


# HARLAN MUNICIPAL UTILITIES ELECTRIC SERVICE RULES



Harlan Municipal Utilities

Amending and Replacing Prior Versions of the Utility's Service Rules

Effective: July 24, 2014

Revised December 22, 2016 (Net Metering Policy) 

SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

**Contents**

DIVISION ONE - PURPOSE AND CONSTRUCTION..... 1

    SECTION 1.1 PURPOSE ..... 1

    SECTION 1.2 APPLICABILITY..... 1

    SECTION 1.3 DEFINITIONS ..... 1

DIVISION TWO – SERVICE CHARACTERISTICS..... 3

    SECTION 2.1 SERVICE CHARACTERISTICS (General Statements) ..... 3

    SECTION 2.2 ENGINEERING PRACTICE..... 4

    SECTION 2.3 SPECIAL CONDITIONS OF SERVICE ..... 5

    SECTION 2.4 CLASS OF SERVICE FOR APPLICATION OF RATES ..... 6

    SECTION 2.5 METER INSTALLATION ..... 6

DIVISION THREE – CUSTOMER RELATIONS ..... 10

    SECTION 3.1 APPLICATION FOR SERVICE..... 10

    SECTION 3.2 CUSTOMER DEPOSITS..... 10

    SECTION 3.3 BILLING INFORMATION ..... 11

    SECTION 3.4 DISCONNECTION OR DENIAL OF SERVICE..... 14

    SECTION 3.5 CUSTOMER OBLIGATIONS ..... 14

    SECTION 3.6 CUSTOMER COMPLAINTS ..... 15

LIST OF ATTACHMENTS ..... 16

## ***DIVISION ONE - PURPOSE AND CONSTRUCTION***

### ***SECTION 1.1 PURPOSE***

These service rules have been adopted by the Board of Trustees of Harlan Municipal Utilities (HMU). The rules are subject to change from time to time to ensure safe and efficient service in compliance with applicable laws and regulations.

#### **1.1[2] – Inspections**

Harlan Municipal Utilities reserves the right, but is not responsible for the inspection of the customer's installation. Please contact the City of Harlan at 712-755-5137 for all electrical inspections and the necessary permits.

### ***SECTION 1.2 APPLICABILITY***

These service rules are intended to broadly govern operation of the municipal electric utility. Where a rule cannot be reasonably applied to a specific situation, the governing body reserves the right to act in an adjudicative capacity to resolve such conflicts.

Rates and charges are not included in these operating rules. References to rates or charges and certain other terms and conditions of service adopted by the governing body refer to applicable resolutions or ordinances adopted by the utility's governing body.

Certain aspects of municipal utility operations are regulated by the Iowa Utilities Board. Unless a statute specifically provides for regulation of municipally owned utilities, regulatory authority is limited to those statutes referenced in section 476.1B of the Code of Iowa. In the event of a conflict between these service rules and applicable state or federal laws or regulations, the federal laws or regulations shall govern.

### ***SECTION 1.3 DEFINITIONS***

Unless another meaning is specifically indicated, when used in these rules:

- a. "Complaint" means a statement or question by anyone, whether a utility customer or not, alleging a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or utility obligation. The utility may require that complaints be in writing.
- b. "Customer" means any person, firm, association, or corporation, any agency of the federal, state or local government, or legal entity directly benefiting from electric service or heat from the electric utility. In the case of a residence, customer also means other adult persons occupying the residence.
- c. "Delinquent or delinquency" means an account for which a service bill or service payment has not been paid in full on or before the last date for timely payment.

## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

- d. "Demand" means the quantity of electrical power needed by the customer at a given point in time.
- e. "Board of Trustees" means the governing body established under Chapter 388, Code of Iowa.
- f. "Iowa Utilities Board" means the Utilities Division of the Iowa Department of Commerce.
- g. "Maximum Demand" means the greatest demand required by a customer during a specific length of time.
- h. "Meter" means a device that measures and registers the integral of an electrical quantity with respect to time.
- i. "Net Meter" means provisions to accommodate customers with approved renewable energy generation sources who wish to operate in parallel with Harlan Municipal Utilities. Net Meter refers to the manner in which energy generated and consumed by the customer is reimbursed and/or charged to the customer.
- j. "Parallel Operation" means customer owned and operated generation that operates on the customer's electric system while the customer's electric system remains connected to the Harlan Municipal Utilities' system.
- k. "Timely Payment" is a payment on a customer's account made on or before the date shown on a current bill for service, or on a form which records an agreement between the customer and a utility for a series of partial payments to settle a delinquent account, as payment to the current bill or future collection efforts.
- l. "Utility" means the Harlan Municipal Utilities (HMU).
- m. "Normal Business Hours" are from 7:30 AM to 4:30 PM, Monday through Friday, excluding published holidays.
- n. "Utility's Business Office" is located at 2412 Southwest Avenue, Harlan, Iowa 51537.

## ***DIVISION TWO – SERVICE CHARACTERISTICS***

### ***SECTION 2.1 SERVICE CHARACTERISTICS (General Statements)***

HMU shall make available, throughout its service area, electric service of a character determined by the utility to meet the needs of its customers. The standard service available to meet this obligation is 120/240 (nominal voltage), 60 Hz alternating current, single phase, 200 amperes, supplied via overhead conductor. The utility, at its option, may install underground conductor. In all standard service extensions, the utility shall furnish a meter.

Other service connections, including three phase service and service at primary voltages, are available at the option of the utility and may require a contribution in aid of construction or an advance for construction costs. Extension policies, including charges and other terms and conditions, shall be established by the Board of Trustees. Where a customer contribution in aid of construction or an advance for construction costs is required, the Board of Trustees may waive such requirements in whole or in part upon a determination that the waiver is in the public interest. Such waiver, when entered in the minutes of the Board of Trustees, shall not be considered a discriminatory practice.

#### **2.1[2] – Classifications**

**Residential:** HMU will supply single phase, 120/240 volt service for a permanent residence at a meter location which may be on a pole owned by HMU or located on the residence. This service is available at the residential rate schedule as adopted by the Board of Trustees.

**Electric Home Heating:** HMU will supply single phase 120/240 volt service for electric home heating use under the same terms and conditions as for regular residential use. For specific periods during the year, a designated rate is in effect for electric heat customers. Please see Electric Policy #2.

**Commercial:** HMU will supply single phase, 120/240 volt service for commercial use under the same terms and conditions as for regular residential use. This service is available at the commercial rate schedule as adopted by the Board of Trustees. HMU shall determine the rate classification (Demand or Time of Use) for this type of service. Should a transformer be necessary, the customer shall pay for the basement for the transformer. HMU reserves to right to determine where to place the pad and transformer, preferably in the utility right of way. Exceptions will be considered on a case by case situation.

**Three Phase Service:** HMU will supply 3-phase service to farm or commercial consumers who require 3-phase power and whose use of 3-phase power will be sufficient in the judgment of HMU to make the extension of such service economically feasible. HMU may require a cash deposit equal to the total cost of extending the service, with the deposit being credited back to the consumer's account in equal monthly installments over a ten-year period. Should the consumer discontinue use of the 3-phase service at any time, the remaining balance of the deposit would be forfeited. The consumer will be billed monthly at the applicable residential or commercial rate schedule as adopted by the Board of Trustees.

**Large Power Contracts:** HMU will supply service for large power applications under terms, rates, and conditions to be negotiated and formulated into a power contract with the consumer prior to installation of the service.

## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

Security Lights are available to all consumers. The lights will be owned, installed, repaired, and replaced by HMU. HMU reserves the right to remove the light at any time. The cost of any additional wiring, poles, or labor must be paid by the consumer. The light must be used automatically and be within two feet of consumer's 120 volt service. HMU will connect the light to the municipality's lines ahead of the consumer's meter and the consumer shall pay a monthly service charge for the use of the light and the cost of the electricity used. If the consumer desires the light to be removed or fails to pay the monthly service charge, HMU will remove the light.

Net Metering is offered to HMU customers who wish to generate electricity on the customer's side of the meter using only renewable resources for energy sources. Net Metering is applicable only to customer generation with a combined rated output of 10 kilowatts (KW) or less produced through conversion of wind or solar energy. HMU shall offer Net Metering on a first come, first serve basis until the sum of all accepted total rated Net Meter capacity meets 20% of the HMU's system peak demand for the previous annualized period. Once the 20% limit has been reached, HMU reserves the right to deny any Net Meter application on that basis alone.

Application for parallel operation of renewable resources exceeding 10KW in connected capacity at a single customer connection will be considered on a case by case basis.

### **SECTION 2.2 ENGINEERING PRACTICE**

Facilities of the utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice in the electric industry to assure -- as far as reasonably possible -- continuity of service and safety of people and property. However, HMU shall not be held liable in actions arising from interruptions or fluctuations in service. HMU reserves the right to refuse service or de-energize any service where the service is found to not comply with these electrical codes, the service is in an unsafe condition or it poses a danger to persons or property.

The utility shall use and shall require compliance with applicable provisions of the publications listed below as standards of accepted good practice and with applicable provisions of the City Code. The version of each standard shall be the one listed in 199 IAC 20.5.2 or Chapter 25 at the time the standard is applied to practice.

- a. *Iowa Electrical Safety Code*, as defined in 199 IAC, Chapter 25. (The Iowa Electric Safety Code incorporates, by reference, the *National Electric Safety Code*, ANSI C2, and makes modifications to that code.)
- b. *National Electrical Code*, ANSI/NFPA No. 70.
- c. *American National Standard Requirements for Instrument Transformers*, ANSI/IEEE C57.13.1 and C57.13.3.
- d. *American National Standard for Electric Power Systems and Equipment Voltage Ratings (60 Hz)*, ANSI C84.1.
- e. *Grounding of Industrial and Commercial Power Systems*, ANSI C114.1.
- f. IEEE Standard 1159, IEEE Recommended Practice for Monitoring Electric Power Quality or any successor standard.

## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

- g. *IEEE Standard 519, IEEE Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems or its successor standard.*
- h. *At railroad crossings, 199 IAC 42.6(476), "Engineering standards for electric and communication lines."*

References to publications listed above shall be deemed to be to the latest edition or revision accepted by the Iowa Utilities Board as a standard of good practice. [See 199 IAC 20.5(2)].

### **SECTION 2.3 SPECIAL CONDITIONS OF SERVICE**

Except for facilities defined in section 2.1 of these rules or in extension of policies adopted by the Board of Trustees as a responsibility of the utility, the customer shall be responsible for all wiring and electrical equipment on his or her premises. The installation and maintenance of customer facilities shall be consistent with standards imposed by section 2.2 of these rules, the special conditions of this section, and any other applicable laws or regulations.

No inspection or approval of a customer's compliance with this section by the utility or other agent of the city shall be construed to impose any duty or liability on the utility, but shall be considered solely for the purpose of ensuring protection of the utility's property and continuity of service to customers of the utility.

#### 2.3(1) Requirements for Electric Motors

All installations of power loads on the utility's system shall conform to the safety rules as set forth in the Iowa Electrical Safety Code Part 199 Iowa Administrative Code Chapter 25.

Customers are required to provide suitable protective devices so that motors and equipment will be protected from damage and from improper or dangerous operation in case of overload, loss of voltage, low voltage, single phasing of poly-phase motors, or the re-establishment of normal service after any of the above. The utility is not responsible for motor damage caused by any of the above conditions.

The utility reserves the right to limit the number and size of motors installed on single phase extensions. The customer or customer's electrician shall contact the utility regarding requirements for motor starting equipment, wiring and other motor specifications.

#### 2.3(2) Customer Equipment - Corrective Equipment

Customer electrical equipment shall be installed and used in such a manner so as not to adversely affect voltage regulation or impair the utility's service to other customers. When such equipment creates fluctuating voltage or undesirable power factor conditions, or any other disturbances in service detrimental to the service of other customers or to the utility's use of its own equipment, the customer shall be required to install and maintain, at his or her own expense, suitable corrective equipment to eliminate the detrimental effects.

#### 2.3(3) Customer Operated Standby Generators

No other source of electricity shall be connected to facilities served by the municipal utility, without prior written approval. At a minimum, standby generators will be approved only if a single change-over switch that provides a visible opening and is padlocked in the open position, or a relay of

adequate capacity, is installed so that municipal utility lines cannot become energized by a standby power source under any condition.

2.3(4) Customer Grid Connected Generators

Customer generators such as wind turbines or photo voltaic arrays shall only be interconnected to the utility's distribution system after successful execution of Standard Application Form and Distributed Generation Interconnection Agreement (Appendix H). No customer generation shall be connected to the HMU system until all provisions of this agreement are met. Operation of parallel generation without execution of this agreement can result in disconnection of the customer's service until the agreement is successfully executed or the generation is permanently disconnected from the HMU system.

2.3(5) Energy Conservation Standards

As a condition of electric service for space heating or cooling, the owner or builder of any structure, completed after April 1, 1984, and intended primarily for human occupancy, must certify to the utility that the building conforms to the energy conservation requirements of the State Building Code 661-IAC16.801(103A) and 661-IAC16.802(103A). If compliance is being certified to another state or local agency, a copy of the certification form may be provided to the utility. If no other certification is being made, the utility will provide a certification form.

2.3(6) House or Building Moves

All persons moving houses, buildings, or other large objects along routes of HMU distribution or transmission lines, which requires the assistance of HMU personnel, shall be required to notify HMU at least seven business days in advance. Said parties shall be required to make an advance payment to cover the estimated cost of this assistance. Any major construction exceeding \$10,000 must follow General Policy No. 20. A refund, if any, will be made to the depositor on the basis of time, transportation and material used. Costs in excess of advanced payment, if any, shall be billed to the customer. (General Policy No. 20 & 39)

***SECTION 2.4 CLASS OF SERVICE FOR APPLICATION OF RATES***

Service classification shall be based upon the type of service supplied and on similarities in customer load and demand characteristics. Service classifications shall be defined as part of the rate schedules adopted by the Board of Trustees. In addition, the utility reserves the right to supply large power service in accordance with the provisions of a written contract. As nearly as practicable, rate schedules adopted by the utility shall reflect relative differences in the costs of providing various quantities of service to each customer class.

***SECTION 2.5 METER INSTALLATION***

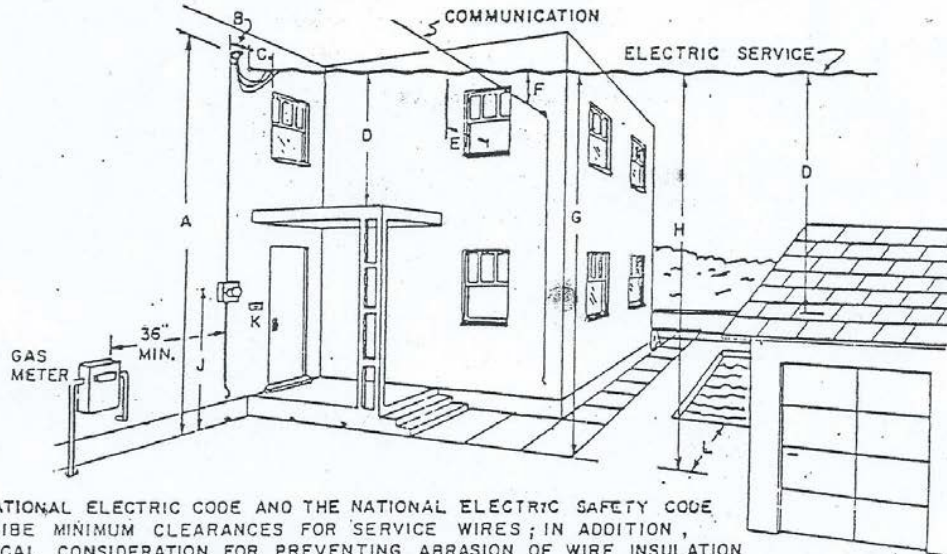
The utility shall install, own, and maintain a meter of a type appropriate to the nature of the service, for each service extension. Home or business owner owns meter box and breakers and must maintain such. Meters shall not be required where consumption can be readily computed without metering or where the service is of a temporary nature and the cost of meter installation would be unreasonable. A meter seal shall be placed on all meters such that the seal must be broken to gain entry. Meter placement is subject to how the structure is zoned.



Harlan Municipal Utils.  
Attachment "H"

CONSTRUCTION STANDARDS  
FOR  
ELECTRICAL  
SERVICE AND METERING

MINIMUM CLEARANCES FOR SERVICES  
480V AND BELOW



THE NATIONAL ELECTRIC CODE AND THE NATIONAL ELECTRICAL SAFETY CODE PRESCRIBE MINIMUM CLEARANCES FOR SERVICE WIRES; IN ADDITION, PRACTICAL CONSIDERATION FOR PREVENTING ABRASION OF WIRE INSULATION SHOULD BE RECOGNIZED THROUGH PROPER LOCATION OF FACILITIES.

- A - SERVICE CONNECTION ON CUSTOMER'S BUILDING: 10 FOOT MINIMUM ABOVE GROUND BUT SHALL BE ADEQUATE TO PROVIDE SERVICE WIRE CLEARANCES REQUIRED BY NATIONAL ELECTRICAL CODE, 230-24 (b). 30 FOOT MAXIMUM, UNLESS GREATER HEIGHT IS NECESSARY FOR PROPER CLEARANCE.
- B - 12 INCHES MINIMUM AND 36 INCHES MAXIMUM BETWEEN SERVICE ATTACHMENT AND WEATHERHEAD.
- C - EXPOSED CONDUCTORS SHALL BE NO LESS THAN 3 FEET FROM WINDOWS, DOORS, PORCHES, FIRE ESCAPES, AWNINGS, SIGNS AND SIMILAR CONSTRUCTION.
- D - 8 FEET ABOVE FLAT ROOFS AND PORCHES; 3 FEET OVER ROOFS WITH A 4:12 PITCH OR STEEPER, WHERE VOLTAGE IS 300V. OR LESS.
- E - 3 FEET WHEN WIRES PASS OPPOSITE A WINDOW.
- F - 2 FEET FROM COMMUNICATION WIRES IF CROSSING IS 6 FEET OR MORE FROM SUPPORTING POLE; OTHERWISE 40 INCHES.
- G - 12 FEET ABOVE SIDEWALK, GROUND AND DRIVEWAYS TO RESIDENCE GARAGES; 18 FEET\* OVER COMMERCIAL AREAS, PARKING LOTS, AGRICULTURAL OR OTHER AREAS SUBJECT TO TRUCK TRAFFIC.\*AS REQUIRED BY IOWA COMMERCE COMMISSION.
- H - 18 FEET ABOVE PUBLIC DRIVEWAYS, ALLEYS & STREETS.
- J - TOP OF METER SOCKET 7 FEET MAXIMUM, 5 FEET MINIMUM; SOCKET TO BE DOOR WIDTH PLUS 6 INCHES AWAY FROM DOOR OPENING.
- K - ADDRESS MUST BE CLEARLY POSTED AND READABLE FROM THE STREET.
- L - 10 FEET MINIMUM MEASURED HORIZONTALLY FROM INSIDE OF POOL WALLS.

- NOTE: (1) SERVICE WIRES SHALL NOT BE PLACED ABOVE AN AREA THAT IS WITHIN 20 FEET HORIZONTALLY FROM THE ENCLOSURE OF A SERVICE STATION PUMP.
- (2) SERVICE HEAD IS TO BE LOCATED NO LOWER THAN THE SERVICE ATTACHMENT, TO INSURE A POSITIVE DRIP LOOP.
- (3) WHEN PEDESTAL OR GROUP METERING IS TO BE USED, CONTACT THE UTILITY

SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

2.5(1) Individual Metering

Individual metering shall be required on multi-occupancy premises in which units are separately rented or owned, except that the utility may provide single meters for electricity used: in central heating, cooling, water heating or ventilation systems; where individual metering is impractical; where a facility is designated for elderly or handicapped persons and utility costs constitute part of the operating cost and are not apportioned to individual tenants; or where sub-metering or resale of service was permitted prior to 1966.

2.5(2) Special Metering Installations

The utility reserves the right, at its option, to require or place special meters or instruments on the premises of a customer for the purpose of special tests of all or part of the customer's load.

2.5(3) Meter Register

Where it is necessary to apply a multiplier to the meter readings, the multiplier shall be marked on the face of the meter register or stenciled in weather resistant paint upon the front cover of the meter. Wherever practicable, customers shall have continuous visual access to meter registers.

2.5(4) Meter Testing

All meters and associated devices shall be inspected, tested, adjusted, and certified to be within an allowable tolerance of error, in accordance with commonly accepted engineering practice.

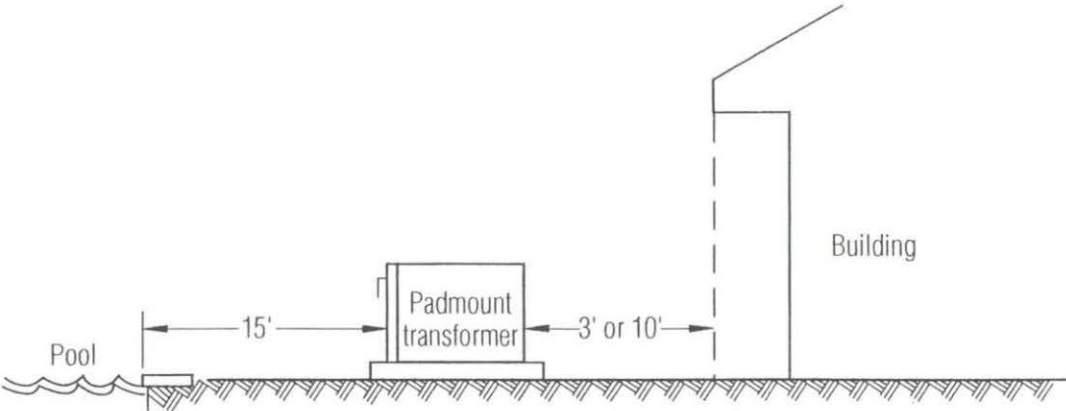
**Electric Meter Test Intervals**

Single Phase Self Contained	10 years
Poly Phase Self Contained	8 years
Single Phase & Poly Phase C+ rated	4 years

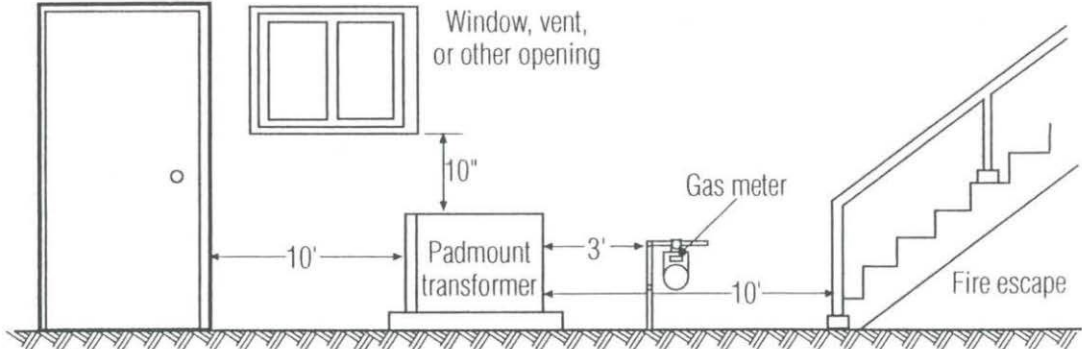
2.5(5) Net Metering

For customers who have successfully executed the Standard Application Form and Distributed Generation Interconnection Agreement (Appendix H), HMU will install a meter capable of metering energy delivered to the customer as well as the energy received from the customer. The energy recorded by this meter will be billed per the rate structure normally applied to the customer subject to the provisions defined in Appendix I – Net Metering Energy Accounting.

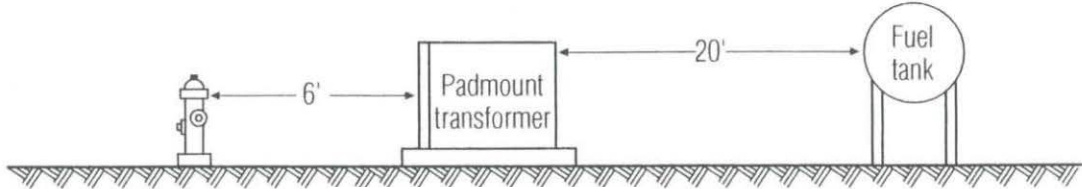
SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY



Fiberglass Basement



Fiberglass Basement



Fiberglass Basement

## ***DIVISION THREE – CUSTOMER RELATIONS***

### ***SECTION 3.1 APPLICATION FOR SERVICE***

Application for service shall be filed at the utility's business office. At the time of application, the applicant shall be given an opportunity to designate a person or agency to receive a copy of any notice to disconnect service due to the applicant's nonpayment of a bill or deposit. As soon as practicable after the approval of the application, the utility shall supply service to the applicant in accordance with these rules and at a rate established by the utility for the applicant's appropriate class of service. All persons aged 18 years or older living at the service residence who are not dependents defined by the State and Federal income tax provisions are subject to §384.84(3)(d) of the Code of Iowa which states "if a delinquent amount is owed by an account holder for a utility service associated with a prior property or premises, a city utility, city enterprise, or combined city enterprise may withhold service from the same account holder at any new property or premise until such time as the account holder pays the delinquent amount owed on the account associated with the prior property or premises."

### ***SECTION 3.2 CUSTOMER DEPOSITS***

A deposit intended to guarantee payment of bills for service may be required prior to approval of the service application. In any case where a deposit has been refunded or is found to be inadequate, a new or additional deposit may be required upon twelve days written notice of the need for such deposit.

#### **3.2(1) Credit Criteria for Initial Deposits**

The requirements of an initial deposit shall be determined by application of the following criteria:

- a. No initial service deposit shall be required of an applicant: 1) who has previously established a credit history with the utility on file; 2) whose six most recent bills from the utility were timely paid (including one automatic forgiveness of a late payment); and 3) whose new service is subject to the same rate classification as that for which the payment history was established. Reasonable proof of an equivalent recent payment history for similar service from another utility may be accepted by the utility.
- b. An initial service deposit not exceeding the highest monthly billing for service during the previous twelve month period shall be required of an applicant for service who does not meet the credit criteria of subparagraph "a" above.

#### **3.2(2) Credit Criteria for New or Additional Deposits**

Please see HMU Resolution #42.

#### **3.2(3) Deposit Calculation Criteria**

Please see HMU Resolution #42.

#### **3.2(4) No Interest on Deposits**

No interest shall be paid on customer deposits.

## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

### 3.2(5) Record of Deposits – Unclaimed Deposits

The utility shall maintain a record of all deposits. The record of each unclaimed deposit shall be maintained for a period of three years from the date service is terminated. During that period, the utility shall make a reasonable effort to return the deposit. Deposits remaining unclaimed one year after termination of service will be transferred to the state in accordance with Chapter 556, Code of Iowa.

### 3.2(6) Refund of Deposit

A deposit shall be refunded after twelve consecutive months of prompt payment (which may be eleven timely payments and one automatic forgiveness of late payment). For refund purposes, the account shall be reviewed for prompt payment after twelve months of service following the making of the deposit and for each twelve-month interval terminating on the anniversary of the deposit. Upon termination of service, the deposit less any unpaid utility bill of the customer, shall be reimbursed to the customer or other person who made the deposit.

## **SECTION 3.3 BILLING INFORMATION**

Customers shall be billed on a monthly basis according to the appropriate rate schedule for metered service received during the billing period. In addition, the bill will include charges for applicable fuel and purchased power adjustments as well as special extension and service costs applicable to the billing period.

### 3.3(1) Billing Form

The following information shall be included on the billing form or made available to the customer at the utility's business office:

- a. The actual or estimated meter readings at the beginning and end of the billing period.
- b. The date of the meter readings.
- c. The number and kind of units metered.
- d. Reference to the applicable rate schedule.
- e. The account balance brought forward and amount of each net charge, and total amount currently due. In the case of prepayment meters, the amount of money collected shall be shown.
- f. The last date for timely payment shall be clearly shown and shall be not less than twenty days after the bill is rendered.
- g. A distinct marking to identify an estimated bill or meter reading.
- h. A distinct marking to identify a minimum bill.
- i. Any conversions from meter reading units to billing units or any other calculations to determine billing units from recording or other devices or any other factors such as sliding scale or automatic adjustments used in determining the bill.

## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

- j. Any voluntary contribution to a low-income heating assistance fund or the option to contribute to such fund at the time of bill payment.
- k. Any voluntary contribution to a renewable energy fund or the option to contribute to such fund at the time of bill payment.
- l. At least once per year the bill insert or notice for municipal utilities shall include the following statement: "If your complaint is related to service disconnection, safety, or renewable energy, and HMU does not resolve your complaint, you may request assistance from the Iowa Utilities Board by calling toll-free 1-877-565-4450, by writing to 1375 E. Court Avenue, Room 69, Des Moines, Iowa 50319-0069, or by E-mail to [customer@iub.iowa.gov](mailto:customer@iub.iowa.gov). An electronic complaint form is available.

### 3.3(2) When Payable -- Late Payment Penalty

A bill shall be due and payable when rendered and shall be considered delinquent after twenty days from the time it is rendered. A bill shall be considered rendered by the utility when deposited in the U.S. mail with postage prepaid or when delivered by the utility to the last known address of the party responsible for payment. Bill payments received by the utility on or after the delinquent date shall be for the gross amount stated on the bill which shall include a late payment penalty of 1.5% per month of the last due amount. Failure to receive a properly rendered bill shall not entitle the customer to relief from penalties for late payment.

Each account shall be granted one complete forgiveness of a late payment penalty in each calendar year.

The date of delinquency for all residential customers and for other customers whose consumption is less than three thousand kWh per month, shall be changeable for cause in writing.

### 3.3(3) Partial Payments

When a partial payment is made prior to the delinquent date and without designation as to the service being paid, the payment shall be credited pro rata between the bill for municipal utility services and related taxes. Payments for municipal services made during the winter disconnection moratorium may be credited to services other than electricity, at the customer's request.

### 3.3(4) Where Payable

Bills shall be paid by mail, by direct deposit through a financial institution, by deposit in a designated receptacle, in person at the utility's business office, or electronic payment online.

### 3.3(5) Level Payment Plan (Budget Billing)

All residential customers or other customers whose consumption is less than three thousand kWh per month may select a level payment plan. The plan shall:

- a. be offered when the customer inquires about the plan and has been at the residence for 12 consecutive months and has no past due amounts.
- b. have a date of delinquency changeable for cause in writing; such as, but not limited to, twelve days from approximate date each month upon which income is received by the person responsible for payment.
- c. provide for entry into the level payment plan at any time during the calendar year.

## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

- d. have level payments equal to the sum of estimated charges provided by the number of standard billing intervals.
- e. carry forward any account credit or debit on the anniversary of the plan which shall be added to the estimated charges in determining the level payment amount for the next year. Unpaid level payments shall not be carried forward.
- f. have the level payment amount computed at the time of entry into the plan. It may be recomputed on each anniversary, when requested by the customer, or whenever price or consumption may be anticipated to change. When a customer's payment level is recomputed, the customer shall be notified of the revised payment amount and the reason for the change. The notice shall accompany the bill prior to the bill affected by the revised payment amount.
- g. provide that the account be balanced upon termination of service or withdrawal from the plan.
- h. regardless of account balance, provide that a delinquent bill payment shall subject the customer to a late payment penalty on the level payment amount and to other procedures for collection and termination of service.

### 3.3(6) Reasonable Agreement to Pay

A residential customer who is about to be disconnected due to inability to pay in full may be offered the opportunity to enter into a reasonable agreement to pay in accordance with applicable rules of the Iowa Utilities Board.

### 3.3(7) Minimum Bill

The minimum bill provided for in the rate schedule for each class of service will apply to any billing period during which the service remains connected.

### 3.3(8) Temporary Disconnections

The utility may, upon reasonable notice by a customer, make temporary disconnections for the customer's convenience. The customer shall be required to pay a fee for such service in an amount to be determined by the Board of Trustees.

### 3.3(9) Service Calls

The customer shall be billed for the cost of services not the responsibility of the utility, as follows:

- a. For a service call requesting the relocation of facilities belonging to the utility, the customer shall be billed for the direct cost of labor and replacement of materials. Please see General Policies #20 & 39.
- b. For a service call requesting temporary relocation of electric lines or other utility facilities to accommodate movement of buildings or large equipment, the person responsible for the move shall be billed for the direct cost of labor and materials. The utility shall be given notice of the move at least seven business days in advance and shall be consulted regarding the route of the move.

### 3.3(10) Customer Requested Meter Tests

## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

The utility will periodically inspect and test meters in accordance with accepted engineering practice. In addition to regular testing, the customer may request a meter test, providing that such tests need not be made more frequently than once each 18 months. The customer or the customer's representative may be present when the meter is tested and the results shall be reported to the customer within a reasonable time. If the meter is within the allowable tolerance, the customer may be billed for the cost of the test in an amount established by the Board of Trustees.

### 3.3(11) Adjustment of Bill

Bills which are incorrect due to billing errors or faulty metering installation are to be adjusted according to General Policy #18.

### 3.3(12) Adjustment of Bill for Accidental Wastage of Electricity

When a customer provides reasonable evidence to the utility that an accidental ground has existed on the customer's equipment, the utility shall estimate the normal usage for each billing period during which the ground is reasonably believed to have existed, not to exceed two months. The bill for each such period shall be recomputed, treating the amount of above-normal energy consumption as "lost energy". Lost energy shall be billed at the lowest rate on the customer's rate schedule and the total difference will be credited to the customer's account.

### 3.3(13) Returned Checks

A service charge in an amount established by the Board of Trustees shall be assessed to any customer whose check is returned unpaid by the bank on which it was drawn (Refer to HMU General Policy #7). The service charge shall be in addition to the late payment penalty if the check is not made good and the service fee not paid prior to the delinquent date of the bill. If two or more checks are dishonored within a six month period, the utility may require future payments to be by cash, cashier's check, or postal money order.

## ***SECTION 3.4 DISCONNECTION OR DENIAL OF SERVICE***

The utility reserves the right to disconnect or deny service in accordance with applicable rules of the Iowa Utilities Board. A reconnection fee in an amount established by the governing body shall be applicable when service has been disconnected pursuant to this section. Please refer to General Policies #1 and #21.

### 3.4[2] – Fraudulent Use of Service

In the event that evidence is found indicating larceny of electric energy, attempted fraudulent use of electricity, or tampering with HMU's meter or equipment on the premises occupied by the customer, with or without the customer's knowledge, HMU shall have the right to discontinue service immediately upon notice to the customer. However, no service shall be disconnected on the day preceding a day or days on which HMU's business office is closed. HMU shall not be required to restore service in such cases until proper restitution or arrangement for restitution is made, including payment for any unpaid bills, for any unmetered energy used, for damage to HMU's property and other costs incurred by HMU. HMU shall, in addition, be entitled to collect a reconnection charge.

## ***SECTION 3.5 CUSTOMER OBLIGATIONS***



## SERVICE RULES OF THE HARLAN MUNICIPAL ELECTRIC UTILITY

Acceptance of service shall obligate a customer to the conditions imposed by these rules and applicable rules of the Iowa Utilities Board. Customers should note that other sections of these service rules prescribe standards of engineering practice and establish special conditions for the installation of certain motors and other equipment, common to industry and agriculture.

### 3.5(1) Wiring and Electrical Equipment

Except for the meter and other facilities defined in utility extension policies as a responsibility of the utility, the customer shall be responsible for all wiring and electrical equipment on his or her premises. The installation and maintenance of customer facilities shall be consistent with standards imposed by these service rules and any other applicable laws or regulations. Location of the meter loop and meter socket shall be at the discretion of the utility, consistent with the customer's reasonable convenience.

No inspection or approval of a customer's compliance with this section by the utility or other agent of the city shall be construed to impose any duty or liability on the utility but shall be considered solely for the purpose of ensuring protection of the utility's property and for ensuring continuity of service to customers of the utility.

### 3.5(2) Damage to Utility Facilities

The customer shall not use the equipment or structures of the utility for reasons other than those intended for normal service nor create a condition likely to interfere with the functions of such equipment and structures, without written consent of the utility. The customer shall be held responsible for his or her actions which cause damage to or loss of equipment or structures located on property occupied by the customer.

### 3.5(3) Customer Premises

The customer and owner shall grant the utility, without charge, right of way over and on the premises on which equipment and structures of the utility are located. Access to the equipment and structures shall be granted to the utility at reasonable times for installation, inspection, testing, repair, and other functions necessary for the maintenance of satisfactory service. Customers shall make the meter accessible without interference from pets and /or physical barriers. If, after notice is given, the customer fails to provide for safe access to the meter, remote metering will be installed at the customer's expense.

### 3.5(4) Notice by Customer to Terminate Service

A customer shall give the utility not less than three business days notice prior to final termination of service. Disconnection of service under this section shall be during the regular business hours of the utility.

## ***SECTION 3.6 CUSTOMER COMPLAINTS***

Customers may be asked to submit complaints in writing, specifying the nature of the complaint and the relief sought. Complaints concerning the charges, practices, facilities or service of the utility shall be investigated promptly and thoroughly. A customer may appeal the findings of the investigation and shall be given reasonable opportunity for a full hearing of the matter before the Board of Trustees or hearing officer(s) appointed by the Board of Trustees.

Complaints involving policies or actions of the utility that are regulated by the Iowa Utilities Board may also be filed with the agency in accordance with applicable regulations. See section 3.3(1)(l)

LIST OF ATTACHMENTS:

- A. Resolution Adopting Service Rules**
- B. Rate Schedule**
- C. Application of Service**
- D. Code of Iowa §384.84(3)(d)**
- E. General Policy No. 1**  
*Due date, Delinquent Notice, Penalty, & Reconnection Fee for Non Payment*
- F. General Policy No. 5**  
*Charges for Service Installations*
- G. General Policy No. 7**  
*Bad Check Policy*
- H. General Policy No. 18**  
*Handling of Errors in Customer Billing*
- I. General Policy No. 20**  
*Financing Policy – Major HMU Construction*
- J. General Policy No. 21**  
*Continuation of Service to Individual with Delinquent Balances*
- K. General Policy No. 39**  
*Relocation of HMU Existing Distribution & Service System*
- L. Resolution No. 42**  
*Deposit Policy*
- M. Electric Policy No. 2**  
*Residential Electric Heat Rate Policy*
- N. Standard Application Form & Distributed Generation Interconnection Agreement**
- O. Net Metering Energy Accounting**

**HARLAN MUNICIPAL UTILITIES  
BOARD OF TRUSTEES  
RESOLUTION APPROVING SERVICE RULES OF THE  
MUNICIPAL ELECTRIC UTILITY**

WHEREAS, the service rules of the Municipal Electric Utility for Harlan Municipal Utilities was last approved on January 24, 1979; and

WHEREAS, Harlan Municipal Utilities has endeavored to conduct a complete review of the Service Rules of the Municipal Electric Utility and update those rules to reflect the current Service Rules provided by the Municipal Electric Utility; and

WHEREAS, under previous Iowa law, the Electric Service Rules and Electric Tariff had to be filed with the Iowa Utility Board. The law has changed. Harlan Municipal Utilities as a municipally owned utility furnishing electric is no longer required to file the Tariff and Service Rules with the Iowa Utility Board; and

WHEREAS, the Board of Trustees desires to approve the revised Service Rules of the Municipal Electric Utility to bring said Service Rules up to date and in conformity with the present service being provided the Municipal Electric Utility.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF HARLAN MUNICIPAL UTILITIES:

RESOLVED, That the Service Rules of the Municipal Electric Utility or Harlan Municipal Utilities as presented at this meeting are hereby approved and adopted by the Board of Trustees and the Board Secretary shall cause the revised Service Rules of the Municipal Electric Utility to be placed in the permanent records for Harlan Municipal Utilities.

Passed and approved this 24th day of July, 2014.

/s/ David Tyrrel

\_\_\_\_\_  
Chairman

ATTEST:

/s/ Jennifer Kelly

\_\_\_\_\_  
Secretary

**RESOLUTION REVISING ELECTRIC SERVICE RULES OF THE  
MUNICIPAL ELECTRIC UTILITY**

WHEREAS, the service rules of the Municipal Electric Utility for Harlan Municipal Utilities was approved on January 24, 1979 and revised on July 24, 2014 and

WHEREAS, Harlan Municipal Utilities has revised the Electric Service Rules by changing the standard form and Interconnection Agreement for Net Metering by making the following change:

In Section 4 – Access: HMU must have access to the isolation device ***or*** disconnect switch.....was changed to isolation device ***and*** disconnect switch.

WHEREAS, under previous Iowa law, the Electric Service Rules and Electric Tariff had to be filed with the Iowa Utility Board. The law has changed. Harlan Municipal Utilities as a municipally owned utility furnishing electric is no longer required to file the Tariff and Service Rules with the Iowa Utility Board; and

WHEREAS, the Board of Trustees desires to approve the revised Service Rules of the Municipal Electric Utility to bring said Service Rules up to date and in conformity with the present service being provided the Municipal Electric Utility.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF HARLAN MUNICIPAL UTILITIES:

RESOLVED, That the Service Rules of the Municipal Electric Utility of Harlan Municipal Utilities as presented at this meeting are hereby approved and adopted by the Board of Trustees and the Board Secretary shall cause the revised Service Rules of the Municipal Electric Utility to be placed in the permanent records for Harlan Municipal Utilities.

Passed and approved this 22nd day of December, 2016.

/S/  
Chairman, Terry Arentson

ATTEST:

/S/  
Secretary, Kenneth C. Weber



2412 Southwest Avenue  
 Harlan, Iowa 51537  
 (712) 755-5182

## Electric Rates

(Applied to Billings beginning October 1, 2017)

All services not otherwise listed		
Class of Service	Service Fee	kWh Rate
Single Phase-Small	\$15.86	\$0.0963
Single Phase-Large	\$36.68	\$0.0963
Three Phase	\$63.12	\$0.0905

Demand		
Service Charge		kWh Rate
Service Charge	\$113.08	
Demand Charge	\$8.00	\$0.0473

Residential Electric Heat Rates effective 10/1-4/30		
Service Charge		
Service Charge		\$15.86
1st 750 KWH		\$0.0963
Over 750 KWH		\$0.0599

Time of use, Winter (Oct 1- Apr 30)		
Service Charge		
Service Charge	\$164.15	
T.O.U fee	A \$7.42/KW	2:00 - 7:00 PM
	B \$5.47/KW	6:00 AM-2:00 PM & 7:00-11:00 PM
	C \$3.83/KW	11:00 PM-6:00 AM
<b>A</b> - 1st 20,000 KWH		\$0.0628
Over 20,000 KWH		\$0.0374
<b>B</b> - 1st 40,000 KWH		\$0.0628
Over 40,000 KWH		\$0.0374
<b>C</b> - all KWH		\$0.0411

Time of use, Summer (May 1- Sept 30)		
Service Charge		
Service Charge	\$164.15	
T.O.U fee	A \$7.42/KW	2:00 - 7:00 PM
	B \$7.42/KW	6:00 AM-2:00 PM & 7:00-11:00 PM
	C \$3.83/KW	11:00 PM-6:00 AM
<b>A</b> - 1st 20,000 KWH		\$0.0628
Over 20,000 KWH		\$0.0374
<b>B</b> - 1st 40,000 KWH		\$0.0628
Over 40,000 KWH		\$0.0374
<b>C</b> - all KWH		\$0.0411

Water Plant	
All kWh	\$0.0563

Security Lights-Monthly fee	
60w Incandescent	\$1.09
100w HPS	\$5.45
175w MV	\$8.65
250w HPS	\$12.37
400w HPS or MV	\$19.80
500w quartz	\$24.67
1,000w HPS or MV	\$49.39

Street Lights	
All KWH	\$0.0900

Net Metering Energy Accounting	
Residential and Small Commercial Customers	
Service Charge	\$55.03
Wholesale Power &	\$0.0521
Transmission Credit	per kWh

A Single Phase-Large Meter must be used for a business or residence drawing over 200 amps. Virtually all residences and some small businesses can use a Single Phase meter. Businesses should consult with HMU for specific applications.

Criteria for Demand classification: must use 50 KW for two or more months OR 14,600 kWh for two of more months in a year.

Large commercial or industrial users should talk with HMU to help determine the least expensive classification.



**Harlan Municipal Utilities**  
**2412 Southwest Ave PO Box 71**  
**Harlan, IA 51537 (712) 755-5182**



## Application for Residential Utility Service

Address where service is requested \_\_\_\_\_

Billing Address (if different from above) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Own  Rent  Landlord Name and Address \_\_\_\_\_

Number of People Living Here \_\_\_\_\_ Landlord Phone \_\_\_\_\_

**Please list ALL people 18 years or older living at this residence that are not a dependent as defined by state & federal income tax provisions (Attach additional sheet, if necessary)**

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Social Security # \_\_\_\_\_ Employer \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Social Security # \_\_\_\_\_ Employer \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Social Security # \_\_\_\_\_ Employer \_\_\_\_\_

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Social Security # \_\_\_\_\_ Employer \_\_\_\_\_

Previous Utility Company \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Phone \_\_\_\_\_

In case emergency services are required, and we are unable to locate you, please list a friend or relative we could contact:

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

*(Continue form on next page)*

-----FOR OFFICE USE-----

Application taken by: \_\_\_\_\_  
 Deposit Amount: \$ \_\_\_\_\_  
 Sewer Fee Paid: (Yes/NO) \_\_\_\_\_  
 Read-In Date: \_\_\_\_\_  
 Customer account# \_\_\_\_\_  
 Dep Rec on Computer \_\_\_\_\_ Dep Card Made \_\_\_\_\_  
 DL: \_\_\_\_\_ Scanned: \_\_\_\_\_ Gas List: \_\_\_\_\_

Deposit Disposition:  
 \_\_\_\_\_ Held 5 years/Applied to account  
 \_\_\_\_\_ Nonpay Disco/Applied to Account  
 \_\_\_\_\_ Refunded due to good credit  
 \_\_\_\_\_ Customer Moved  
 Applied to Final \$ \_\_\_\_\_  
 Refunded \$ \_\_\_\_\_  
 Date: \_\_\_\_\_ CHK# \_\_\_\_\_

**Notice to Applicant – Please Read**

I, the undersigned, agree to be jointly and severally liable for payment for all services provided by Harlan Municipal Utilities (HMU).

If I fail to pay a bill on a timely basis, I understand that electric, gas, or water service may be discontinued.

I understand that the deposit made with this application will be retained by HMU for a period specified in their current policy. Should I fail to timely pay my utility bill, HMU may, at their discretion, retain said deposit for an additional period of time. In addition, should I leave HMU’s service area with an outstanding balance due to HMU, my deposit will be credited to said outstanding account, and the balance, if any, forwarded to me.

In the case of disconnection for non-payment, I understand that a new, or additional, deposit will be required in addition to full payment of any outstanding balance up to, and including, the date of disconnection in order to have utilities re-connected at that location or to get utility service at a new location in HMU's service area.

I understand I am subject to §384.84(3)(d)(1) of the Iowa Code that states “If a delinquent amount is owed by an account holder for a utility service associated with a prior property or premises, a city utility, city enterprise, or combined city enterprise may withhold service from the same account holder at any new property or premises until such time as the account holder pays the delinquent amount owing on the account associated with the prior property or premises.”

I have been given a copy of the document entitled *Avoiding Shut Off of Gas/Electric Service for Nonpayment* and *Natural Gas Safety Brochure*.

Date \_\_\_\_\_ Signed \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

*Print this form and bring it to the HMU office at 2412 Southwest Ave, Harlan, IA 51537 along with your deposit to complete the process.*



Harlan Municipal Utilities  
2412 Southwest Ave PO Box 71  
Harlan, IA 51537 (712) 755-5182



## Application for Commercial Utility Service

Address where service is requested \_\_\_\_\_

Business Legal Name \_\_\_\_\_

Business DBA (if applicable) \_\_\_\_\_

Property Owner/Landlord (if applicable) \_\_\_\_\_

**Owner/Individual/Company responsible  
for paying Utility bills:**

**Manager (if different from owner):**

Full Name \_\_\_\_\_

Full Name \_\_\_\_\_

Billing Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_

Telephone No. \_\_\_\_\_

Social Security No. \_\_\_\_\_

Social Security No. \_\_\_\_\_

Federal Tax ID No. \_\_\_\_\_

In case emergency services are required and we are unable to locate you, please list an additional emergency contact person:

Full Name \_\_\_\_\_ Relationship to Business \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

*(Continue form on next page)*

----- FOR OFFICE USE -----

Application taken by: \_\_\_\_\_

Deposit Disposition:

Deposit Amount: \$ \_\_\_\_\_

\_\_\_\_\_ Held 5 years/Applied to account

Sewer Fee Paid: (Yes/NO)

\_\_\_\_\_ Nonpay Disco/Applied to Account

Read-In Date: \_\_\_\_\_

\_\_\_\_\_ Refunded due to good credit

Customer Account# \_\_\_\_\_

\_\_\_\_\_ Customer Moved

Dep Rec on Computer \_\_\_\_\_ Dep Card Made \_\_\_\_\_

Applied to Final \$ \_\_\_\_\_

DL: \_\_\_\_\_ Scanned: \_\_\_\_\_ Gas List: \_\_\_\_\_

Refunded \$ \_\_\_\_\_

Date: \_\_\_\_\_ CHK# \_\_\_\_\_



**Notice to Applicant – Please Read**

I, the undersigned, agree to be jointly and severally liable for payment for all services provided to me by Harlan Municipal Utilities (HMU).

If I fail to pay bills on a timely basis, I understand that utility service may be discontinued.

I understand that the deposit made with this application will be retained by HMU for a period specified in their current policy. Should I fail to timely pay my utility bill, HMU may, at their discretion, retain said deposit for an additional period of time. In addition, should I leave HMU’s service area with an outstanding balance due to HMU, my deposit will be credited to said outstanding account, and the balance, if any, forwarded to me.

In the case of disconnection for non-payment, I understand that a new, or additional, deposit will be required in addition to full payment of any outstanding balance up to, and including, the date of disconnection in order to have utilities re-connected at that location or to get utility service at a new location in HMU's service area.

I understand I am subject to §384.84(3)(d)(1) of the Iowa Code that states “If a delinquent amount is owed by an account holder for a utility service associated with a prior property or premises, a city utility, city enterprise, or combined city enterprise may withhold service from the same account holder at any new property or premises until such time as the account holder pays the delinquent amount owing on the account associated with the prior property or premises.”

I have been given a copy of the documents entitled “Avoiding Shut Off of Gas/Electric Service for Nonpayment” and “Natural Gas Safety Brochure”.

Date \_\_\_\_\_ Signed \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

Date \_\_\_\_\_ Signed \_\_\_\_\_

*Print this form and bring it to the HMU office at 2412 Southwest Ave, Harlan, IA 51537 along with your deposit to complete the process.*

**384.84 Rates and charges — billing and collection — contracts.**

1. The governing body of a city utility, combined utility system, city enterprise, or combined city enterprise may establish, impose, adjust, and provide for the collection of rates and charges to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of the city utility, combined utility system, city enterprise, or combined city enterprise. When revenue bonds or pledge orders are issued and outstanding pursuant to [this subchapter](#), the governing body shall establish, impose, adjust, and provide for the collection of rates to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of the city utility, combined utility system, city enterprise, or combined city enterprise, and to leave a balance of net revenues sufficient to pay the principal of and interest on the revenue bonds and pledge orders as they become due and to maintain a reasonable reserve for the payment of principal and interest, and a sufficient portion of net revenues must be pledged for that purpose. Rates must be established by ordinance of the council or by resolution of the trustees, published in the same manner as an ordinance.

2. The governing body of a city water or wastewater utility may enter into an agreement with a qualified entity to use proceeds from revenue bonds for a water resource restoration project if the rate imposed is no greater than if there was not a water resource restoration project agreement. For purposes of [this subsection](#), “qualified entity” is an entity created pursuant to [chapter 28E](#) or two entities that have entered into an agreement pursuant to [chapter 28E](#), whose purpose is to undertake a watershed project that has been approved for water quality improvements in the watershed.

3. a. A city utility or enterprise service to a property or premises, including services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, water, solid waste disposal, or any of these services, may be discontinued or disconnected if the account for the service becomes delinquent. Gas or electric service provided by a city utility or enterprise shall be discontinued or disconnected only as provided by [section 476.20](#), [subsections 1 through 4](#), and discontinuance or disconnection of those services is subject to rules adopted by the utilities board of the department of commerce.

b. If more than one city utility or enterprise service is billed to a property or premises as a combined service account, all of the services may be discontinued or disconnected if the account becomes delinquent.

c. A city utility or enterprise service to a property or premises shall not be discontinued or disconnected unless prior written notice is sent, by ordinary mail, to the account holder in whose name the delinquent rates or charges were incurred, informing the account holder of the nature of the delinquency and affording the account holder the opportunity for a hearing prior to discontinuance or disconnection of service. If the account holder is a tenant, and if the owner or landlord of the property or premises has made a written request for notice, the notice shall also be given to the owner or landlord. If the account holder is a tenant and requests a change of name for service under the account, such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change of name for service under the account to the rental property.

d. (1) If a delinquent amount is owed by an account holder for a utility service associated with a prior property or premises, a city utility, city enterprise, or combined city enterprise may withhold service from the same account holder at any new property or premises until such time as the account holder pays the delinquent amount owing on the account associated with the prior property or premises. A city utility, city enterprise, or combined city enterprise shall not withhold service from, or discontinue or disconnect service to, a subsequent owner who obtains fee simple title of the prior property or premises unless such delinquent amount has been certified in a timely manner to the county treasurer as provided in [subsection 4, paragraph “a”, subparagraphs \(1\) and \(2\)](#).

(2) Delinquent amounts that have not been certified in a timely manner to the county treasurer are not collectible against any subsequent owner of the property or premises.

e. (1) A legal entity created pursuant to [chapter 28E](#) by a city or cities, or other political subdivisions, and public or private agencies for the purposes of providing wastewater, sewer

**DUE DATE, DELINQUENT NOTICE, PENALTY, AND RECONNECTION FEE  
FOR NON-PAYMENT  
RE: GAS, WATER & ELECTRIC UTILITIES**

It is the policy of the Harlan Municipal Utilities that all bills are due and payable upon presentation. Bills are considered delinquent when received after the due date, which is shown on the stub of each bill.

It is HMU's policy to send a delinquent notice to each utility customer with an unpaid balance due after the "due date" of the bill in the month in which the collections are made. Also, there will be a penalty of 1½% per month charged to the customer's account for the unpaid electric, gas and water balances with that amount added to the delinquent notice. (Sewer and Landfill also fall under this penalty order, but this has been established by the City of Harlan, Not HMU). Penalties will not be charged if another law overrules board policy. (*Example is Iowa Administrative Code 199.27.3*)

Any arrangements for the payment of unpaid balance due shall be made to duly authorized personnel at the office of the Harlan Municipal Utilities.

A shut off notice will be posted the day after the delinquent notice is due. There is a \$25.00 charge for the posting of a shut off notice. There will be one shut off notice per twelve-month billing period that may be forgiven.

A \$25.00 charge for reconnection during normal business hours will be made for utilities disconnected for non-payment. The \$25.00 charge must be paid in cash in advance of reconnection. Any reconnection of utilities after hours or on weekends will result in a \$50.00 reconnection fee.

Dated this 28<sup>th</sup> day of October, 2021.

\_\_\_\_\_  
CHAIRPERSON, David Tyrrel (*term 2023*)

\_\_\_\_\_  
VICE-CHAIRPERSON, Randall Rees (*term 2025*)

\_\_\_\_\_  
TRUSTEE, Nella Seivert (*term 2024*)

\_\_\_\_\_  
TRUSTEE, Terry Arentson (*term 2021*)

\_\_\_\_\_  
TRUSTEE, Michelle Erickson (*term 2022*)

**CHARGES FOR SERVICE INSTALLATIONS**

It is the policy of the Harlan Municipal Utilities Board of Trustees that:

1. Fees will be charged for new installation of electric, gas and water services based on the following:
  - Services within the State Certified Electric Service Territory, or within the city limits of Harlan for gas and water shall be charged according to the fee schedule that has been approved by the HMU Board of Trustees.
  - Installation charges for utility services built outside of the Electric Service Territory, or outside the City limits of Harlan for Gas and Water, will be negotiated on a per project basis.
2. Services will be replaced or relocated at no cost to the customer, unless:
  - request by the customer is for their convenience and not beneficial to HMU, or
  - the existing service is deemed adequate by HMU.
3. Costs to repair or replace damaged services will be charged to the responsible party. Charges will include time and materials plus any overhead expenses.
4. Charges for replacement or relocation of services which would result in a substantial increase in utility load will be reviewed on a case by case basis.

\_\_\_\_\_  
Chairman, Charles P. Hoffnagle

  
Secretary, Gerald D. Quick

\_\_\_\_\_  
Trustee, Peter Horne

  
Trustee, Kathleen Kohorst

  
Trustee, Craig Kroger

  
Trustee, W. A. Pattison  
Enacted: July 22, 1999



Telecommunications  
Electric  
Water  
Gas

2412 Southwest Ave.  
405 Chatburn Avenue  
P. O. Box 71  
Harlan, Iowa 51537-0071

Phone: (712) 755-5182  
Fax: (712) 755-2320  
E-mail: HMU@harlannet.com

### Cost of Service Installations

#### Electric:

Residential and Small Commercial

4/0 4/0 2/0.....56' Free plus \$6.65/ft plus \$100.00 Connection Fee  
2/0 2/0 1/0.....50' Free plus \$6.55/ft plus \$100.00 Connection Fee

Large Commercial and Industrial.....Time and Material

#### Gas:

Residential and Small Commercial

1" and below.....40' Free plus \$7.09/ft plus \$200.00 Tapping Fee  
2".....80' Free plus \$9.68/ft plus \$400.00 Tapping Fee

Large Commercial and Industrial.....Time and Material

#### Water:

Residential and Small Commercial

3/4" and 1".....30' Free plus \$7.00/ft plus \$200.00 Tapping Fee  
Over 1".....Time and Material

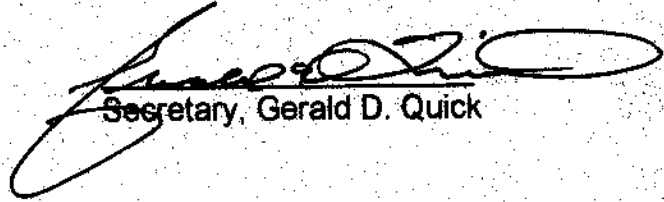
**Customer pays from the Main to the house no matter where the main is located, even if it is across the street.**

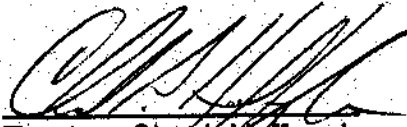
**BAD CHECK POLICY**

It is the policy of the Harlan Municipal Utilities that if a check that has been received for payment of a utility account and upon deposit is subsequently returned for non-payment to HMU for any reason, the Utility reserves the right to disconnect service.

HMU will charge the customer a \$15.00 Handling Fee.

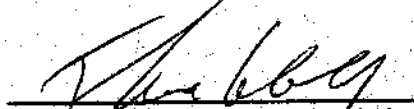
  
Chairman, Craig Kroger

  
Secretary, Gerald D. Quick

  
Trustee, Chuck Hoffnagle

  
Trustee, Kathleen Kohorst

  
Trustee, Terry Bails

  
Trustee, Dr. Thomas Ludwig

Revised October 23, 1997



General Policy No. 18  
Handling of Errors in Billing  
Effective Date: July 28, 2022

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It is the policy of Harlan Municipal Utilities that incorrect reading of meters, meter malfunctions, meter information, software, incorrect meter size or clerical errors which result in billing errors will be handled in the following manner.

It is the policy of the Harlan Municipal Utilities that in case of an over charge to a current customer, that customer's account will be credited for a period of 1 (one) year prior to discovery of said error.

It is also the policy of the Harlan Municipal Utilities that in case of an under charge to a current customer, that customer's account will be adjusted for a period of 1 (one) year prior to discovery of said error and that amount will be added to the next month's statement.

The customer will be notified of the over/under charge of the electric, gas, water, ~~sewer or landfill~~ utility.

#### CERTIFICATION OF ADOPTION

This is to certify that the preceding General Policy No. 18, Handling of Errors in Billing, was adopted at the Board of Trustees' meeting which was duly noticed, legally constituted and held on the 28th day of July, 2022.

/s/

\_\_\_\_\_  
CHAIRPERSON, David Tyrrel (term 2023)

\_\_\_\_\_  
VICE-CHAIRPERSON, Randall Rees (term 2025)

/s/

\_\_\_\_\_  
TRUSTEE, Nella Seivert (term 2024)

\_\_\_\_\_  
TRUSTEE, Michelle Erickson (term 2022)

/s/

\_\_\_\_\_  
TRUSTEE, James Shelton (term 2027)

/s/

\_\_\_\_\_  
SECRETARY, Joseph Rueschenberg

**FINANCING POLICY – MAJOR HMU CONSTRUCTION**

It is the policy of the Harlan municipal utilities to finance Major HMU construction costs under the following conditions:

1. **Purpose** – To provide financial assistance for major HMU construction of infrastructure where customer is required to pay for time and material relating to installation. HMU will maintain ownership of said infrastructure for purpose of maintaining its system
2. **Eligibility** – Only HMU customers are eligible. Each request will be reviewed individually, and HMU reserves the right to deny any request based on availability of funding, other contractual conflicts or where it is deemed to be detrimental to HMU or its customers.
3. **Minimum Dollar Amount** – The original estimated construction costs must exceed \$10,000.
4. **Down Payment** – At least one-half of total construction costs, after completion, payable within 30 days of billing.
5. **Repayment Schedule** – Balance of costs (after down payment) will be financed for a maximum of 3 years. Payments will be scheduled on no less than an annual or semi-annual basis and will not be included on the customer's regular utility bill.
6. **Interest Rate** – Interest shall be charged at 2% above the New York Prime Rate at the time of application, and that rate shall remain in effect for the term of the loan.

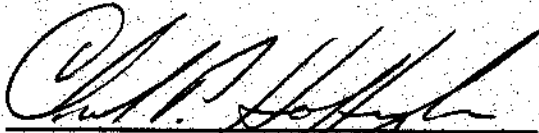
(Signatures on Page 2)



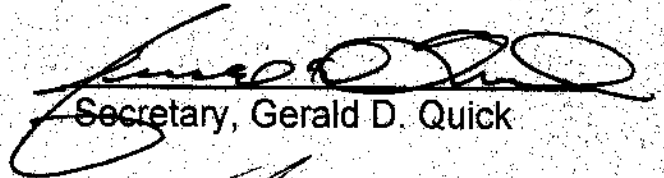
HARLAN MUNICIPAL UTILITIES

GENERAL POLICY #20

Page 2



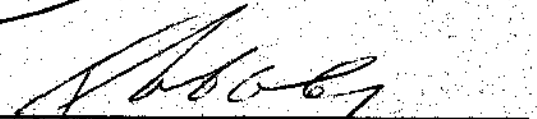
Chairman, Charles R. Hoffnagle



Secretary, Gerald D. Quick



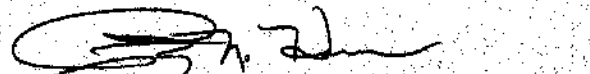
Trustee, Craig Kroger



Trustee, Dr. Thomas Ludwig



Trustee, Kathleen Kohorst



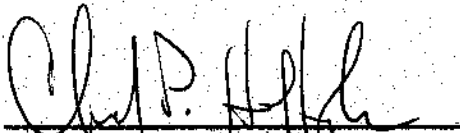
Trustee, Peter Horne

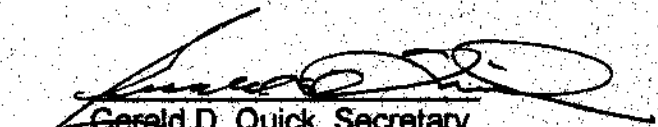
Adopted November 12, 1998

**Continuation of Service to Individual with Delinquent Balances**

It is the policy of the Harlan Municipal Utilities to collect payment on every account. Therefore, delinquent and/or disconnected customers who are seeking to have service(s) continued or renewed at the same location in which they became delinquent or disconnected, will not be allowed to put that service into the name of any other person until utility service bills incurred have been made current. Therefore the Board of Trustees has adopted the following policy:

"In the case of a customer who has been disconnected, is delinquent, and/or for whom credit action is pending, service will not be reconnected or continued in the name of another occupant, individual, or user of the premises if the previous customer (customer in question) or any other person liable for payment of the delinquent bill(s) continues to occupy or receive benefit of the service provided at the premises, unless arrangements are made to pay for the unpaid service at the premises and any reconnection fee(s) and newly justified deposits."

  
Charles P. Hoffnagle, Chairman

  
Gerald D. Quick, Secretary

  
Peter Home, Trustee

  
Kathleen Kohorst, Trustee

  
Craig Kroger, Trustee

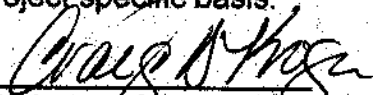
  
W. A. Pattison, Trustee

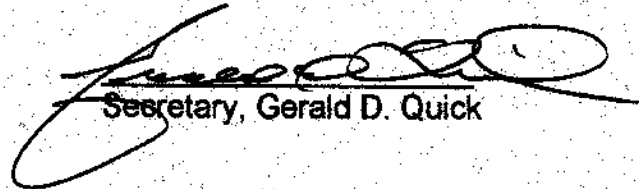
Adopted: December 17, 1998

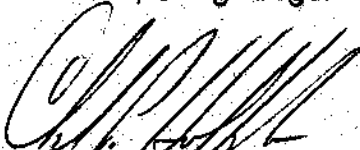
**RELOCATION OF HARLAN MUNICIPAL UTILITIES EXISTING DISTRIBUTION  
AND SERVICE SYSTEM**


It is the policy of the Board of Trustees of the Harlan Municipal Utilities that HMU will not relocate existing overhead or underground facilities in all four (4) utility areas (Electric, Gas, Water and Telecommunications) unless the customer reimburses HMU for the total cost of relocation.

The customer may not be fully charged for the relocation of HMU facilities if the customer's improvement to his property results in additional revenue to the Harlan Municipal Utilities. A determination of cost sharing will be done on a project specific basis.

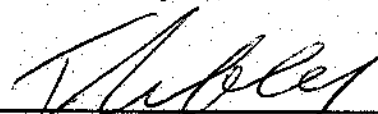
  
Chairman, Craig Kroger

  
Secretary, Gerald D. Quick

  
Trustee, Chuck Hoffnagle

  
Trustee, Kathleen Kohorst

  
Trustee, Terry Bails

  
Trustee, Dr. Thomas Ludwig

Revised October 23, 1997

A RESOLUTION TO CHANGE THE DEPOSIT POLICY FOR GAS, ELECTRIC and WATER CUSTOMERS OF HARLAN MUNICIPAL UTILITIES

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF HARLAN MUNICIPAL UTILITIES:

SECTION 1. The Deposit Policy for gas, electric, and water customers of Harlan Municipal Utilities are hereby revised to reflect the following changes:

**DEPOSIT POLICY – GAS, ELECTRIC AND WATER CUSTOMERS**

**Residential Customers:**

It shall be the policy of the Harlan Municipal Utilities to require a deposit prior to providing Residential Electric, Gas and/or Water services in the following amounts subject to the limitation on deposit for gas and electric service as hereinafter provided:

<u>Utility</u>	<u>Deposit</u>
Electric	\$60.00
Gas	\$60.00
Water	\$30.00

**Limitation:** The total deposit for any residential electric or gas customer for a place which has previously received service shall not be greater than the highest billing of service for one month for the place in the previous 12-month period. The deposit for any residential customer for a place which has not previously received service shall be the customer's projected one-month usage for the place to be served as determined by the utility, or as may be reasonably required by the utility in cases involving service for short periods or special occasions.

**Waiver of Deposit:** The utility deposit may be waived if the customer can provide a good credit reference, covering at least six (6) months of residential service, from their most recent utility provider(s) within two (2) weeks after making application. If said credit reference is not received within two (2) weeks, a shut off notice will be delivered allowing the customer two (2) working days to either provide the credit reference or make the required deposit. Failure to do either will result in disconnection of the utility services.

**Commercial and Industrial Customers:**

It shall be the policy of the Harlan Municipal Utilities to require a deposit prior to providing Electric, Gas and/or Water services for a Commercial or Industrial customer. The deposit shall be equal to one-month's average bill for the location at which service is requested. The total

deposit for any commercial or industrial customer for a place which has previously received service shall not be greater than the highest billing of service for one month for the place in the previous 12-month period. The deposit for any commercial or industrial customer for a place which has not previously received service shall be the customer's projected one-month usage for the place to be served as determined by the utility, or as may be reasonably required by the utility in cases involving service for short periods or special occasions.

**Waiver of Deposit:** The utility deposit may be waived if the customer can provide a good credit reference, covering at least six (6) months of commercial service, from their most recent utility provider(s) within two (2) weeks after making application. If said credit reference is not received within two (2) weeks, a shut off notice will be delivered allowing the customer two (2) working days to either provide the credit reference or make the required deposit. Failure to do either will result in disconnection of the utility services.

#### **Provisions for Residential, Commercial and Industrial Customers**

Deposit may be made by a third party on behalf of the customer.

Deposits will be held for one year. After one year, the customer's payment history will be reviewed. If utility payments have been made in a timely manner, based on the customer's due date, the deposit will be refunded. If the customer's payment history is inadequate, the deposit will be held at HMU's discretion until such time as their payment history is adequate.

If a deposit remains on a customer's account at the time the customer leaves HMU's service area, the deposit shall be used to make payment on their final bill, and the remainder, if any, shall be refunded to the customer.

No interest shall be paid on any deposit held by Harlan Municipal Utilities.

#### **Sewer Connection Fee:**

All residential and commercial/industrial customers who require Sewer service shall pay a non-refundable "New Customer Account Hook-up Charge," in accordance with the current City of Harlan Code of Ordinances, regardless of whether or not a utility deposit is required.

SECTION 2. Repealer Clause. All resolutions, parts of resolutions, or service rules conflicted herewith are hereby repealed.

SECTION 3. Severability Clause. If any section, provision, or part of this resolution shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the resolution as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. Effective Date. This resolution shall be effective from and after final passage, approval, and publication as provided by law, with billing effective date of SEPTEMBER, 2005.

Passed and approved this date: AUGUST 25, 2005

Kathleen Kohorst  
Kathleen Kohorst, Chairperson

Attest:

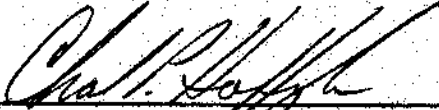
Herbert T. Gaffigan, Jr.  
Herbert T. Gaffigan, Jr., Secretary

**RESIDENTIAL ELECTRIC HEAT RATE POLICY**

It is the policy of the Harlan Municipal Utilities to provide a reduced electric rate, during the seven heat-season months (October 1 through April 30), for customers utilizing electricity exclusively to heat their residence.

The electric heat customer is further described as a customer that heats solely with electric energy, but may be using alternate fuel for heating water, cooking, etc.

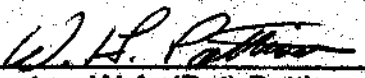
To take advantage of the electric heat rate the customer must notify the Harlan Municipal Utilities if and when electric heat equipment is installed.

  
Chairman, Charles P. Hoffnagle

  
Trustee, Craig Kroger

  
Trustee, Kathleen Kohorst

  
Secretary, Gerald D. Quick

  
Trustee, W.A. (Pat) Pattison

  
Trustee, Peter Horne

Revised June 10, 1999  
Originally Adopted December 23, 1981  
(original policy # 14)

STANDARD APPLICATION FORM AND INTERCONNECTION AGREEMENT

Interconnection Request Application Form and Conditional Agreement to Interconnect (For Lab-Certified Inverter-Based Distributed Generation Facilities 10 kW or Smaller)

**Interconnection Applicant Contact Information**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

**Alternate Contact Information (if different from Applicant)**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

**Equipment Contractor**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_  
 Iowa Electrician License number: \_\_\_\_\_  
 Active License? (if applicable) Yes \_\_\_ No \_\_\_

**Electrical Contractor (if Different from Equipment Contractor):**

Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_  
 Iowa License number (Mandatory Requirement): \_\_\_\_\_  
 Active License? Yes \_\_\_ No \_\_\_

**Intent of Generation**

\_\_\_ Self-Use and Sales to the Utility (Unit will operate in parallel and may export and sell excess power to HMU)  
 \_\_\_ Other (Please explain): \_\_\_\_\_  
 \_\_\_\_\_

**Distributed Generation Facility ("Facility") Information**

Facility Address: \_\_\_\_\_  
 City, State, Zip Code: \_\_\_\_\_  
 HMU Account Number of Facility site (existing utility customers): \_\_\_\_\_



Generation Facility Nameplate Rating: (kW) \_\_\_\_\_ (kVA) \_\_\_\_\_ (AC Volts) Energy  
Source: Wind \_\_\_\_\_ Solar \_\_\_\_\_  
Energy Converter Type: Wind Turbine \_\_\_\_\_ Photovoltaic Cell \_\_\_\_\_ Other: \_\_\_\_\_

Inverter Manufacturer: \_\_\_\_\_ Model: \_\_\_\_\_

Is the inverter lab-certified as that term is defined in Standard IEEE 1547? Yes \_\_\_ No \_\_\_

Is Inverter UL1741 Listed: Yes \_\_\_ No \_\_\_

Is Inverter IEEE 519 compliant? Yes \_\_\_ No \_\_\_

(Note inverters not UL 1741, IEEE 1547 and IEEE 519 compliant will **not** be allowed to connect to HMU system.)

Attach inverter manufacturer's technical specifications and label information verification of UL 1741 & IEEE 1547 compliance.

Standards:

UL 1741 - Inverters, Converters, Controllers and Interconnection System Equipment for Use With Distributed Energy Resources

Inverter Type: \_\_\_ Forced Commutated \_\_\_ Line Commutated

Rated Output: \_\_\_\_\_ Watts \_\_\_\_\_ Volts

Efficiency: \_\_\_\_\_ % Power Factor: \_\_\_\_\_ %

If generation is to be connected without using an inverter, significant additional information will be required. This information will include generator electrical test parameters, harmonic current output spectrum. Protective relaying system design and settings. These system proposals will be referred to HMU engineering representatives for review. This review will likely result in requests for additional technical information. Customers proposing these types of systems shall be prepared to acquire and submit this information to HMU as requested.

Commissioning Test Date: \_\_\_\_\_ (If  
the Commissioning Test Date changes, the interconnection customer must inform HMU as soon as aware of the changed date.)

**Insurance Disclosure**

The attached terms and conditions contain provisions related to liability and indemnification and should be carefully considered by the interconnection customer. The interconnection customer shall carry general liability insurance coverage, such as, but not limited to, homeowner's insurance.

**Other Facility Information Required**

One Line Diagram – A basic drawing of an electric circuit in which one or more conductors are represented by a single line and each electrical device and major component of the installation, from the generator to the point of interconnection, are noted by symbols.

One Line Diagram attached: Yes \_\_\_

Plot Plan – A map showing the distributed generation facility’s location in relation to streets, alleys, or other geographic markers.

Plot Plan attached: Yes \_\_\_

Customer is responsible for securing all building permits that may be required by other governing agencies. HMU’s review and acceptance of a customer’s application is for electrical connection to the HMU system only. HMU makes no warranties or guarantees that system is compliant or will be acceptable under local building codes or covenants.

**Customer Signature**

I hereby certify that: (1) I have read and understand the terms and conditions, which are attached hereto by reference; (2) I hereby agree to comply with the attached terms and conditions; and (3) to the best of my knowledge, all of the information provided in this application request form is complete and true.

Applicant \_\_\_\_\_ Signature: \_\_\_

\_\_\_\_\_ Title: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Co-Applicant Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

.....  
This Application Form and Interconnection Agreement is comprised of: 1) the Standard Application Form and Interconnection Agreement; 2) the Attachment of Terms and Conditions for Interconnection; and 3) the Certificate of Completion.

*NOTE: If the Certificate of Completion is not completed and returned to HMU within 12 months following HMU’s dated conditional agreement to interconnect below, this Application Form and Interconnection Agreement will automatically terminate and be of no further force and effect.*

.....  
**Conditional Agreement to Interconnect Distributed Generation Facility**

Receipt of the application fee is acknowledged and, by its signature below, HMU has determined the interconnection request is complete. Interconnection of the distributed generation facility is conditionally approved contingent upon the attached terms and conditions of this Agreement, the return of the attached Certificate of Completion, duly executed verification of electrical inspection and successful witness test.

HMU Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

**Standard Interconnection Agreement**

Terms and Conditions for Interconnection

1) Construction of the Distributed Generation Facility: The interconnection customer may proceed to construct (including operational testing not to exceed 2 hours) the distributed generation facility, once the conditional Agreement to interconnect a distributed generation facility has been signed by HMU.

2) Final Interconnection and Operation: The interconnection customer may operate the distributed generation facility and interconnect with HMU’s electric distribution system after all of the following have occurred:

- a) Electrical Inspection: Upon completing construction, the interconnection customer shall cause the distributed generation facility to be inspected by the local electrical inspection authority, who shall establish that the distributed generator facility meets local code requirements.
- b) Certificate of Completion: The interconnection customer shall provide HMU with a copy of the Certificate of Completion with all relevant and necessary information fully completed by the interconnection customer, as well as an inspection form from the local electrical inspection authority demonstrating that the distributed generation facility passed inspection.
- c) HMU has completed its witness test as per the following:
  - i) The interconnection customer shall provide HMU at least 15 business days' notice of the planned commissioning test for the distributed generation facility. Within 10 business days after the commissioning test, HMU may, upon reasonable notice and at a mutually convenient time, conduct a witness test of the distributed generation facility to ensure that all equipment has been appropriately installed and operating as designed and in accordance with the requirements of IEEE 1547.
  - ii) If HMU does not perform the witness test within the 10 business days after the commissioning test or such other time as is mutually agreed to by the Parties, the witness test is deemed waived, unless HMU cannot do so for good cause. In these cases, upon HMU request, the interconnection customer shall agree to another date for the test within 10 business days after the original scheduled date.

3) IEEE 1547: The distributed generation facility shall be installed, operated and tested in accordance with the requirements of The Institute of Electrical and Electronics Engineers, Inc. (IEEE), 3 Park Avenue New York, NY 10016-5997, Standard 1547 (2003) "Standard for Interconnecting Distributed Resources with Electric Power Systems," as well as any applicable federal, state, or local laws, regulations, codes, ordinances, orders, or similar directives of any government or other authority having jurisdiction.

4) Access: HMU must have access to the isolation device and disconnect switch and metering equipment of the distributed generation facility at all times. Isolating device must be lockable in the open position and must be capable of accepting HMU padlock device. When practical, HMU shall provide notice to the customer prior to using its right of access.

5) Metering: Any required metering shall be installed pursuant to HMU's metering rules.

6) Disconnection: HMU may disconnect the distributed generation facility upon any of the following conditions, but must reconnect the distributed generation facility once the condition is cured:

- a) For scheduled outages, provided that the distributed generation facility is treated in the same manner as HMU's load customers;
- b) For unscheduled outages or emergency conditions;
- c) If the distributed generation facility does not operate in a manner consistent with this Agreement.
- d) Improper installation or failure to pass the witness test;
- e) If the distributed generation facility is creating a safety, reliability, or power quality problem;

f) The interconnection equipment used by the distributed generation facility is de-listed by the Nationally Recognized Testing Laboratory that provided the listing at the time the interconnection was approved;

g) Unauthorized modification of the interconnection facilities or the distributed generation facility; or

h) Unauthorized connection to HMU's electric system.

7) Indemnification: The interconnection customer shall indemnify and defend HMU and HMU's directors, officers, employees, and agents from all claims, damages and expenses, including reasonable attorney's fees, to the extent resulting from the interconnection customer's negligent installation, operation, modification, maintenance, or removal of its distributed generation facility or interconnection facilities, or the interconnection customer's willful misconduct or breach of this Agreement.

8) Insurance: The interconnection customer shall provide HMU with proof that it has a current homeowner's insurance policy or other general liability policy.

9) Limitation of Liability: Each Party's liability to the other Party for any loss, cost, claim, injury, liability, or expense, including reasonable attorney's fees, relating to or arising from any act or omission in its performance of this Agreement, shall be limited to the amount of direct damage actually incurred. In no event shall either Party be liable to the other Party for any indirect, incidental, special, consequential, or punitive damages of any kind whatsoever, provided that in no event shall death, bodily injury or third party claims be construed as indirect or consequential damages.

10) Termination: This Agreement will remain in effect until terminated and may be terminated under the following conditions:

a) By interconnection customer - The interconnection customer may terminate this interconnection agreement by providing written notice to HMU. If the interconnection customer ceases operation of the distributed generation facility, the interconnection customer must notify HMU.

b) By HMU - HMU may terminate this Agreement without liability to the interconnection customer if the interconnection customer fails to remedy a violation of terms of this Agreement within 30 calendar days after notice, or such other date as may be mutually agreed to in writing prior to the expiration of the 30 calendar day remedy period. The termination date may be no less than 30 calendar days after the interconnection customer receives notice of its violation from HMU.

11) Modification of Distributed Generation Facility: The interconnection customer must receive written authorization from HMU before making any changes to the distributed generation facility. If the interconnection customer makes such modifications without HMU's prior written authorization, HMU shall have the right to disconnect the distributed generation facility.

12) Permanent Disconnection: In the event the Agreement is terminated, HMU shall have the right to disconnect its facilities or direct the interconnection customer to disconnect its distributed generation facility.

13) Disputes: Each Party agrees to attempt to resolve all disputes regarding the provisions of this agreement. In the event that any claim or dispute relating to this agreement cannot be resolved, the parties agree to participate in non-binding mediation within 30 days of the request. The mediation will be conducted according to the mediation rules of the National Arbitration Forum and all costs will be split equally between both parties.

14) Governing Law, Regulatory Authority, and Rules: The validity, interpretation and enforcement of this Agreement and each of its provisions shall be governed by the laws of the State of Iowa. Nothing in this Agreement is intended to affect any other agreement between HMU and the interconnection customer.

15) Survival Rights: This Agreement shall remain in effect after termination to the extent necessary to allow or require either Party to fulfill rights or obligations that arose under the Agreement.

16) Assignment/Transfer of Ownership of the Distributed Generation Facility: This Agreement shall terminate upon the transfer of ownership of the distributed generation facility to a new owner unless the transferring owner assigns the Agreement to the new owner, the new owner agrees in writing to the terms of this agreement, and the transferring owner so notifies HMU in writing prior to the transfer of ownership.

17) Notice: The Parties may mutually agree to provide notices, demands, comments, or requests by electronic means such as e-mail. Absent agreement to electronic communication, or unless otherwise provided in this Agreement, any written notice, demand, or request required or authorized in connection with this Agreement shall be deemed properly given when receipt is confirmed after notices are delivered in person, delivered by recognized national courier service, or sent by first class mail, postage prepaid, return receipt requested to the person specified below:

If Notice is to Interconnection Customer:

Use the contact information provided in the interconnection customer's application. The interconnection customer is responsible for notifying HMU of any change in the contact party information, including change of ownership.

If Notice is to HMU:

Use the contact information provided below. HMU is responsible for notifying the interconnection customer of any change in the contact party information.

Name: Chief Executive Officer – Harlan Municipal Utilities

Mailing Address: P.O. Box 71, Harlan, IA 51537

Telephone: 712-755-5182

Facsimile Number: 712-755-2320

E-Mail Address: [jrueschenberg@hmunet.com](mailto:jrueschenberg@hmunet.com)

18) Interruptions: HMU is not responsible for any lost opportunity or other costs incurred by the interconnection customer as a result of an interruption of service.

### **NET METERING ENERGY ACCOUNTING**

The Net Metered Facility shall be responsible for payment of any applicable customer charge or other applicable charges on the basis of metered registration.

For charges collected on the basis of metered registration, HMU shall, for each monthly billing period, determine the net meter registration of the Net Metered Facility by comparing the directional energy flow in each direction.

If the net meter registration shows that the deliveries of energy in kWh from the Net Metered Facility to HMU exceed the deliveries of energy in kWh from HMU to the Net Metered Facility, the net meter registration in kWh will be carried forward to the next monthly billing period as a Net Metering Credit, expressed in kWh. If the Net Metered Facility has carried over a Net Metering Credit from one or more prior months, the net meter registration from the current month shall be added to the Net Metering Credit that exists from prior months.

If the net metering registration shows that deliveries of energy in kWh from HMU to the Net Metered Facility exceed the deliveries of energy in kWh from the Net Metered Facility to HMU, the Net Metered Facility shall pay HMU for the net amount of energy delivered by HMU after application of any Net Metering kWh Credit carried forward from previous months at the rate applicable to its type or class of electric service.

HMU shall not be required to convert the Net Billing Credit to cash. Net Billing Credit is not transferable from one account to another account nor from one customer to another customer. At the termination of the Net Metering Agreement, any Net Billing Credit that may exist is forfeited by the customer.

## HARLAN MUNICIPAL UTILITIES – Standard Certificate of Completion

To be completed and returned to Harlan Municipal Utilities when installation is complete and final electric inspector approval has been obtained

### Interconnection Customer Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Installer Information

Check if owner-installed:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Final Electric Inspection and Interconnection Customer Signature

The distributed generation facility is complete and has been approved by the local electric inspector having jurisdiction. **A signed copy of the electric inspector's form indicating final approval is attached.**

The interconnection customer acknowledges that it shall not operate the distributed generation facility until receipt of the final acceptance and approval by Harlan Municipal Utilities as provided below.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature of interconnection customer)

Printed Name: \_\_\_\_\_

Check if copy of signed electric inspection form is attached:  Check if copy of as built documents is attached (projects larger than 10 kVA only):

**Acceptance and Final Approval for Interconnection (for Harlan Municipal Utility use only)**

The interconnection agreement is approved and the distributed generation facility is approved for interconnected operation upon the signing and return of this Certificate of Completion by Harlan Municipal Utilities:

Electric Distribution Company waives Witness Test? (Initial) Yes (\_\_\_\_) No (\_\_\_\_)

If not waived, date of successful Witness Test: \_\_\_\_\_ Passed: (Initial) (\_\_\_\_)

Harlan Municipal Utilities Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_