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Public Utilities Commission

APUC No. 35 Original
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Sheet No. 01
Sheet No.

Barrow Utilities and Electric Cooperative, Inc. (BUECI)

BARROW UTILITIES AND ELECTRIC COOPERATIVE, INCORPORATED

FOUCH 4449

BARROW, ALASKA 99723

(907) 852-6166, 852-5126

OFFICE HOURS 8AM-12 NOON, 1PM-5PM
(EXCLUDING WEEKENDS AND HOLIDAYS)
(AFTER OFFICE HOURS; 852-3176)

RULES AND REGULATIONS

COPIES OF ALL BUECI RULES, REGULATIONS AND TARIFFS
ARE AVAILABLE AT THE COOPERATIVE'S OFFICE

GAS TARIFF NO. 3; CANCELLING

GAS TARIFF NO. 2

EFFECTIVE: June 26, 1987

Tariff Advice No. 4

Effective: June 26, 1987

Issued by: Barrow Utilities & Electric Cooperative, Inc.

By: *James R. Caress*
James R. Caress

Title: General Manager

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Barrow Utilities and Electric Cooperative, Inc. (BUECI)

GAS RULES AND REGULATIONS

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Barrow Utilities and Electric Cooperative, Inc. (BUECI)

1. DEFINITIONS

ACCESSIBLE means capable of being reached quickly and easily.

BUECI means Barrow Utilities and Electric Cooperative Incorporated.

CLASS OF SERVICE means the type of service rendered by the Cooperative under a particular rate schedule.

COST means the total cost to the Cooperative for all labor, material, overhead, and all other direct and indirect costs incidental to furnishing utility service.

CONSUMER means any person, firm, association or corporation, or any government agency being supplied with energy by the Cooperative.

PROPER NOTICE means a written notice mailed to the last known address on the Cooperative's records 15 days prior to the date of a service disconnection, and attempted personal contact 3 working days prior to said disconnection.

PAST DUE BILL means a bill not paid within 25 days from initial postmark.

DELINQUENT BILL means a bill not paid within 55 days from initial postmark.

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Barrow Utilities and Electric Cooperative, Inc. (BUECI)

2. GENERAL PROVISIONS

2.1 PURPOSE

In accordance with the Cooperative's objective of providing the best possible gas service at the lowest possible cost consistent with sound business principles, it is the intent and purpose of the Operating Rules and Regulations to insure that all consumers of the Cooperative receive uniform and equitable consideration, as outlined by The Alaska Public Utilities Commission's Service and Safety Standards.

2.2 SCOPE

These Operating Rules and Regulations are part of all written agreements or contracts for delivery of gas utility service. They are equally binding on the Cooperative, as well as the consumer.

2.3 COPIES OF RULES AND REGULATIONS AVAILABLE TO CONSUMERS

Copies of these Rules and Regulations and copies of the rate schedules and operating policies shall be available for inspection or distribution at the office of the Cooperative during normal office hours.

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2.4 REVISION

These Rules and Regulations may be revised, amended or otherwise changed at any time by action of the Board of Directors and subject to approval by the Alaska Public Utilities Commission.

2.5 CONFLICT

In case of conflict between any provision of the rate schedules and these Rules and Regulations, the provisions of the duly filed rate schedule shall apply.

2.6 AVAILABLE SERVICE

Gas service is generally available up to a rating of 20 PSI, but the capacity of the Cooperative's facilities vary in different locations. As protection against the purchase of improper appliances and other equipment, consumers are advised to ascertain the type of service available at their point of delivery. Also the type of service under different rate schedules varies, so the consumer should consult the Cooperative prior to purchase and installation of equipment to determine the type of service and rate schedules which will result in the lowest possible operating cost to him.

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3. APPLICATION FOR GAS SERVICE

Prospective consumers may request gas service on the Cooperative's standard application or service contract form. The applicant, if not a member, must pay a one time membership fee of \$25.00, which is not transferable or refundable. The application or contract for service shall be binding only after acceptance by a duly authorized representative of the Cooperative. The Cooperative requires a separate application or contract for each class of service at each separate location.

4. LANDLORD SERVICE AGREEMENTS FOR PREMISES WITH INDIVIDUAL GAS METERS.

The Cooperative will provide the following service where tenants service reverts back to a Landlord when a tenant moves out. The Cooperative will provide such service according to the following conditions and responsibilities:

- (1) The landlord shall supply BUECI with his and all tenants' current mailing address and phone numbers and his contact party. The Landlord shall be responsible to keep this information current.
- (2) The landlord may be requested to establish a deposit for an estimated thirty days gas usage and a service name change fee for each service location and utility service under this agreement.

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4. LANDLORD SERVICE AGREEMENTS (continued)

- (3) If the tenant does not pay his gas utility billings in a current manner, the tenant and Landlord will be notified by a proper written notice and if payment is not received within twelve working days, the service will automatically revert to the Landlord's name.
- (4) Service name change charges shall be deducted from the landlord's deposits for all services transferred back into the landlord's name.
- (5) The landlord shall pay for any gas utility billings in his name in a current manner and maintain his deposit requirements, if still required.
- (6) Tenant's notice to BUECI for disconnection shall be in writing and delivered a minimum of three working days prior to the actual disconnect or service name change date.
- (7) This agreement may be terminated by BUECI for the following reasons:
- Change of landlord or owner.
Violation of Section 19.2 (b).

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5. SERVICE CONNECTION AND DISCONNECTION

- 5.1 Consumer requested service connections and disconnections are normally made during regular work hours, Monday through Friday, excluding holidays. Otherwise, service disconnections per Article 19.2 (A) and (B) will be accomplished on Monday through Thursday, normal working hours.
- 5.2 If a consumer requests connection or disconnection after regular working hours, he shall pay the actual costs for labor and overhead.
- 5.3 Consumers are expected to request service connections or disconnections as far in advance as possible, at a minimum, three days.
- 5.4 All notices to the Cooperative shall be made at the office in person and/or in writing and no telephone communication shall be considered as proper notice. The Cooperative will not be responsible for error, delay, or expense resulting from a telephone procedure, but the Cooperative shall exercise diligence in carrying out communications from the consumer.

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6. DEPOSITS

- 6.1 The Cooperative may require from any consumer or prospective consumer a cash deposit intended to guarantee payment of bills. Such deposits shall not exceed twice the consumer's estimated average monthly bill. Consumers or prospective consumers whose credit rating has been established satisfactorily by their record of payment or otherwise will not be required to make a cash deposit.
- 6.2 On every deposit accepted under these rules, the Cooperative will issue a non-assignable receipt showing the date received, amount deposited and information as to the interest rate earned and the return of said deposit.
- 6.3 The interest earned on deposits shall be established yearly at the same rate published by the local bank for savings accounts as of December thirty-first.
- 6.4 The Cooperative may apply the consumer's deposit and interest accumulated as payment towards all delinquent amounts due and owing the Cooperative. If the consumer shall fail to restore any such deposit upon twenty-five days notice, the Cooperative may discontinue service until the deposit is restored as per Article 19.2.

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Barrow Utilities and Electric Cooperative, Inc. (BUECI)

6.5 The Cooperative shall refund the deposit and interest accumulated within thirty days to any consumer whose credit rating has been satisfactorily established by any of the following:

(A) provision of a letter or other written verification from the gas utility which last provided comparable service to the applicant stating that the applicant was not past due in payment for the last 12 consecutive months of service at the prior location.

(B) a payment history with the Cooperative of (1) not more than two past due payments in the prior twelve months billing or (2) no delinquency in payment during the prior twelve months billing.

(C) termination of service with the Cooperative to the extent the amount held exceeds any balance due to BUECI.

7. BILLING AND DELINQUENT ACCOUNTS

7.1 The Cooperative will render monthly utility bills to all consumers each month. The utility service bills will be mailed no later than the last business day of the month.

7.2 If a check is returned by a bank due to insufficient funds or other causes, the account of the consumer shall be charged for the amount of the check plus the amount of discounts received, and amount of the bank's service charge. The consumer shall be notified that the check did not clear the bank and will be requested to make the check "good" within five working days upon receipt of such notice.

7.3 Should a consumer's check be returned to the Cooperative for any reason more than two times, the cashier shall not accept any further checks from said consumer.

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7.4 Irrespective of whether a bill is based on Cooperative readings or an estimate of consumption, the Cooperative shall have the right to discontinue service for non-payment as provided elsewhere in these operating rules and regulations.

7.5 Failure to receive a bill or a notice does not excuse a consumer from paying his gas bill within the prescribed time for payment.

7.6 Utility bills not paid within the established discount date shall be due in the full amount of the bill. All utility bills not paid by twenty-five days past the postmark shall be past due. Thirty days after past due status, delinquent accounts shall result in discontinuance process. Reconnection of delinquent accounts may be made by payment of all amounts in arrears, reconnect fee plus a deposit for an estimated average of two months future gas use.

8. RIGHT-OF-WAY

In the case of private property, the consumer or prospective consumer must furnish necessary easement and right-of-way to enable the Cooperative to supply the service required to that consumer. Right-of-way, easements, and permits across and along public property are the responsibility of BUECI. Said private property easement is to be suitable for service installation.

9. RIGHT-OF-ACCESS

The Cooperative's employees shall have access to the consumer's premises at all reasonable times for the purpose of meter reading, inspecting, testing, repairing, removing or exchanging any and all service equipment belonging to the Cooperative.

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9. RIGHT-OF-ACCESS (continued)

Where right-of-access is refused or severely impaired, the Cooperative shall reserve the right to discontinue service after proper notice is given.

10. POINT OF DELIVERY

In the interest of safety and utility economics, the point of delivery is that point on the consumer's premises where the Cooperative designates the location of gas meters. The Cooperative shall install all plumbing up to the point of delivery and the meters. Extensions of plumbing beyond the point of delivery and the gas meter are the consumer's responsibility.

11. INSPECTIONS

The Cooperative shall have a reasonable right, but shall not be obligated to inspect any installation before utility service is connected or at any later time and reserves the right to reject or discontinue service to any installation not in accord with adopted Alaska statutes for natural gas utility standards, but such inspection, rejection or discontinuance shall not render the Cooperative liable or responsible for any loss or damage resulting from defects in the installation, plumbing or appliances or from violations of the Cooperative's rules, or from accidents which may occur upon the consumer's premises.

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12. CONSUMER'S RESPONSIBILITIES

12.1 USE OF SERVICE

Gas service shall be used by a consumer only for the purpose specified in the service agreement and at the applicable rate schedule or schedules, and the consumer shall not remeter, sell, or permit others to use such service.

12.2 It shall be the responsibility of the consumer to take all reasonable and proper precautions to prevent damage to the Cooperative's property on his premises. If the Cooperative's property is damaged because of the consumer's negligence, the Cooperative may collect from the consumer the cost of repairs or replacement.

12.3 The consumer shall be responsible for the gas installations, appliances and apparatus on his side of the point of delivery and for the gas after it passes said point of delivery.

12.4 The Cooperative reserves the right to refuse service or discontinue service to consumer's equipment when it is in a hazardous condition or not in conformity with lawful codes and local regulations.

12.5 In the event the consumer desires to increase his load materially, he shall notify the Cooperative sufficiently in advance so that it may, if economically feasible, provide the facilities required. In the event that the consumer fails to notify the Cooperative and, as a result, the Cooperative's equipment is damaged, the consumer shall be liable for the cost of such damage.

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12.6 When a change of occupancy or of legal responsibility takes place on any premises being served by the Cooperative, notice of such change shall be given within a reasonable time prior to such change. The outgoing consumer will be held responsible for all service supplied until such notice has been received by the Cooperative.

12.7 Notice of Trouble: The Cooperative will take all reasonable precautions to prevent gas failure or pressure variation, but cannot guarantee that such conditions may not occur due to circumstances beyond its control. In the event that service is interrupted or not satisfactory or any hazardous condition is known to exist, it shall be the obligation of the consumer to notify the Cooperative of such existing condition at any time of the day or night.

13. OUTAGE CALLS

13.1 The Cooperative will, as soon as service interruptions are known, be responsible for promptly making repairs to the Cooperative equipment which impairs service to its consumers or results in a hazardous condition. When it is necessary for the Cooperative to make repairs, the Cooperative may, without incurring any liability thereof, suspend service for such periods as may be reasonably necessary and in such manner as to minimize the inconvenience to consumers.

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13.2 When trouble calls are made at a consumer's request and it is determined that the cause is due to failure of consumer owned equipment or plumbing, a charge of not less than actual labor costs will be billed to the consumer.

14. METER READINGS

14.1 The Cooperative will read gas meters on or as near the same date of the month as possible.

14.2 Where the meter reader is unable to gain access to the premises to read the meter on his regular meter reading trip, the meter readings will be estimated and bills will be rendered on the estimated reading.

15. METER INSTALLATIONS

15.1 It is preferable that gas meters be installed on the outside of buildings or service structures. Exceptions to this practice must be approved by the Cooperative.

15.2 It shall be the consumer's responsibility to maintain a clear space of at least thirty inches in front of the meter and not enclose said meter.

15.3 New gas service meter locations shall be approved by the Cooperative prior to installations. A representative of the Cooperative will designate the meter location.

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15. METER INSTALLATIONS (continued)

15.4 Gas meters may be sealed by the Cooperative. The breaking of seals by unauthorized persons, tampering with meters or meter registers is prohibited by law.

16. METER TESTING AND ADJUSTMENTS

16.1 The Cooperative will, at its own expense, make periodic inspections and meter tests in order to maintain a high standard of accuracy.

16.2 In the event a consumer requests the Cooperative to make a special meter test, the consumer shall deposit with the Cooperative a meter test fee of \$20.00. If the average error in registration is found to be more than 2% fast, the meter test fee, as well as any adjustment as provided below, will be refunded.

16.3 If the meter registration proves to be within 2% accuracy, the Cooperative shall retain the meter test fee. If the average error in registration of a meter is found to be more than 2% fast, the Cooperative will make a billing adjustment. If the beginning date of error is unknown, the Cooperative will base the amount of the adjustment on the period since the meter was last tested, not to exceed six months, or the period during which the most recent customer received service through the meter, whichever period is less.

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16.4 When a meter fails to register for any period for reasons beyond the reasonable control of the Cooperative, the Cooperative may estimate the charge for service during such period. Such estimate shall be based upon the best available data.

17. TEMPORARY SERVICE

17.1 For non-permanent use, temporary gas service will be provided for a period of time less than one year.

17.2 Applicants for temporary gas service are required to build a temporary meter installation facility or the meter may be mounted on an existing building. This temporary location of the gas meter must be approved by the Cooperative.

17.3 The applicant may be required to pay a minimum deposit according to Article 6 on Page 9. Deposits will be refunded when the final bill has been paid.

17.4 For temporary service beyond sixty feet, the applicants shall pay in advance the cost of labor, overhead and materials required to extend service to the temporary service. The applicant shall also pay the cost of retiring the temporary service.

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18. LINE EXTENSION POLICY

18.1 The Cooperative provides trenching, installation of sixty feet of one inch P.E. pipe, backfill from said trenching, service riser, bracket and "up" to a 250 size gas meter as a standard service and at no cost to the consumer.

18.2 Service requests beyond temporary service standards or beyond the standard line extension policy may be accomplished by a special contract that meets 3 AAC 52.455 requirements and is approved in advance by the Alaska Public Utilities Commission.

19. DISCONNECTION OF SERVICE

19.1 BUECI may commence disconnection procedures for the following reasons without advance written notice:

- (a) An immediate hazard exists which threatens the safety, health or premises of the customer, general population or BUECI's personnel or facilities.
- (b) BUECI has evidence of meter or service tampering or fraud by the customer and has notified the APUC prior to disconnection.

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(c) A customer fails to comply with curtailment requests during emergency due to a supply shortage.

19.2 BUECI may commence disconnection procedures after proper notice is given for the following reasons:

(a) Failure of the customer to pay a delinquent account within fifty-five days from postmark of the initial bill unless a deferred payment agreement is entered into via a promissory note.

(b) Customer violation of any effective provision of BUECI's rules and regulations, tariff provisions or breach of deferred payment agreement.

19.3 The discontinuance of service for any of these causes does not release the consumer from his obligation to pay for gas received or charges specified in any existing agreement.

19.4 Whenever service has been disconnected for fraudulent use, non-payment or non-compliance with the rules and regulations, a \$25.00 reconnect fee will be charged for reconnection.

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19.5 Until the past balance has been paid or satisfactory arrangements have been made for payment, the Cooperative will refuse service at a service location to any delinquent consumer owing the Cooperative for that class of service at that service location.

20. DEFERRED PAYMENT AVAILABLE

20.1 In residential cases of economic hardship (to be determined by BUECI), deferred payment arrangements are available via a promissory note which will allow up to ninety days to pay off delinquent amounts owed and said utility service will continue unless customer defaults on the promissory agreement.

21. PROCEDURE FOR CUSTOMER COMPLAINTS

21.1 Customer shall contact BUECI's Office Manager for clarification of a disputed financial amount as a first step and if the dispute is not settled at this point, customer shall contact BUECI's General Manager for an immediate resolution. If said customer is not satisfied with the General Manager's decision, customer may elect to present the dispute in written form to the BUECI Board of Directors for consideration at their next regular meeting or contact The Alaska Public Utilities Commission section for consumer protection.

| Tariff Advice No. 4

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22. DISCOUNTS

Utility bills are mailed on the last business day of the month. Bills are due and payable when mailed.

To receive the 10% discount of the current gas bill:

1. All past due billings must be paid in full.
2. Payment must be received in the BUECI office on or by the tenth of the following month. The date the payment is mailed is not considered as being received by BUECI.

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BARROW UTILITIES & ELECTRIC COOP., INC.

NATURAL GAS UTILITY
SCHEDULE #1
GENERAL SERVICE

APPLICABLE TO:

Natural gas service provided through a single meter for any purpose.

CHARACTER OF SERVICE:

Gas pressure as supplied through BUECI's distribution system including appropriate gas meter and gas regulator.

RATE: PER MONTH

Basic Charge: \$16.56 per month, including 55 CCF
Energy Charge: .1907 per CCF, over 55 CCF

OTHER CHARGES: \$250.00, new service fee
\$ 35.00, connect/name change fee

DISCOUNT:

Utility bills are mailed on the last business day of each month. Bills are due and payable when mailed.

To receive the 10% discount of the current gas bill:

1. All past due billings must be paid in full.
2. Payment must be received in the BUECI office on or by the tenth of the following month. The date the payment is mailed is not considered as being received by BUECI.

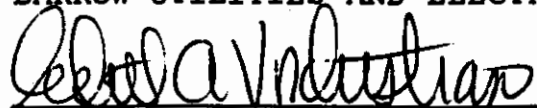
SPECIAL PROVISIONS:

- A. Commercial Use of Residence: Where a substantial portion of a residence, or of the gas energy consumed therein, is used for the conduct of business, the gas energy consumed in such portion will be metered and billed under the appropriate General Service Schedule. If facilities to permit such separate metering are not provided by the customer, the entire premise will be billed under said General Service Schedule.
- B. Surcharge: Any change to the unit cost of natural gas purchased from the North Slope Borough/Dept of Industrial Development will automatically adjust the tariff rates shown in this schedule.

PURSUANT TO: BUECI NATURAL GAS TARIFF 1995-G01
REPLACING: APUC ORDER #2 IN DOCKET U-91-53

EFFECTIVE: June 30, 1995

Issued By: BARROW UTILITIES AND ELECTRIC COOPERATIVE, INC.


BUECI Board President

5/2/95
Date

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APUC No. 35 Original
Cancelling:

Sheet No. 26
Sheet No.

RECEIVED
JUN 24 1987
State of Alaska
Public Utilities Commission

Barrow Utilities and Electric Cooperative, Inc. (BUECI)

FROMISSORY NOTE

CUSTOMER NAME: _____ DATE: _____

CUSTOMER #: _____ DAYTIME PHONE #: _____

I AGREE TO PAY MY FUTURE BILLING FOR UTILITY SERVICE AS IT
BECOMES DUE AND I AGREE TO PAY MY PAST DUE ACCOUNT OF \$ _____
AS FOLLOWS: _____

I AGREE TO WAIVE NOTICE OF DEFAULT AND TO PAY ALL COSTS OF
COLLECTION, INCLUDING REASONABLE ATTORNEY FEES, IF I FAIL TO
PAY AS AGREED.

CUSTOMER SIGNATURE

DATE

APPROVAL BY GENERAL MANAGER
OR ADMINISTRATIVE MANAGER

DATE

CC: FRONT OFFICE
OFFICE MANAGER
ADMINISTRATIVE MANAGER
BUECI ATTORNEY

Tariff Advice No. 4 Effective: June 26, 1987

Issued by: Barrow Utilities & Electric Cooperative, Inc.

By: James R. Caress Title: General Manager
James R. Caress