



RECEIVED

2009 AUG 28 PM 4:46

IDAHO PUBLIC UTILITIES COMMISSION

LISA D. NORDSTROM  
Senior Counsel

August 28, 2009

**VIA HAND DELIVERY**

Jean D. Jewell, Secretary  
Idaho Public Utilities Commission  
472 West Washington Street  
P.O. Box 83720  
Boise, Idaho 83720-0074

Re: Case No. IPC-E-08-22  
Rule H Compliance Filing Pursuant to Order Nos. 30853 and 30883

Dear Ms. Jewell:

In its Notice of Reconsideration Schedule and Interlocutory Order No. 30883 issued August 10, 2009, the Commission directed Idaho Power to "update the language of Section 10, including a clarified definition of 'third party beneficiary' and 'local improvement district'" as provided in Order No. 30853 no later than August 28, 2009.

To clarify the terminology of Section 10, Idaho Power added or clarified four defined terms in Section 1: Local Improvement District, Public Road Agency, Third-Party Beneficiary, and Underground Conversion Local Improvement District. The Company then removed the language defining Local Improvement District and Third-Party Beneficiary from Section 10 to avoid confusion. Idaho Power also distinguished between Local Improvement Districts generally and Underground Conversion Local Improvement Districts, the latter of which requires the Company to follow the process set forth in Section 9.

The Company has attached its updated Rule H tariff language pertaining to these issues in both clean and legislative formats. If you have any questions about this filing, please contact me at (208) 388-5825.

Very truly yours,

Lisa D. Nordstrom

LDN:csb  
Enclosures

P.O. Box 70 (83707)  
1221 W. Idaho St.  
Boise, ID 83702

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 28<sup>th</sup> day of August 2009 I served a true and correct copy of IDAHO POWER COMPANY'S REVISION TO SECTION 10 OF RULE H TARIFF SHEET upon the following named parties by the method indicated below, and addressed to the following:

**Commission Staff**

Kristine A. Sasser  
Deputy Attorney General  
Idaho Public Utilities Commission  
472 West Washington  
P.O. Box 83720  
Boise, Idaho 83720-0074

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [kris.sasser@puc.idaho.gov](mailto:kris.sasser@puc.idaho.gov)

**Building Contractors Association of Southwestern Idaho**

Michael C. Creamer  
GIVENS PURSLEY, LLP  
601 West Bannock Street  
P.O. Box 2720  
Boise, Idaho 83701-2720

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [mcc@givenspursley.com](mailto:mcc@givenspursley.com)

**City of Nampa AND Association of Canyon County Highway Districts**

Matthew A. Johnson  
Davis F. VanderVelde  
WHITE PETERSON GIGRAY  
ROSSMAN NYE & NICHOLS, P.A.  
5700 East Franklin Road, Suite 200  
Nampa, Idaho 83687

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [mjohnson@whitepeterson.com](mailto:mjohnson@whitepeterson.com)  
[dvandervelde@whitepeterson.com](mailto:dvandervelde@whitepeterson.com)

**Kroger Co.**

Michael L. Kurtz  
Kurt J. Boehm  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street, Suite 1510  
Cincinnati, Ohio 45202

Hand Delivered  
 U.S. Mail  
 Overnight Mail  
 FAX  
 Email [mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)  
[kboehm@BKLawfirm.com](mailto:kboehm@BKLawfirm.com)

Kevin Higgins  
Energy Strategies, LLC  
Parkside Towers  
215 South State Street, Suite 200  
Salt Lake City, Utah 84111

U.S. Mail  
 Overnight Mail  
 FAX  
 Email [khiggins@energystrat.com](mailto:khiggins@energystrat.com)

**Ada County Highway District**  
Scott D. Spears  
Ada County Highway District  
3775 Adams Street  
Garden City, Idaho 83714

U.S. Mail  
 Overnight Mail  
 FAX  
 Email [sspears@achd.ada.id.us](mailto:sspears@achd.ada.id.us)

  
\_\_\_\_\_  
Lisa D. Nordstrom

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS

This rule applies to requests for electric service under Schedules 1, 4, 5, 7, 9, 19, 24, 45, and 46 that require the installation, alteration, relocation, removal, or attachment of Company-owned distribution facilities. New construction beyond the Point of Delivery for Schedule 9 or Schedule 19 is subject to the provisions for facilities charges under those schedules. This rule does not apply to transmission or substation facilities, or to requests for electric service that are of a speculative nature.

1. **Definitions**

**Additional Applicant** is a person or entity whose Application requires the Company to provide new or relocated service from an existing section of distribution facilities with a Vested Interest.

**Alteration** is any change or proposed change to existing distribution facilities. An alteration may include Relocation, Upgrade, Conversion, and/or removal.

**Applicant** is a person or entity whose Application requires the Company to provide new or relocated service from distribution facilities that are free and clear of any Vested Interest.

**Application** is a request by an Applicant or Additional Applicant for new electric service from the Company. The Company, at its discretion, may require the Applicant or Additional Applicant to sign a written application.

**Company Betterment** is that portion of the Work Order Cost of a Line Installation and/or Alteration that provides a benefit to the Company not required by the Applicant or Additional Applicant. Increases in conductor size and work necessitated by the increase in conductor size are considered a Company Betterment if the Connected Load added by the Applicant or Additional Applicant is less than 100 kilowatts. If, however, in the Company's discretion, it is determined that the additional Connected Load added by the Applicant or Additional Applicant, even though less than 100 kilowatts, is (1) located in a remote location, or (2) a part of a development or project which will add a load greater than 100 kilowatts, the Company will not consider the work necessitated by the load increase to be a Company Betterment.

**Connected Load** is the total nameplate kW rating of the electric loads connected for commercial, industrial, or irrigation service. Connected Load for residences is considered to be 25 kW for residences with electric space heat and 15 kW for all other residences.

**Conversion** is a request by a customer to replace overhead facilities with underground facilities.

**Cost Quote** is a written cost estimate provided by the Company that must be signed and paid by the Applicant or Additional Applicant prior to the start of construction. Cost Quotes are derived from Work Order Cost estimates.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

1. **Definitions (Continued)**

Fire Protection Facilities are water pumps and other fire protection equipment, served separately from the Applicant's other electric load, which operate only for short periods of time in emergency situations and/or from time to time for testing purposes.

Line Installation is any installation of new distribution facilities owned by the Company. Line Installations are exclusive of Service Attachments and eligible for Vested Interest Refunds.

Line Installation Allowance is the portion of the estimated cost of a Line Installation funded by the Company.

Line Installation Charge is the partially refundable charge assessed an Applicant or Additional Applicant whenever a Line Installation is built for that individual.

Local Improvement District is any entity created by an authorized governing body under the statutory procedures set forth in Idaho Code Title 50, Chapter 17 or Idaho Code §40-1322.

Multiple Occupancy Projects are projects that are intended to be occupied by more than four owners or tenants. Examples include, but are not limited to condominiums and apartments.

Point of Delivery is the junction point between the facilities owned by the Company and the facilities owned by the customer; OR the point at which the Company's lines first become adjacent to the customer's property; OR as otherwise specified in the Company's tariff.

Public Road Agency is any state or local agency which constructs, operates, maintains or administers public road rights-of-way in Idaho, including without limitation the Idaho Transportation Department or any city or county highway district or highway department.

Relocation is a change in the location of existing distribution facilities.

Residence is a structure built primarily for permanent domestic dwelling. Dwellings where tenancy is typically less than 30 days in length, such as hotels, motels, camps, lodges, clubs, and structures built for storage or parking do not qualify as a Residence.

Service Attachment is the interconnection between the Company's distribution system and the Applicant's or Additional Applicant's Point of Delivery.

Standard Terminal Facilities are the overhead Terminal Facilities the Company considers to be most commonly installed for overhead single phase and three phase services. Single phase Standard Terminal Facilities include the cost of providing and installing one overhead service conductor and one 25 kVA transformer to serve a 200 amperage meter base. Three phase Standard Terminal Facilities include the cost of providing and installing one overhead service conductor and three 15 kVA transformers to serve a 200 amperage meter base.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

**1. Definitions (Continued)**

Subdivision is the division of a lot, tract, or parcel of land into two or more parts for the purpose of transferring ownership or for the construction of improvements thereon that is lawfully recognized, platted and approved by the appropriate governmental authorities.

Temporary Line Installation is a Line Installation for electric service of 18 calendar months or less in duration.

Temporary Service Attachment is a Service Attachment to a customer-provided temporary pole which typically furnishes electric service for construction.

Terminal Facilities include transformer, meter, overhead service conductor, or underground service cable and conduit (where applicable). These facilities are not eligible for Vested Interest Refunds.

Third-Party Beneficiary is any individual, firm or entity that provides funding for road improvements performed by a Public Road Agency as set forth in Section 10. A Third-Party Beneficiary may include, but is not limited to, real estate developers, Local Improvement Districts or adjacent landowners.

Underground Service Attachment Charge is the non-refundable charge assessed an Applicant or Additional Applicant whenever new underground service is required by a customer attaching to the Company's distribution system.

Underground Conversion Local Improvement District is an entity created by an authorized governing body, as provided by Idaho Code §50-2503, whose purpose is to provide for the study, financing and construction of a distribution Line Installation or Alteration as set forth in Section 9. The governing body shall assess property owners to recover the cost of the distribution Line Installation or Alteration. An Underground Conversion Local Improvement District has discernible property boundaries.

Unusual Conditions are construction conditions not normally encountered, but which the Company may encounter during construction which impose additional, project-specific costs. These conditions may include, but are not limited to: frost, landscape replacement, road compaction, pavement replacement, chip-sealing, rock digging/trenching, boring, nonstandard facilities or construction practices, and other than available voltage requirements.

Costs associated with unusual conditions are separately stated and are subject to refund if not encountered. If unusual conditions are not encountered, the Company will issue the appropriate refund within 90 days of completion of the project.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

1. **Definitions (Continued)**

Upgrade is a request by a customer to increase capacity and/or size of Company-owned distribution facilities. Upgrades are eligible for Vested Interest Refunds.

Vested Interest is the right to a refund that an Applicant or Additional Applicant holds in a specific section of distribution facilities when Additional Applicants attach to that section of distribution facilities.

Vested Interest Charge is an amount collected from an Additional Applicant for refund to a Vested Interest Holder.

Vested Interest Holder is an entity that has paid a refundable Line Installation Charge to the Company for a Line Installation. A Vested Interest Holder may also be an entity that has paid a refundable charge to the Company under the provisions of a prior rule or schedule.

Vested Interest Refund is a refund payment to an existing Vested Interest Holder resulting from a Vested Interest Charge to an Additional Applicant.

Vested Interest Portion is that part of the Company's distribution system in which a Vested Interest is held.

Work Order Cost is a cost estimate performed by the Company for a specific request for service by an Applicant or Additional Applicant. The Work Order Cost will include general overheads limited to 1.5 percent. General overheads in excess of 1.5 percent will be funded by the Company.

2. **General Provisions**

- a. Cost Information. The Company will provide preliminary cost information addressing in the charges contained in this rule, to potential Applicants and/or Additional Applicants. This preliminary information will not be considered a formal Cost Quote and will not be binding on the Company or Applicant but rather will assist the Applicant or Additional Applicant in the decision to request a formal Cost Quote. Upon receiving a request for a formal Cost Quote, the Applicant or Additional Applicant will be required to prepay non-refundable engineering costs to the Company. A Cost Quote will be binding in accordance with its terms.
- b. Ownership. The Company will own all distribution line facilities and retain all rights to them.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

**2. General Provisions (Continued)**

- c. Rights-of-Way and Easements. The Company will construct, own, operate, and maintain lines only along public streets, roads, and highways that the Company has the legal right to occupy, and on public lands and private property across which rights-of-way or easements satisfactory to the Company will be obtained at the Applicant's or Additional Applicant's expense.
- d. Removals. The Company reserves the right to remove any distribution facilities that have not been used for 1-year. Facilities shall be removed only after providing 60 days written notice to the last customer of record and the owner of the property served.
- e. Property Specifications. Applicants or Additional Applicants must provide the Company with final property specifications as required and approved by the appropriate governmental authorities. These specifications may include but are not limited to: recorded plat maps, utility easements, final construction grades, property pins and proof of ownership.
- f. Undeveloped Subdivisions. When electric service is not provided to the individual spaces or lots within a Subdivision, the Subdivision will be classified as undeveloped.
- g. Mobile Home Courts. Owners of mobile home courts will install, own, operate, and maintain all termination poles, pedestals, meter loops, and conductors from the Point of Delivery.
- h. Conditions for Start of Construction. Construction of Line Installations and Alterations will not be scheduled until the Applicant or Additional Applicant pays the appropriate charges to the Company.
- i. Terms of Payment. All payments listed under this section will be paid to the Company in cash, a minimum of 30 days and no more than 120 days, prior to the start of Company construction, unless mutually agreed otherwise.
- j. Interest on Payment. If the Company does not start construction on a Line Installation or Alteration within 30 days after receipt of the construction payment, the Company will compute interest on the payment amount beginning on the 31st day and ending once Company construction actually begins. Interest will be computed at the rate applicable under the Company's Rule L. If this computation results in a value of \$10.00 or more, the Company will pay such interest to the Applicant, Additional Applicant, or subdivider. An Applicant, Additional Applicant, or subdivider may request to delay the start of construction beyond 30 days after receipt of payment in which case the Company will not compute or pay interest.

**RULE H**  
**NEW SERVICE ATTACHMENTS**  
**AND DISTRIBUTION LINE**  
**INSTALLATIONS OR**  
**ALTERATIONS**  
 (Continued)

**2. General Provisions (Continued)**

- k. Fire Protection Facilities. The Company will provide service to Fire Protection Facilities when the Applicant pays the full costs of the Line Installation including Terminal Facilities, less Company Betterment. These costs are not subject to a Line Installation Allowance, but are eligible for Vested Interest Refunds under Section 6.a.
- l. Customer Provided Trench Digging and Backfill. The Company will, at its discretion, allow an Applicant, Additional Applicant or subdivider to provide trench digging and backfill. In a joint trench, backfill must be provided by the Company. Costs of customer-provided trench and backfill will be removed from or not included in the Cost Quote and will not be subject to refund.

**3. Line Installation Charges**

If a Line Installation is required, the Applicant or Additional Applicant will pay a partially refundable Line Installation Charge equal to the Work Order Cost less applicable Line Installation Allowances identified in Section 7.

**4. Service Attachment Charges**

- a. Overhead Service Attachment Charge. If an overhead Service Attachment is required, the Applicant or Additional Applicant will pay a non-refundable Service Attachment Charge equal to the Work Order Cost less applicable Service Attachment allowances identified in Section 7.
- b. Underground Service Attachment Charge. Each Applicant or Additional Applicant will pay a non-refundable Underground Service Attachment Charge for attaching new Terminal Facilities to the Company's distribution system. The Company will determine the location and maximum length of service cable.
- i. Single Phase 400 Amps or Less

Underground Service Cable (Base charge plus Distance charge)

Base charge from:

underground	\$ 41.00
overhead including 2" riser	\$407.00
overhead including 3" riser	\$558.00

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
 (Continued)

4. Service Attachment Charges (Continued)

Distance charge (per foot)

Company Installed Facilities with:

1/0 underground cable \$ 7.20

4/0 underground cable \$ 7.80

350 underground cable \$10.00

Customer Provided Trench & Conduit with:

1/0 underground cable \$ 2.10

4/0 underground cable \$ 2.70

350 underground cable \$ 4.10

ii. All Three Phase and Single Phase Greater than 400 Amps

If a three phase or single phase underground Service Attachment greater than 400 amps is required, the Applicant or Additional Applicant will pay a non-refundable Underground Service Attachment Charge equal to the Work Order Cost.

5. Vested Interest Charges

Additional Applicants connecting to a vested portion of a Line Installation will pay a Vested Interest Charge to be refunded to the Vested Interest Holder. Additional applicants will have two payment options:

Option One - An Additional Applicant may choose to pay an amount determined by this equation:

Vested Interest Charge = A x B x C where;

A = Load Ratio: Additional Applicant's load divided by the sum of Additional Applicant's load and Vested Interest Holder's load.

B = Distance Ratio: Additional Applicant's distance divided by original distance.

C = Vested Interest Holder's unrefunded contribution

Option Two - An Additional Applicant may choose to pay the current Vested Interest, in which case the Additional Applicant will become the Vested Interest Holder and, as such, will become eligible to receive Vested Interest Refunds in accordance with Section 8.a.

If Option One is selected, the Additional Applicant has no Vested Interest and the previous Vested Interest Holder remains the Vested Interest Holder. The Vested Interest Holder's Vested Interest will be reduced by the newest Additional Applicant's payment.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

6. Other Charges

The Vested Interest Charge will not exceed the sum of the Vested Interests in the Line Installation. If an Additional Applicant connects to a portion of a vested Line Installation which was established under a prior rule or schedule, the Vested Interest Charges of the previous rule or schedule apply to the Additional Applicant.

- a. Alteration Charges. If an Applicant or Additional Applicant requests a Relocation, Upgrade, Conversion or removal of Company facilities, the Applicant or Additional Applicant will pay a non-refundable charge equal to the Cost Quote.
- b. Engineering Charge. Applicants or Additional Applicants will be required to prepay all engineering costs for Line Installations and/or Alterations greater than 16 estimated hours. Estimates equal to or less than 16 hours will be billed to the Applicant or Additional Applicant as part of the construction costs, or after the engineering is completed in instances where construction is not requested. Engineering charges will be calculated at \$58.00 per hour.
- c. Engineering Charges for Agencies and Taxing Districts of the State of Idaho. Under the authority of Idaho Code Section §67-2302, an agency or taxing district of the State of Idaho may invoke its right to decline to pay engineering charges until the engineering services have been performed and billed to the agency or taxing district. Any state agency or taxing district that claims it falls within the provisions of Idaho Code §67-2302 must notify Idaho Power of such claim at the time Idaho Power requests prepayment of the engineering charges. Idaho Power may require that the state agency or taxing district's claim be in writing. If the state agency or taxing district that has invoked the provisions of Idaho Code Section §67-2302 does not pay the engineering charges within the 60 day period as provided in that statute, all the provisions of that statute will apply.
- d. Rights-of-Way and Easement Charge. Applicants or Additional Applicants will be responsible for any costs associated with the acquisition of rights-of-way or easements.
- e. Temporary Line Installation Charge. Applicants or Additional Applicants will pay the installation and removal costs of providing Temporary Line Installations.
- f. Temporary Service Attachment Charge. Applicants or Additional Applicants will pay for Temporary Service Attachments as follows:
  - i. Underground - \$41

The Customer-provided pole must be set within two linear feet of the Company's existing transformer or junction box.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
 (Continued)

6. Other Charges (Continued)

ii. Overhead - \$182

The Customer-provided pole shall be set in a location that does not require more than 100 feet of #2 aluminum service conductor that can be readily attached to the permanent location by merely relocating it.

The electrical facilities provided by the Customer on the pole shall be properly grounded, electrically safe, meet all clearance requirements, and ready for connection to Company facilities.

The Customer shall obtain all permits required by the applicable state, county, or municipal governments and will provide copies or verification to the Company as required. The above conditions must be satisfied before the service will be attached.

g. Temporary Service Return Trip Charge. If the conditions stated in Section 6.f. of this rule are not satisfied prior to the Customer's request for temporary service, a Temporary Service Return Trip Charge of \$41.00 will be assessed each time Company personnel are dispatched to the job site, but are unable to connect the service. The charge will be billed after the conditions have been satisfied and the connection has been made.

h. Unusual Conditions Charge. Applicants, Additional Applicants, and subdividers will pay the Company the additional costs associated with any Unusual Conditions included in the Cost Quote. This payment, or portion thereof, will be refunded to the extent that the Unusual Conditions are not encountered.

In the event that the estimate of the Unusual Conditions included in the Cost Quote is equal to or greater than \$10,000, the Applicant, Additional Applicant or subdivider may either pay for the Unusual Conditions or may furnish an Irrevocable Letter of Credit drawn on a local bank or local branch office issued in the name of Idaho Power Company for the amount of the Unusual Conditions. Upon completion of that portion of the project which included an Unusual Conditions estimate, Idaho Power Company will bill the Applicant, Additional Applicant or subdivider for the amount of Unusual Conditions encountered up to the amount established in the Irrevocable Letter of Credit.

The Applicant, Additional Applicant or subdivider will have 15 days from the issuance of the Unusual Conditions billing to make payment. If the Applicant, Additional Applicant or subdivider fails to pay the Unusual Conditions bill within 15 days, Idaho Power will request payment from the bank.

**RULE H**  
**NEW SERVICE ATTACHMENTS**  
**AND DISTRIBUTION LINE**  
**INSTALLATIONS OR**  
**ALTERATIONS**  
 (Continued)

**6. Other Charges (Continued)**

- i. Joint Trench Charge. Applicants, Additional Applicants, and subdividers will pay the Company for trench and backfill costs included in the Cost Quote. In the event the Company is able to defray any of the trench and backfill costs by sharing a trench with other utilities, the cost reduction will be included in the Cost Quote.
- j. Underground Service Return Trip Charge. When a residential Customer agrees to supply the trench, backfill, conduit, and compaction for an underground service, an Underground Service Return Trip Charge of \$68.00 will be assessed each time the Company's installation crew is dispatched to the job site at the Customer's request, but is unable to complete the cable installation and energize the service.

**7. Line Installation and Service Attachment Allowances**

The Company will contribute an allowance toward the Terminal Facilities and Line Installation costs necessary for Line Installations and/or Service Attachments. Allowances are based on the cost of providing and installing Standard Terminal Facilities for single phase and three phase services.

- a. Allowances for Overhead and Underground Line Installations and Overhead Service Attachments

<u>Class of Service</u>	<u>Maximum Allowance per Service</u>
Residential:	
Schedules 1, 4, 5	\$1,780
Non-residence	Cost of new meter only
Non-residential:	
Schedules 7, 9, 24	
Single Phase	\$1,780
Three Phase	\$3,803
Large Power Service	
Schedule 19	Case-By-Case

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

7. Line Installation and Service Attachment Allowances (Continued)

- b. Allowances for Subdivisions and Multiple Occupancy Projects. Developers of Subdivisions and Multiple Occupancy Projects will receive a \$1,780 allowance for each single phase transformer installed within a development and a \$3,803 allowance for each three phase transformer installed within a development. Subdividers will be eligible to receive allowances for Line Installations inside residential and non-residential subdivisions.

8. Refunds

- a. Vested Interest Refunds. Vested Interest Refunds will be paid by the Company and funded by the Additional Applicant's Vested Interest Charge as calculated in accordance with Section 5. The initial Applicant will be eligible to receive refunds up to 80 percent of their original construction cost. Additional Applicants that become Vested Interest Holders will be eligible to receive refunds up to their total contribution less 20 percent of the original construction cost.

A Vested Interest Holder and the Company may agree to waive the Vested Interest payment requirements of Additional Applicants with loads less than an agreed upon level. Waived Additional Applicants will not be considered Additional Applicants for purposes of Section 8.a.i. (1) below.

i. Vested Interest Refund Limitations

- (1). Vested Interest Refunds will be funded by no more than 4 Additional Applicants during the 5-year period following the completion date of the Line Installation for the initial Applicant.
- (2). In no circumstance will refunds exceed 100 percent of the refundable portion of any party's cash payment to the Company.

b. Subdivision Refunds.

- i. Applicants will be eligible for Vested Interest Refunds for facilities installed inside Subdivisions if the construction was NOT part of the initial Line Installation. Customers requesting additional Line Installations within a Subdivision will be considered new Applicants and become eligible for Vested Interest Refunds.
- ii. A subdivider will be eligible for Vested Interest Refunds for payments for Line Installations outside subdivisions.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS

(Continued)

**9. Underground Conversion Local Improvement Districts**

Unless specifically provided for under this paragraph, an Underground Conversion Local Improvement District will be provided service under the general terms of this rule. The Company will provide a cost estimate and feasibility study for an Underground Conversion Local Improvement District within 120 days after receiving the resolution from the requesting governing body. The Cost Quote will be based on Work Order Costs and will not be considered binding on the Company if construction is not commenced within 6 months of the submission of the estimate for reasons not within the control of the Company. The governing body issuing the resolution will pay the Company for the costs of preparing the cost estimate and feasibility study regardless of whether the Line Installation or Alteration actually takes place.

After passage of the Underground Conversion Local Improvement District ordinance, the Company will construct the Line Installation or Alteration. Upon completion of the project, the Company will submit a bill to the Underground Conversion Local Improvement District for the actual cost of the work performed, including the costs of preparing the cost estimate and feasibility study. If the actual cost is less than the estimated cost, the Underground Conversion Local Improvement District will pay the actual cost. If the actual cost exceeds the estimated cost, the Underground Conversion Local Improvement District will pay only the estimated cost. The governing body will pay the Company within 30 days after the bill has been submitted.

An Underground Conversion Local Improvement District will be eligible for a Line Installation Allowance for any new load connecting for service upon the completion of the Line Installation. An Underground Conversion Local Improvement District will retain a Vested Interest in any Line Installation to the Local Improvement District. An Underground Conversion Local Improvement District may waive payments for Vested Interest from Additional Applicants within the Local Improvement District.

**10. Relocations in Public Road Rights-of-Way**

The Company often locates its power line facilities within state and local public road rights-of-way under authority of Idaho Code § 62-705 (for locations outside Idaho city limits) and the Company's city franchise agreements (for locations within Idaho city limits). At the request of a Public Road Agency, the Company will Relocate its power line facilities from or within the public road rights-of-way to make way for road improvements. The road improvements may be for the benefit of the general public, or in some cases, road improvements are made by a Public Road Agency to benefit one or more Third-Party Beneficiaries.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

**10. Relocations in Public Road Rights-of-Way (Continued)**

The Company's cost of Relocations from or within the public road rights-of-way shall be paid as follows:

- a. Road Improvements for General Public Benefit – Where the road improvements requiring the Relocation are funded solely by the Public Road Agency, the Company will bear the cost of the Relocation.
- b. Road Improvements for Third-Party Beneficiary – Where the Public Road Agency performs road improvements which are funded by a Third-Party Beneficiary, such Third-Party Beneficiary will pay the Company for the cost of the Relocation.
- c. Road Improvements for Joint Benefit – Where the road improvements requiring a Relocation are funded by both the Public Road Agency and a Third-Party Beneficiary, the Company will bear the percentage of the Relocation costs equal to the percentage of the road improvement costs paid by the Public Road Agency, and the Third-Party Beneficiary will pay the Company for the percentage of the Relocation costs equal to the percentage of the road improvement costs paid by the Third-Party Beneficiary.
- d. Private Right of Occupancy – Notwithstanding the other provisions of this Section 10, where the Company has a private right of occupancy for its power line facilities within the public road right-of-way, such as an easement or other private right, the cost of the Relocation is borne by the Public Road Agency.

All payments from Third-Party Beneficiaries to the Company under this Section shall be paid in advance of the Company's Relocation work, based on the Company's Work Order Cost.

This Section shall not apply to utility relocations within public road rights-of-way of Public Road Agencies which have adopted legally binding guidelines for the allocation of utility relocation costs between the utility and Third-Party Beneficiaries that are substantially similar to the rules set out in Section 10 of Rule H.

**11. Existing Agreements**

This rule shall not cancel existing agreements, including refund provisions, between the Company and previous Applicants, or Additional Applicants. All Applications will be governed and administered under the rule or schedule in effect at the time the Application was received and dated by the Company.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS

This rule applies to requests for electric service under Schedules 1, 4, 5, 7, 9, 19, 24, 45, and 46 that require the installation, alteration, relocation, removal, or attachment of Company-owned distribution facilities. New construction beyond the Point of Delivery for Schedule 9 or Schedule 19 is subject to the provisions for facilities charges under those schedules. This rule does not apply to transmission or substation facilities, or to requests for electric service that are of a speculative nature.

1. **Definitions**

Additional Applicant is a person or entity whose Application requires the Company to provide new or relocated service from an existing section of distribution facilities with a Vested Interest.

Alteration is any change or proposed change to existing distribution facilities. An alteration may include Relocation, Upgrade, Conversion, and/or removal.

Applicant is a person or entity whose Application requires the Company to provide new or relocated service from distribution facilities that are free and clear of any Vested Interest.

Application is a request by an Applicant or Additional Applicant for new electric service from the Company. The Company, at its discretion, may require the Applicant or Additional Applicant to sign a written application.

Company Betterment is that portion of the Work Order Cost of a Line Installation and/or Alteration that provides a benefit to the Company not required by the Applicant or Additional Applicant. Increases in conductor size and work necessitated by the increase in conductor size are considered a Company Betterment if the Connected Load added by the Applicant or Additional Applicant is less than 100 kilowatts. If, however, in the Company's discretion, it is determined that the additional Connected Load added by the Applicant or Additional Applicant, even though less than 100 kilowatts, is (1) located in a remote location, or (2) a part of a development or project which will add a load greater than 100 kilowatts, the Company will not consider the work necessitated by the load increase to be a Company Betterment.

Connected Load is the total nameplate kW rating of the electric loads connected for commercial, industrial, or irrigation service. Connected Load for residences is considered to be 25 kW for residences with electric space heat and 15 kW for all other residences.

Conversion is a request by a customer to replace overhead facilities with underground facilities.

Cost Quote is a written cost estimate provided by the Company that must be signed and paid by the Applicant or Additional Applicant prior to the start of construction. Cost Quotes are derived from Work Order Cost estimates.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

1. **Definitions (Continued)**

Fire Protection Facilities are water pumps and other fire protection equipment, served separately from the Applicant's other electric load, which operate only for short periods of time in emergency situations and/or from time to time for testing purposes.

Line Installation is any installation of new distribution facilities owned by the Company. Line Installations are exclusive of Service Attachments and eligible for Vested Interest Refunds.

Line Installation Allowance is the portion of the estimated cost of a Line Installation funded by the Company.

Line Installation Charge is the partially refundable charge assessed an Applicant or Additional Applicant whenever a Line Installation is built for that individual.

Local Improvement District is any entity created by an authorized governing body under the statutory procedures set forth in Idaho Code Title 50, Chapter 17 or Idaho Code §40-1322. ~~is an entity created by the appropriate city or county governing body, as provided by Idaho Code §50-2503, whose purpose is to provide for the study, financing and construction of a distribution Line Installation or Alteration. The governing body shall assess property owners to recover the cost of the distribution Line Installation or Alteration. A Local Improvement District has discernible property boundaries.~~

Multiple Occupancy Projects are projects that are intended to be occupied by more than four owners or tenants. Examples include, but are not limited to condominiums and apartments.

Point of Delivery is the junction point between the facilities owned by the Company and the facilities owned by the customer; OR the point at which the Company's lines first become adjacent to the customer's property; OR as otherwise specified in the Company's tariff.

Public Road Agency is any state or local agency which constructs, operates, maintains or administers public road rights-of-way in Idaho, including without limitation the Idaho Transportation Department or any city or county highway district or highway department.

Relocation is a change in the location of existing distribution facilities.

Residence is a structure built primarily for permanent domestic dwelling. Dwellings where tenancy is typically less than 30 days in length, such as hotels, motels, camps, lodges, clubs, and structures built for storage or parking do not qualify as a Residence.

Service Attachment is the interconnection between the Company's distribution system and the Applicant's or Additional Applicant's Point of Delivery.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

**1. Definitions (Continued)**

Standard Terminal Facilities are the overhead Terminal Facilities the Company considers to be most commonly installed for overhead single phase and three phase services. Single phase Standard Terminal Facilities include the cost of providing and installing one overhead service conductor and one 25 kVA transformer to serve a 200 amperage meter base. Three phase Standard Terminal Facilities include the cost of providing and installing one overhead service conductor and three 15 kVA transformers to serve a 200 amperage meter base.

Subdivision is the division of a lot, tract, or parcel of land into two or more parts for the purpose of transferring ownership or for the construction of improvements thereon that is lawfully recognized, platted and approved by the appropriate governmental authorities.

Temporary Line Installation is a Line Installation for electric service of 18 calendar months or less in duration.

Temporary Service Attachment is a Service Attachment to a customer-provided temporary pole which typically furnishes electric service for construction.

Terminal Facilities include transformer, meter, overhead service conductor, or underground service cable and conduit (where applicable). These facilities are not eligible for Vested Interest Refunds.

Third-Party Beneficiary is any individual, firm or entity that provides funding for road improvements performed by a Public Road Agency as set forth in Section 10. A Third-Party Beneficiary may include, but is not limited to, real estate developers, Local Improvement Districts or adjacent landowners.

Underground Service Attachment Charge is the non-refundable charge assessed an Applicant or Additional Applicant whenever new underground service is required by a customer attaching to the Company's distribution system.

Underground Conversion Local Improvement District is an entity created by an authorized governing body, as provided by Idaho Code §50-2503, whose purpose is to provide for the study, financing and construction of a distribution Line Installation or Alteration as set forth in Section 9. The governing body shall assess property owners to recover the cost of the distribution Line Installation or Alteration. An Underground Conversion Local Improvement District has discernible property boundaries.

Unusual Conditions are construction conditions not normally encountered, but which the Company may encounter during construction which impose additional, project-specific costs. These conditions may include, but are not limited to: frost, landscape replacement, road compaction, pavement replacement, chip-sealing, rock digging/trenching, boring, nonstandard facilities or construction practices, and other than available voltage requirements.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

1. **Definitions (Continued)**

Costs associated with unusual conditions are separately stated and are subject to refund if not encountered. If unusual conditions are not encountered, the Company will issue the appropriate refund within 90 days of completion of the project.

Upgrade is a request by a customer to increase capacity and/or size of Company-owned distribution facilities. Upgrades are eligible for Vested Interest Refunds.

Vested Interest is the right to a refund that an Applicant or Additional Applicant holds in a specific section of distribution facilities when Additional Applicants attach to that section of distribution facilities.

Vested Interest Charge is an amount collected from an Additional Applicant for refund to a Vested Interest Holder.

Vested Interest Holder is an entity that has paid a refundable Line Installation Charge to the Company for a Line Installation. A Vested Interest Holder may also be an entity that has paid a refundable charge to the Company under the provisions of a prior rule or schedule.

Vested Interest Refund is a refund payment to an existing Vested Interest Holder resulting from a Vested Interest Charge to an Additional Applicant.

Vested Interest Portion is that part of the Company's distribution system in which a Vested Interest is held.

Work Order Cost is a cost estimate performed by the Company for a specific request for service by an Applicant or Additional Applicant. The Work Order Cost will include general overheads limited to 1.5 percent. General overheads in excess of 1.5 percent will be funded by the Company.

2. **General Provisions**

a. Cost Information. The Company will provide preliminary cost information addressing in the charges contained in this rule, to potential Applicants and/or Additional Applicants. This preliminary information will not be considered a formal Cost Quote and will not be binding on the Company or Applicant but rather will assist the Applicant or Additional Applicant in the decision to request a formal Cost Quote. Upon receiving a request for a formal Cost Quote, the Applicant or Additional Applicant will be required to prepay non-refundable engineering costs to the Company. A Cost Quote will be binding in accordance with its terms.

b. Ownership. The Company will own all distribution line facilities and retain all rights to them.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

**2. General Provisions (Continued)**

- c. Rights-of-Way and Easements. The Company will construct, own, operate, and maintain lines only along public streets, roads, and highways that the Company has the legal right to occupy, and on public lands and private property across which rights-of-way or easements satisfactory to the Company will be obtained at the Applicant's or Additional Applicant's expense.
- d. Removals. The Company reserves the right to remove any distribution facilities that have not been used for 1-year. Facilities shall be removed only after providing 60 days written notice to the last customer of record and the owner of the property served.
- e. Property Specifications. Applicants or Additional Applicants must provide the Company with final property specifications as required and approved by the appropriate governmental authorities. These specifications may include but are not limited to: recorded plat maps, utility easements, final construction grades, property pins and proof of ownership.
- f. Undeveloped Subdivisions. When electric service is not provided to the individual spaces or lots within a Subdivision, the Subdivision will be classified as undeveloped.
- g. Mobile Home Courts. Owners of mobile home courts will install, own, operate, and maintain all termination poles, pedestals, meter loops, and conductors from the Point of Delivery.
- h. Conditions for Start of Construction. Construction of Line Installations and Alterations will not be scheduled until the Applicant or Additional Applicant pays the appropriate charges to the Company.
- i. Terms of Payment. All payments listed under this section will be paid to the Company in cash, a minimum of 30 days and no more than 120 days, prior to the start of Company construction, unless mutually agreed otherwise.
- j. Interest on Payment. If the Company does not start construction on a Line Installation or Alteration within 30 days after receipt of the construction payment, the Company will compute interest on the payment amount beginning on the 31st day and ending once Company construction actually begins. Interest will be computed at the rate applicable under the Company's Rule L. If this computation results in a value of \$10.00 or more, the Company will pay such interest to the Applicant, Additional Applicant, or subdivider. An Applicant, Additional Applicant, or subdivider may request to delay the start of construction beyond 30 days after receipt of payment in which case the Company will not compute or pay interest.

**RULE H**  
**NEW SERVICE ATTACHMENTS**  
**AND DISTRIBUTION LINE**  
**INSTALLATIONS OR**  
**ALTERATIONS**  
 (Continued)

**2. General Provisions (Continued)**

- k. **Fire Protection Facilities.** The Company will provide service to Fire Protection Facilities when the Applicant pays the full costs of the Line Installation including Terminal Facilities, less Company Betterment. These costs are not subject to a Line Installation Allowance, but are eligible for Vested Interest Refunds under Section 6.a.
- l. **Customer Provided Trench Digging and Backfill.** The Company will, at its discretion, allow an Applicant, Additional Applicant or subdivider to provide trench digging and backfill. In a joint trench, backfill must be provided by the Company. Costs of customer-provided trench and backfill will be removed from or not included in the Cost Quote and will not be subject to refund.

**3. Line Installation Charges**

If a Line Installation is required, the Applicant or Additional Applicant will pay a partially refundable Line Installation Charge equal to the Work Order Cost less applicable Line Installation Allowances identified in Section 7.

**4. Service Attachment Charges**

- a. **Overhead Service Attachment Charge.** If an overhead Service Attachment is required, the Applicant or Additional Applicant will pay a non-refundable Service Attachment Charge equal to the Work Order Cost less applicable Service Attachment allowances identified in Section 7.
- b. **Underground Service Attachment Charge.** Each Applicant or Additional Applicant will pay a non-refundable Underground Service Attachment Charge for attaching new Terminal Facilities to the Company's distribution system. The Company will determine the location and maximum length of service cable.
- i. **Single Phase 400 Amps or Less**

Underground Service Cable (Base charge plus Distance charge)

Base charge from:

underground	\$ 41.00
overhead including 2" riser	\$407.00
overhead including 3" riser	\$558.00

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
 (Continued)

**4. Service Attachment Charges (Continued)**

Distance charge (per foot)

Company Installed Facilities with:

1/0 underground cable	\$ 7.20
4/0 underground cable	\$ 7.80
350 underground cable	\$10.00

Customer Provided Trench & Conduit with:

1/0 underground cable	\$ 2.10
4/0 underground cable	\$ 2.70
350 underground cable	\$ 4.10

ii. All Three Phase and Single Phase Greater than 400 Amps

If a three phase or single phase underground Service Attachment greater than 400 amps is required, the Applicant or Additional Applicant will pay a non-refundable Underground Service Attachment Charge equal to the Work Order Cost.

**5. Vested Interest Charges**

Additional Applicants connecting to a vested portion of a Line Installation will pay a Vested Interest Charge to be refunded to the Vested Interest Holder. Additional applicants will have two payment options:

Option One - An Additional Applicant may choose to pay an amount determined by this equation:

Vested Interest Charge = A x B x C where;

A = Load Ratio: Additional Applicant's load divided by the sum of Additional Applicant's load and Vested Interest Holder's load.

B = Distance Ratio: Additional Applicant's distance divided by original distance.

C = Vested Interest Holder's unrefunded contribution

Option Two - An Additional Applicant may choose to pay the current Vested Interest, in which case the Additional Applicant will become the Vested Interest Holder and, as such, will become eligible to receive Vested Interest Refunds in accordance with Section 8.a.

If Option One is selected, the Additional Applicant has no Vested Interest and the previous Vested Interest Holder remains the Vested Interest Holder. The Vested Interest Holder's Vested Interest will be reduced by the newest Additional Applicant's payment.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

5. **Vested Interest Charges (Continued)**

The Vested Interest Charge will not exceed the sum of the Vested Interests in the Line Installation. If an Additional Applicant connects to a portion of a vested Line Installation which was established under a prior rule or schedule, the Vested Interest Charges of the previous rule or schedule apply to the Additional Applicant.

6. **Other Charges**

- a. **Alteration Charges.** If an Applicant or Additional Applicant requests a Relocation, Upgrade, Conversion or removal of Company facilities, the Applicant or Additional Applicant will pay a non-refundable charge equal to the Cost Quote.
- b. **Engineering Charge.** Applicants or Additional Applicants will be required to prepay all engineering costs for Line Installations and/or Alterations greater than 16 estimated hours. Estimates equal to or less than 16 hours will be billed to the Applicant or Additional Applicant as part of the construction costs, or after the engineering is completed in instances where construction is not requested. Engineering charges will be calculated at \$58.00 per hour.
- c. **Engineering Charges for Agencies and Taxing Districts of the State of Idaho.** Under the authority of Idaho Code Section §67-2302, an agency or taxing district of the State of Idaho may invoke its right to decline to pay engineering charges until the engineering services have been performed and billed to the agency or taxing district. Any state agency or taxing district that claims it falls within the provisions of Idaho Code §67-2302 must notify Idaho Power of such claim at the time Idaho Power requests prepayment of the engineering charges. Idaho Power may require that the state agency or taxing district's claim be in writing. If the state agency or taxing district that has invoked the provisions of Idaho Code Section §67-2302 does not pay the engineering charges within the 60 day period as provided in that statute, all the provisions of that statute will apply.
- d. **Rights-of-Way and Easement Charge.** Applicants or Additional Applicants will be responsible for any costs associated with the acquisition of rights-of-way or easements.
- e. **Temporary Line Installation Charge.** Applicants or Additional Applicants will pay the installation and removal costs of providing Temporary Line Installations.

**RULE H**  
**NEW SERVICE ATTACHMENTS**  
**AND DISTRIBUTION LINE**  
**INSTALLATIONS OR**  
**ALTERATIONS**  
 (Continued)

**6. Other Charges (Continued)**

f. Temporary Service Attachment Charge. Applicants or Additional Applicants will pay for Temporary Service Attachments as follows:

i. Underground - \$41

The Customer-provided pole must be set within two linear feet of the Company's existing transformer or junction box.

ii. Overhead - \$182

The Customer-provided pole shall be set in a location that does not require more than 100 feet of #2 aluminum service conductor that can be readily attached to the permanent location by merely relocating it.

The electrical facilities provided by the Customer on the pole shall be properly grounded, electrically safe, meet all clearance requirements, and ready for connection to Company facilities.

The Customer shall obtain all permits required by the applicable state, county, or municipal governments and will provide copies or verification to the Company as required. The above conditions must be satisfied before the service will be attached.

g. Temporary Service Return Trip Charge. If the conditions stated in Section 6.f. of this rule are not satisfied prior to the Customer's request for temporary service, a Temporary Service Return Trip Charge of \$41.00 will be assessed each time Company personnel are dispatched to the job site, but are unable to connect the service. The charge will be billed after the conditions have been satisfied and the connection has been made.

h. Unusual Conditions Charge. Applicants, Additional Applicants, and subdividers will pay the Company the additional costs associated with any Unusual Conditions included in the Cost Quote. This payment, or portion thereof, will be refunded to the extent that the Unusual Conditions are not encountered.

In the event that the estimate of the Unusual Conditions included in the Cost Quote is equal to or greater than \$10,000, the Applicant, Additional Applicant or subdivider may either pay for the Unusual Conditions or may furnish an Irrevocable Letter of Credit drawn on a local bank or local branch office issued in the name of Idaho Power Company for the amount of the Unusual Conditions. Upon completion of that portion of the project which included an Unusual Conditions estimate, Idaho Power Company will bill the Applicant, Additional Applicant or subdivider for the amount of Unusual Conditions encountered up to the amount established in the Irrevocable Letter of Credit.

**RULE H**  
**NEW SERVICE ATTACHMENTS**  
**AND DISTRIBUTION LINE**  
**INSTALLATIONS OR**  
**ALTERATIONS**  
 (Continued)

**6. Other Charges (Continued)**

The Applicant, Additional Applicant or subdivider will have 15 days from the issuance of the Unusual Conditions billing to make payment. If the Applicant, Additional Applicant or subdivider fails to pay the Unusual Conditions bill within 15 days, Idaho Power will request payment from the bank.

- i. Joint Trench Charge. Applicants, Additional Applicants, and subdividers will pay the Company for trench and backfill costs included in the Cost Quote. In the event the Company is able to defray any of the trench and backfill costs by sharing a trench with other utilities, the cost reduction will be included in the Cost Quote.
- j. Underground Service Return Trip Charge. When a residential Customer agrees to supply the trench, backfill, conduit, and compaction for an underground service, an Underground Service Return Trip Charge of \$68.00 will be assessed each time the Company's installation crew is dispatched to the job site at the Customer's request, but is unable to complete the cable installation and energize the service.

**7. Line Installation and Service Attachment Allowances**

The Company will contribute an allowance toward the Terminal Facilities and Line Installation costs necessary for Line Installations and/or Service Attachments. Allowances are based on the cost of providing and installing Standard Terminal Facilities for single phase and three phase services.

- a. Allowances for Overhead and Underground Line Installations and Overhead Service Attachments

<u>Class of Service</u>	<u>Maximum Allowance per Service</u>
Residential:	
Schedules 1, 4, 5	\$1,780
Non-residence	Cost of new meter only
Non-residential:	
Schedules 7, 9, 24	
Single Phase	\$1,780
Three Phase	\$3,803
Large Power Service	
Schedule 19	Case-By-Case

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

7. **Line Installation and Service Attachment Allowances (Continued)**

- b. **Allowances for Subdivisions and Multiple Occupancy Projects**  
Developers of Subdivisions and Multiple Occupancy Projects will receive a \$1,780 allowance for each single phase transformer installed within a development and a \$3,803 allowance for each three phase transformer installed within a development. Subdividers will be eligible to receive allowances for Line Installations inside residential and non-residential subdivisions.

8. **Refunds**

- a. **Vested Interest Refunds.** Vested Interest Refunds will be paid by the Company and funded by the Additional Applicant's Vested Interest Charge as calculated in accordance with Section 5. The initial Applicant will be eligible to receive refunds up to 80 percent of their original construction cost. Additional Applicants that become Vested Interest Holders will be eligible to receive refunds up to their total contribution less 20 percent of the original construction cost.

A Vested Interest Holder and the Company may agree to waive the Vested Interest payment requirements of Additional Applicants with loads less than an agreed upon level. Waived Additional Applicants will not be considered Additional Applicants for purposes of Section 8.a.i. (1) below.

i. **Vested Interest Refund Limitations**

- (1). Vested Interest Refunds will be funded by no more than 4 Additional Applicants during the 5-year period following the completion date of the Line Installation for the initial Applicant.
- (2). In no circumstance will refunds exceed 100 percent of the refundable portion of any party's cash payment to the Company.

b. **Subdivision Refunds.**

- i. Applicants will be eligible for Vested Interest Refunds for facilities installed inside Subdivisions if the construction was NOT part of the initial Line Installation. Customers requesting additional Line Installations within a Subdivision will be considered new Applicants and become eligible for Vested Interest Refunds.
- ii. A subdivider will be eligible for Vested Interest Refunds for payments for Line Installations outside subdivisions.

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
 (Continued)

**9. Underground Conversion Local Improvement Districts**

Unless specifically provided for under this paragraph, an Underground Conversion Local Improvement District will be provided service under the general terms of this rule. The Company will provide a cost estimate and feasibility study for an Underground Conversion Local Improvement District within 120 days after receiving the resolution from the requesting governing body. The Cost Quote will be based on Work Order Costs and will not be considered binding on the Company if construction is not commenced within 6 months of the submission of the estimate for reasons not within the control of the Company. The governing body issuing the resolution will pay the Company for the costs of preparing the cost estimate and feasibility study regardless of whether the Line Installation or Alteration actually takes place.

After passage of the Underground Conversion Local Improvement District ordinance, the Company will construct the Line Installation or Alteration. Upon completion of the project, the Company will submit a bill to the Underground Conversion Local Improvement District for the actual cost of the work performed, including the costs of preparing the cost estimate and feasibility study. If the actual cost is less than the estimated cost, the Underground Conversion Local Improvement District will pay the actual cost. If the actual cost exceeds the estimated cost, the Underground Conversion Local Improvement District will pay only the estimated cost. The governing body will pay the Company within 30 days after the bill has been submitted.

An Underground Conversion Local Improvement District will be eligible for a Line Installation Allowance for any new load connecting for service upon the completion of the Line Installation. An Underground Conversion Local Improvement District will retain a Vested Interest in any Line Installation to the Local Improvement District. An Underground Conversion Local Improvement District may waive payments for Vested Interest from Additional Applicants within the Local Improvement District.

**10. Relocations in Public Road Rights-of-Way**

The Company often locates its power line facilities within state and local public road rights-of-way under authority of Idaho Code § 62-705 (for locations outside Idaho city limits) and the Company's city franchise agreements (for locations within Idaho city limits). At the request of a ~~the state or local agency that administers the road, such as the Idaho Department of Transportation or city or county highway districts~~ ("Public Road Agency"), the Company will Relocate its power line facilities from or within the public road rights-of-way to make way for road improvements. The road improvements may be for the benefit of the general public, or in some cases, road improvements are made by a Public Road Agency to benefit one or more private or public ~~Third-Party Beneficiaries~~ parties such as real estate developers, local improvement districts, or adjacent landowners ("third party beneficiaries"). For purposes of this Section 10, "local improvement districts" includes ~~any local improvement district created under the statutory procedures set forth in Idaho Code Title 50, Chapter 17.~~

RULE H  
NEW SERVICE ATTACHMENTS  
AND DISTRIBUTION LINE  
INSTALLATIONS OR  
ALTERATIONS  
(Continued)

**10. Relocations in Public Road Rights-of-Way (Continued)**

The Company's cost of Relocations from or within the public road rights-of-way shall be paid as follows:

- a. Road Improvements for General Public Benefit – Where the road improvements requiring the Relocation are funded solely by the Public Road Agency, the Company will bear the cost of the Relocation.
- b. Road Improvements for Third-Party Beneficiary – Where the Public Road Agency performs road improvements which are funded by a Third-Party Beneficiary, such Third-Party Beneficiary will also pay the Company for the cost of the Relocation.
- c. Road Improvements for Joint Benefit – Where the road improvements requiring a Relocation are funded by both the Public Road Agency and a Third-Party Beneficiary, the Company will bear the percentage of the Relocation costs equal to the percentage of the road improvement costs paid by the Public Road Agency, and the Third-Party Beneficiary will pay the Company for the percentage of the Relocation costs equal to the percentage of the road improvement costs paid by the Third-Party Beneficiary.
- d. Private Right of Occupancy – Notwithstanding the other provisions of this Section 10, where the Company has a private right of occupancy for its power line facilities within the public road right-of-way, such as an easement or other private right, the cost of the Relocation is borne by the Public Road Agency.

All payments from Third-Party Beneficiaries to the Company under this Section shall be paid in advance of the Company's Relocation work, based on the Company's Work Order Cost.

This Section shall not apply to utility relocations within public road rights-of-way of Public Road Agencies which have adopted legally binding guidelines for the allocation of utility relocation costs between the utility and Third-Party Beneficiaries that are substantially similar to the rules set out in Section 10 of Rule H.

**11. Existing Agreements**

This rule shall not cancel existing agreements, including refund provisions, between the Company and previous Applicants, or Additional Applicants. All Applications will be governed and administered under the rule or schedule in effect at the time the Application was received and dated by the Company.