

TITLE 19**ELECTRICITY AND GAS**¹**CHAPTER****1. ELECTRICITY.****CHAPTER 1****ELECTRICITY****SECTION**

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¹Municipal code reference

Gas, water and wastewater board: title 18, chapter 6.

19-101. Ripley power and light board to supervise and control.

The general supervision and control of the improvement, operation, and maintenance of the electric plant shall be in the charge of the Ripley power and light board set up by resolution dated December 6, 1958, pursuant to the Municipal Electric Plant Law of 1935 except as modified by section 6 of the city charter. (1994 Code, § 19-101, modified)

19-102. Application for service. Each prospective customer desiring electric service may be required to sign the board's standard form of application for service or contract before service is supplied by the board. (1994 Code, § 19-102)

19-103. Deposit. A deposit or suitable guarantee approximately equal to twice the average monthly bill may be required of any customer before electric service is supplied. The board may at its option return the deposit to the customer after one (1) year. Upon termination of service, the deposit may be applied by the board against unpaid bills of the customer, and if any balance remains after such application is made, such balance shall be refunded to the customer. (1994 Code, § 19-103)

19-104. Point of delivery. The point of delivery is the point, as designated by the board on the customer's premises, where current is to be delivered to the building or premises. All wiring and equipment beyond this point of delivery shall be provided and maintained by the customer at no expense to the city. (1994 Code, § 19-104)

19-105. Customer's wiring--standards. All wiring of the customer must conform to the city's requirements and accepted modern standards, as exemplified by the requirements of the electrical code adopted by the city. (1994 Code, § 19-105, modified)

19-106. Inspections. The board shall have the right, but shall not be obligated, to inspect any installation before electricity is introduced or at any later time, and reserves the right to reject any wiring or appliances not in accordance with the city's standards; but such inspection or failure to inspect or reject shall not render the board liable or responsible for any loss or damage resulting from defects in the installation, wiring, or appliances, or from violation of the city's rules, or from accidents which may occur upon the customer's premises. (1994 Code, § 19-106)

19-107. Underground service lines. Customers desiring underground service lines from the board's overhead system must bear the excess cost incident thereto. Specifications and terms for such construction will be furnished by the board on request. (1994 Code, § 19-107)

19-108. Customer's responsibility for city's property. All meters, service connections, and other equipment furnished by the board shall be, and remain, the property of the city. The customer shall provide a space for and exercise proper care to protect the property of the city on its premises, and, in the event of loss or damage to the city's property arising from the neglect of the customer to care for same, the cost of the necessary repairs or replacements shall be paid by the customer. (1994 Code, § 19-108)

19-109. Right of access. The board's identified employees shall have access to the customer's premises at all reasonable times for the purpose of reading meters, and testing, repairing, removing, or exchanging any or all equipment belonging to the city. (1994 Code, § 19-109)

19-110. Billing. Bills will be rendered monthly and shall be paid within ten (10) days from the date of the bill at the office of the board. Failure to receive a bill will not release the customer from payment obligation. Should bills not be paid as above, the board may at any time thereafter, upon five (5) days' written notice to the customer, discontinue service. Bills paid on or before the final date of payment shall be payable at the net rates, but thereafter the gross rates shall apply, as provided in the schedule of rates and charges in the city's contract with TVA. Should the final date for payment of the bill at the net rates fall on a Sunday or holiday, the business day next following the final date will be held as a day of grace for delivery of payment. Net rate remittances received by mail after the time limit for payment of said net rates will be accepted by the board if the incoming envelope bears United States Post Office date stamp of the final date for payment of the net amount or any date prior thereto. Any customer aggrieved by written notification of the intent to discontinue services may, within forty-eight (48) hours, make a written request to the superintendent for review of their dispute with the Ripley Power & Light Board, which is authorized to review disputed bills and to correct any errors. During the pendency of this review, no termination of the aggrieved customer's service shall be made. (1994 Code, § 19-110, modified)

19-111. Discontinuance of service by board. The board may refuse to connect or may discontinue service for the violation of any of the applicable rules and regulations, or for violation of any of the provisions of the schedule of rates and charges in the city's contract with TVA, or of the application of the customer or the contract with the customer. The board may discontinue service to the customer for the theft of current or the appearance of current theft devices on the premises of the customer. The discontinuance of service by the board for any causes as stated in this rule does not release the customer from his obligation to the city for the payment of minimum bills as specified in the application of the customer or the contract with the customer. Any customer aggrieved by written notification of the intent to discontinue services may,

within forty-eight (48) hours, make a written request to the superintendent for review of their dispute with the Ripley Power & Light Board, which is authorized to review disputed bills and to correct any errors. During the pendency of this review, no termination of the aggrieved customer's service shall be made. (1994 Code, § 19-111, modified)

19-112. Reconnection charge. Whenever service has been discontinued by the board, as provided above, or a trip is made for the purpose of discontinuing service, a charge of not less than one dollar (\$1.00) may be collected by the board before service is restored. (1994 Code, § 19-112)

19-113. Termination of contract by customer. Customers who have fulfilled their contract terms and wish to discontinue service must give at least three (3) days' written notice to that effect, unless the contract specifies otherwise. Notice to discontinue service prior to expiration of the contract term will not relieve the customer from any minimum or guaranteed payment under any contract or rate. (1994 Code, § 19-113)

19-114. Service charges for temporary service. Customers requiring electric service on a temporary basis may be required by the board to pay all costs for connection and disconnection incidental to the supplying and removing of service. This rule applies to circuses, carnivals, fairs, temporary construction, and the like. (1994 Code, § 19-114)

19-115. Interruption of service. The board will use reasonable diligence in supplying current, but shall not be liable for a breach of contract in the event of, or for loss, injury, or damage to persons or property resulting from interruptions in service, excessive or inadequate voltage, single-phasing, or otherwise unsatisfactory service, whether or not caused by negligence. (1994 Code, § 19-115)

19-116. Voltage fluctuations caused by customer. Electric service must not be used in such a manner as to cause unusual fluctuations or disturbances to the city's system. The board may require the customer, at his own expense, to install suitable apparatus which will reasonably limit such fluctuations. (1994 Code, § 19-116)

19-117. Additional load. The service connection, transformers, meters, and equipment supplied by the board for each customer have a definite capacity, and no addition to the equipment or load connected thereto will be allowed except by consent of the board. Failure to give notice of additions or changes in load, and to obtain the board's consent for same, shall render the customer liable for any damage to any of the board's lines or equipment caused by the additional or changed installation. (1994 Code, § 19-117)

19-118. Standby and resale service. All purchased electric service (other than emergency or standby service) used on the premises of the customer shall be supplied exclusively by the city, and the customer shall not, directly or indirectly, sell, sublet, assign, or otherwise dispose of the electric service or any part thereof. (1994 Code, § 19-118)

19-119. Notice of trouble. The customer shall notify the board immediately should the service be unsatisfactory for any reason, or should there be any defects, trouble, or accidents affecting the supply of electricity. Such notices, if verbal, should be confirmed in writing. (1994 Code, § 19-119)

19-120. Non-standard service. The customer shall pay the cost of any special installation necessary to meet his peculiar requirements for service at other than standard voltages, or for the supply of closer voltage regulation than required by standard practice. (1994 Code, § 19-120)

19-121. Meter tests. The board will, at its own expense, make periodical tests and inspections of its meters in order to maintain a high standard of accuracy. The board will make additional tests or inspections of its meters at the request of the customer. If tests made at the customer's request show that the meter is accurate within two percent (2%), slow or fast, no adjustment will be made in the customer's bill, and the testing charge of one dollar (\$1.00) per meter will be paid by the customer. In case the test shows the meter to be in excess of two percent (2%) fast or slow, an adjustment shall be made in the customer's bill over a period of not over thirty (30) days prior to the date of such test, and the cost of making the test shall be borne by the board. (1994 Code, § 19-121)

19-122. Extensions and additions to street lighting systems. The board shall, at the request of a customer for street lighting service, provide additions and extensions to the street lighting system, provided that if, in any year ending June 30, the customer requests additions or extensions with a total cost in excess of five percent (5%) of the investment in street lighting property and equipment, the customer may be required to finance such excess cost. (1994 Code, § 19-122)

19-123. Billing adjusted to standard periods. The demand charges and the blocks in the energy charges set forth in the rate schedules in the city's contract with TVA are based on billing periods of approximately one (1) month. In the case of the first billing of new accounts (temporary service, cotton gins, and other seasonal customers excepted) and final billings of all accounts (temporary service excepted) where the period covered by the billing involves fractions of a month, the demand charges and the blocks of the energy charge

will be adjusted to a basis proportionate with the period of time during which service is extended. (1994 Code, § 19-123)

19-124. Athletic field lighting. Athletic field lighting installations not owned or maintained by the city may be served on an off-peak basis in accordance with the provisions of the street lighting rate. For athletic field lighting, the investment charge provided for in the street lighting rate will be based on the city's investment in furnishing and installing the equipment devoted to supplying the athletic field lighting service. Energy will be billed in accordance with the street lighting schedule and each installation will be considered a separate customer for billing purposes. The customer's bills rendered in accordance with this provision shall be subject to any surcharge and amortization charge applied by the board. The off-peak period shall be determined by the board, but in no case shall it commence earlier than 7:00 p.m. The customer may be permitted to use up to ten percent (10%) (not to exceed ten (10) kilowatts) of the total installed lighting capacity prior to the commencement of the off-peak period, such use to be considered off-peak for billing purposes. In the event the customer fails to restrict service in accordance with these requirements, he shall be billed under the appropriate lighting and power rate. (1994 Code, § 19-124)

19-125. Scope. Sections 19-102 to 19-127 are a part of all contracts for receiving electric service from the city, and applies to all service received from the city, whether the service is based upon contract, agreement, signed application, or otherwise. A copy of these provisions, together with a copy of the city's schedule of rates and charges as contained in the city's contract with TVA shall be kept open to inspection at the offices of the board. (1994 Code, § 19-125)

19-126. Revisions. These rules and regulations may be revised, amended, supplemented, or otherwise changed from time to time, without notice. Such changes, when effective, shall have the same force as the present rules and regulations. (1994 Code, § 19-126)

19-127. Conflict. In case of conflict between any provision of any rate schedule in the city's contract with TVA and the rules and regulations as set forth herein, the rate schedule shall apply. (1994 Code, § 19-127)