule is limited to residential areas having a Company owned underground electric distribution system.

Rate

<u>Designation of Lamps</u>	<u>Monthly Rate per Standard</u>
175 Watt - Mercury	\$ 5.05
250 " "	6.00

Service Included in Rate Company shall own, operate, and maintain the Custom Residential Street Lighting system using Company's standard street lighting equipment, which includes one lamp per standard.

Daily Operating Schedule The daily operating schedule of the above lamps shall be from approximately one-half hour after sunset until one-half hour before sunrise.

Outages If illumination from any lamp is interrupted and said illumination is not resumed within 24 hours from the time Company receives notice thereof from Customer, 1/30 of the monthly rate for such lamp shall be deducted for each night of nonillumination after such notice is received.

TRAFFIC SIGNAL SERVICE

Availability Available to municipal, state, and federal governments, their agencies and subdivisions, (to exclusion of other rates) for operation of traffic signals, and direction and warning lights along streets and highways, for traffic regulation and guidance as distinguished from street lighting and general illumination.

Rate Demand Charge
First 5 kilowatts or less - No charge
Excess kilowatts at \$3.20 per kw per month

Energy Charge
3.6¢ per kilowatt-hour

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$1.50

Determination of Demand The demand in kilowatts for billing purposes shall be the greatest 15-minute load during the month for which bills is rendered. For billing purposes the demand shall be adjusted to the nearest 0.1 kw. The demand may be determined by test.

Special Terms and Conditions The customer shall supply the service wires run in conduit up the nearest pole or to some other point designated by the Company near the signal. The necessary meter loops and cabinets must be supplied by the customer.

MUNICIPAL WATER PUMPING SERVICE

Availability Available for the operation of pumping plants of municipally owned water works. Lighting and heating limited to incidental use in operating power equipment.

(Rate schedule applied separately to each delivery point)

<u>Rate</u>	First	2 000 kilowatt-hours per month	@	2.29¢	per kwh
	Next	2 000 " " " "	@	1.76	" "
	Excess	" " " "	@	1.23	" "

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge First 1 HP or less of connected load - \$1.00
Excess HP of connected load @ \$.25 per HP

Power Factor Customer shall at all times take and use power in such manner that the power factor shall be as near 100% as possible, but when the average power factor is less than 80%, customer agrees to install the necessary corrective equipment to raise such power factor to at least 80%. The average power factor is defined to be the quotient obtained by dividing the kilowatt-hours used during the month by the square root of the sum of the squares of the kilowatt-hours used and the lagging reactive kilovolt-ampere-hours supplied during the same period. Any leading kilovolt-ampere-hours supplied during the period will not be considered in determining the average power factor.

Standby and Supplementary Service Available for service to pumping plants of municipally owned water works when an interconnected water system of such water works includes a pumping plant using a source of power other than electricity supplied by Company.

Rate The billing for each pumping plant served by Company shall be in accordance with the above except that if the total net payments during any contract year following the installation of a source of power other than electricity supplied by Company amount to less than \$15.00 per horsepower of connected load of all pumping plants served by Company at the beginning of such contract year, the difference between said \$15.00 per horsepower and said total net payments shall be included in the bill for the last month of such year and Customer shall pay same as a charge for service rendered.

MUNICIPAL SEWAGE PUMPING SERVICE

Availability Available to municipal sewage systems for operation of pumping and sewage treatment plants when all pumping and other power requirements at all plants are supplied hereunder.

(Rate schedule applied separately to each delivery point)

<u>Rate</u>	First	1 500	kilowatt-hours	per month	@ 2.82¢	per kwh
	Next	1 500	"	"	@ 1.76¢	" "
	Excess		"	"	@ 1.23¢	" "

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge First 1 HP or less of connected load - \$1.00
Excess HP of connected load @ \$.50 per HP

Power Factor Customer shall at all times take and use power in such manner that the power factor shall be as near 100% as possible, but when the average power factor is less than 80%, customer agrees to install the necessary corrective equipment to raise such power factor to at least 80%. The average power factor is defined to be the quotient obtained by dividing the kilowatt-hours used during the month by the square root of the sum of the squares of the kilowatt-hours used and the lagging reactive kilovolt-ampere-hours supplied during the same period. Any leading kilovolt-ampere-hours supplied during the period will not be considered in determining the average power factor.

FIRE SIREN SERVICE

Availability Available for power service for the operation of municipal fire sirens having a rated capacity not in excess of 10 horsepower.

Rate 20¢ per month per horsepower of connected capacity

Discount None

Minimum Bill \$1.00 net per month

Connection Under the above rate the Company will make no extension for service other than a normal service span. Where conditions are such that a long service connection or extra transformer capacity, or both, are necessary, the customer shall pay for the cost of the extra equipment.

The circuit serving the fire siren must be in conduit from the entrance to the motor with an enclosed entrance switch box, which may be sealed and operated from an external appliance.

Optional In case the customer already has a service connection of sufficient capacity to permit operation of the fire siren without unduly disturbing conditions on the Company's nearby circuits, the fire siren may be connected at the option of the customer on the load side of the customer's existing meter and the commercial rate applied to the total load.

FARM SERVICE

Availability Available to any farm customer for all electric lighting, power, and heating purposes.

<u>Rate</u>	First	100	kilowatt-hours per month				@	6.6¢	per kwh	
	Next	100	"	"	"	"	@	3.4	"	"
	Next	300	"	"	"	"	@	2.5	"	"
	Next	500	"	"	"	"	@	2.3	"	"
	Next	1 000	"	"	"	"	@	2.0	"	"
	Excess		"	"	"	"	@	1.8	"	"

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00 for 10 kva or less of required transformer capacity plus \$.50 for each kva in excess of 10 kva.

Special Rules

1. Motors and other equipment which interfere with service to neighboring customers and all transformer type welding machines larger than 25 kilovolt-amperes will not be permitted on the Farm Service rate.
2. Only single phase service at 120/240 volts, rendered through one meter, is available under this rate. If three phase service or primary voltage service is supplied it shall be under rates available for such service.
3. Where two or more farm customers are served from the same transformer, the minimum charge for each customer will be based on the transformer capacity required adequately to serve him, without regard to the transformer capacity actually installed or the minimum charges of other customers served from the same transformer. The Company reserves the right to install load limiting devices for the protection of its transformers and equipment and for the determination of the appropriate transformer size.
4. Temporary enlargement of transformer capacity for such purposes as corn drying and hay drying shall be treated as Temporary Service.

ALL ELECTRIC FARM SERVICE

Availability Available to any farm customer for electric lighting, power, and heating purposes where 120/240 volt single phase electric service is used through one meter and customer has in regular use either an Approved Water Heating Installation or an Approved Space Heating Installation or both.

<u>Rate</u>	First	100	kilowatt-hours	per	month	@	6.6¢	per	kwh
	Next	150	"	"	"	@	2.6	"	"
	Next	750	"	"	"	@	2.0	"	"
	Next	2 000	"	"	"	@	1.7	"	"
	Excess		"	"	"	@	1.6	"	"

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00 for 10 kva or less of required transformer capacity plus \$.50 for each kva in excess of 10 kva.

Rules for Application of All Electric Farm Service Rate

1. The specifications for an Approved Water Heating Installation under this rate are as follows:

a. The water heater shall be equipped with no more than two heating elements. Each heating element shall be noninductive, thermostatically operated and designed for 240 volts.

b. For a water heater equipped with two heating elements:
The tank size shall be not less than 40 gallons; the rating of either heating element shall not exceed 5500 watts; and, if the total of the ratings of the two elements exceeds 5500 watts, the elements shall be so interlocked that they cannot operate simultaneously.

c. For a water heater equipped with one heating element:
The tank size and the rating of the heating element for each tank size shall be as follows:

<u>Tank Size</u> <u>in Gallons</u>	<u>Heating Element</u> <u>Rating in Watts</u>
30	3 500
50	5 500
80	5 500

d. Electric water heating service will be supplied only under a single applicable rate schedule.

(Continued on following sheet)

ALL ELECTRIC FARM SERVICE (Contd)

- e. The installation shall not be used to supplement any other system of providing hot water service.
 - f. Company reserves the right to control service to the water heating load.
2. The specifications for an Approved Space Heating Installation under this rate are as follows:
- a. Electric space heating equipment (except 120 volt units individually rated at 15 amperes or less) shall be designed to operate at 240 volts, shall be permanently installed and shall be the sole source of space heating except that provided by fireplaces.
 - b. Not more than 10 kilowatts shall be switched at one time by the heating system controls.
 - c. Company reserves the right to control service to the space heating load.
3. Transformer type welding machines larger than 25 kilovolt-amperes will not be permitted on this rate.
4. Where two or more farm customers are served from the same transformer, the minimum charge for each customer will be based on the transformer capacity required adequately to serve him, without regard to the transformer capacity actually installed or the minimum charges of other customers served from the same transformer. The Company reserves the right to install load limiting devices for the protection of its transformers and equipment and for the determination of the appropriate transformer size.
5. Temporary enlargement of transformer capacity for such purposes as corn drying and hay drying shall be treated as Temporary Service.
6. If three phase service or primary voltage service is supplied it shall be under rates available for such service.

CONTROLLED WATER HEATING SERVICE (Closed)

Availability Available to any Controlled Water Heating Installation supplied through a separate meter and served hereunder on November 1, 1961. No new water heating installation made after November 1, 1961 will be served under this rate.

Rate Energy Charge:
1.54¢ per kilowatt-hour

Excess Wattage Charge:

One Element Tank - If the capacity of the heating element exceeds 20 watts per gallon of tank capacity, an additional charge of 10¢ per month per whole 100 watts will be made for such excess capacity.

Two Element Tank - If the capacity of the bottom element exceeds 20 watts per gallon of tank capacity or the top element exceeds 4500 watts, an additional charge of 10¢ per month per whole 100 watts will be made for the greater of such excess capacities.

Fuel Clause Bills subject to the adjustment provided for in Fuel Clause Rider No. 1.

Monthly Minimum Charge \$2.00

Time Control An electrical control device will be furnished by Company which will control the service so that no energy will be supplied during the following periods: 10:00 a.m. to Noon and 4:00 p.m. to 7:00 p.m. or such other daily period or periods as the Company may elect from time to time but not to exceed a total of five hours daily.

Approved Controlled Water Heating Installation The specifications for an approved controlled water heating installation under this rate are as follows:

1. The water heater shall be of the storage type, equipped with one or two thermostatically operated noninductive heating elements designed for 240 volts (208 volts in some commercial areas).
2. If the water heater is of the two-element type it shall have one element near the bottom and the other not more than one-fourth the distance from the top of the tank and so connected or interlocked that they cannot operate simultaneously.

(Continued on following sheet)

CONTROLLED WATER HEATING SERVICE (Closed) (Contd)

3. The storage capacity of any water heater installed hereunder after January 1, 1959 shall be 80 gallons or more.
4. The water heater, whether one-element or two-element, shall be connected by means of a tamperproof circuit to Company's controlled service meter.
5. At customer's option the top (emergency or booster) element of a two-element water heater may be permanently connected to either Company's controlled service meter or to Company's Residential Service or General Service meter.
6. The water heating installation may consist of two or more tanks provided that the installation meets the specifications for a single tank and that all are located on the same premises for one customer's use.
7. The installation shall not be used to supply hot water for space heating purposes.

FUEL CLAUSE RIDER NO. 1

The adjustment to be added or deducted under the Fuel Clause shall be 0.012¢ per kilowatt-hour for each whole cent by which the cost of fuel is more or less, respectively, than 31¢ per million Btu. The cost of fuel shall be the average cost of fuel used during the preceding twelve months as recorded in FPC Accounts 501 and 547.

EXCERPTS OF MINUTES OF REGULAR MEETING
OF THE VILLAGE COUNCIL
OF THE
VILLAGE OF FALCON HEIGHTS, RAMSEY COUNTY, MINNESOTA

JUNE 14, 1973

A regular meeting of the Village Council of the Village of Falcon Heights, Minnesota, duly called, convened, and held in accordance with law, was called to order by Mayor Warkentien on the 14th day of June, 1973, at 8 o'clock P. M. at the Council Chamber in said Village.

The following members, constituting a legal quorum, were present:

Mayor Warkentien, Councilmen Black and Ecklund, And Councilwoman Stocker.

Councilwoman Stocker introduced a certain Ordinance No. 127 entitled:

"AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR, AND MAINTAIN, IN THE VILLAGE OF FALCON HEIGHTS, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, AND FIXTURES AND APPURTENANCES; FOR THE FURNISHING OF ELECTRIC ENERGY TO THE VILLAGE AND ITS INHABITANTS, AND OTHERS, AND TO USE THE STREETS, ALLEYS, PUBLIC WAYS AND PUBLIC GROUNDS OF SAID VILLAGE FOR SUCH PURPOSES; PRESCRIBING CERTAIN TERMS AND CONDITIONS THEREOF, AND PRESCRIBING THE RATES TO BE CHARGED THEREFOR",

and on motion made, seconded, and duly adopted, the above-entitled Ordinance was read.

Thereafter a motion was made by Councilwoman Stocker and seconded by Councilman Black that the above-entitled Ordinance be adopted as read and in its entirety.

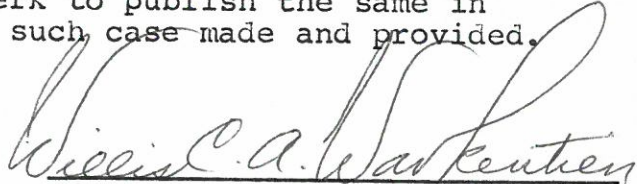
On roll call the vote was as follows:

Ayes: Mayor Warkentien, Councilman Black, and Councilwoman Stocker.

Councilman Ecklund abstained, and Councilman Stone was absent.

Nays: None.

The Mayor then declared said motion duly carried and the above-entitled Ordinance duly passed and adopted, and ordered the Village Clerk to publish the same in accordance with the law in such case made and provided.


Dennis C. A. Warkentien
Mayor

ATTEST:


Deborah B. Barnes
Village Clerk- Administrator

never published