

# **OVERTON POWER DISTRICT No. 5**

601 North Moapa Valley Boulevard  
P O Box 395  
Overton, Nevada 89040-0395

**Regulation No. OPD-S-2.200**

**Date Approved: September 21, 2004**

## **OVERTON POWER DISTRICT No. 5 LINE EXTENSIONS**

### **GENERAL REQUIREMENTS**

1. This line extension regulation shall become effective on the date of its adoption and is not applicable to line extension agreements entered into prior to the effective date of this regulation.
2. The District will construct line extensions only to Applicants located within the District's boundaries and only upon District approval of application for service. Such extensions shall be installed by the District or approved contractors and paid for by the Applicant. All payments shall be made in advance of construction and before any expenditures by the District. A purchase order received from a government agency or a company purchase order, that has been approved in advance, shall be considered payment in advance. An irrevocable letter from a lending institution committing to the payment of a line extension shall also be considered payment in advance.
3. The length (s) of an electrical line extension will be the distance from the nearest existing facilities of the District having adequate, available capacity, as determined by the District in its sole discretion, to the Applicant's point-of-service.
4. The construction of the line extension will be in conformance with generally accepted utility practice and shall be done in conformance with all applicable safety and utility codes.
5. Applicant shall pay to the District all Federal income taxes arising from contributions made under the terms of this regulation, if any, including taxes owed and taxes required to be paid in accordance with this provision; and also Federal income taxes resulting from the loss of

District's tax exempt status that may result from District's receipt of the contributions-in-aid of construction required hereunder. Applicants shall also pay all applicable state and local taxes arising out of the construction of these facilities.

### **RIGHTS-OF-WAY**

1. The Applicant, upon application for service, shall grant the District the necessary rights-of way- for line extensions and appurtenances thereto across property owned or controlled by Applicant, as well as all necessary easements for ingress and egress for the properties of Applicant for the purpose of inspecting, installing, repairing, maintaining or removing the District's property, reading meters or for other purposes incident to the performance of the line extension agreement or the provisions of electrical service thereafter.
2. In the event the District is required to use its power of eminent domain to obtain necessary rights-of-way, any and all costs associated therewith shall be the responsibility of the Applicant. The Applicant shall advance the District the estimated costs of acquiring said rights-of-way, and upon the entry of a final judgment, District will provide an accounting of all costs incurred in such proceedings. In the event the District's actual costs and fees are different from the contribution paid by the Applicant, District shall refund the excess to Applicant, or Applicant shall pay the shortage to District within thirty (30) days after Applicant receives the accounting.

### **LINE EXTENSIONS**

1. Upon request by Applicant for a line extension, the District shall prepare a preliminary sketch and rough estimate of the costs of installation to be paid by Applicant. Such estimates shall be good for thirty (60) days, and are subject to revisions thereafter.
2. In the event that the power requirements of the Applicant exceed 300 kw or cannot be served from the existing facilities of the District, then the Applicant may, at the District's option, be served under a special contract which will set forth the terms and conditions under which service will be rendered.
3. Any Applicant for a line extension requesting the District to prepare detailed plans, specifications or cost estimates, may be required to deposit with the District an amount equal to the estimated costs of preparation. The District shall, upon request, make available within ninety (90) days after receipt of the deposit referred to herein, such plans, specifications or costs estimates of the proposed line extension. Where the Applicant authorizes the District to proceed with construction of the extension, the

deposit shall be come part of the cost of construction of the extension; otherwise, the deposit shall be non-refundable. If the extension is to include over sizing of the District's facilities, appropriate details shall be set forth in the plan, specifications, and cost estimates.

4. The District's detailed plan specifications and cost estimates shall include, but not be limited to preparing, reviewing and approving the plans and specifications for the necessary facilities to serve Applicants; obtaining any necessary approvals from governmental authorities prior to construction of the facilities; the acquisition of rights-of-way; a transformer charge as detailed below; professional and other services required by the District in conjunction with the installation and construction of the facilities.
5. In the event that said extension is from an existing facility which was constructed under a previous contract line extension, then an amount shall be included to equalize the cost of that portion of such existing facilities utilized by the Applicant.
6. Prior to the start of construction, the Applicant shall be required to advance to the District the total estimated cost of the extension and to enter into a written line extension agreement.
7. Following completion, final approval, and acceptance of the facilities, District may provide to the Applicant an accounting of the actual costs of construction and installation of the facilities. In the event the District's actual costs and fees are different from the contribution paid by Applicant, pursuant to this regulation, District shall refund the excess to Applicant, or Applicant shall pay the shortage to the District within thirty (30) days after Applicant receives the accounting. The total amount of such costs, as set forth on the accounting, shall be deemed a contribution.
8. If the Applicant fails to pay any additional costs in accordance with this regulation or fails to comply with any of the requirements herein, the providing of electrical service through such extension shall be terminated until such costs are paid in full or other such requirements are met.

#### **REFUNDS ON CONTRACT LINE EXTENSIONS**

If, within five (5) years from the date of the completion of the construction of the line extension, a new customer connects to the contract line extension, Applicant shall be entitled to a refund of a portion of the contribution on the following conditions:

1. No refunds will be made after five (5) years from the District's receipt of the advance. Any balance subject to refund not having been previously

refunded, shall be considered a contribution-in-aid of construction and shall no longer be refundable.

2. No refunds on such extensions shall be made until all costs of any new extensions therefrom have been paid in full.
3. Any funds received by District in accordance with the provisions of “Line Extensions paragraph #5” above will be refunded to the appropriate Customer (s).

### **CHANGE IN SERVICE**

1. In the event that an existing customer requests a change in service, power requirements, or facilities, and such changes result in increased requirements of less than 300 kw and can be served from existing District facilities, as determined by the District, such change (s) shall be treated as a line extension under the “Line Extension” paragraph above, and the customer shall pay the costs associated therewith.
2. If the requirements (total of existing and proposed) exceed 300 kw or the load cannot be served from existing facilities of the District, then the customer may, at the District’s option, be served under special contract which will be set forth the terms and conditions under which service will be rendered.
3. District responsibility for electric facilities shall end on the line side of the meter point.

### **CONSTRUCTION PRACTICES**

1. The District will select the size, type, and quality of the materials to be used, and will, in the design of the facilities, select the minimum size for materials, including conductors, required to provide the Applicant with adequate service. The District, in its engineering and design, shall not be required to deviate from the standard materials, including conductor size and type normally stocked by the District. The use of such standard materials shall not be constitute over sizing.
2. In the event that the District, in its engineering and design, specifies materials, including conductors, in excess of the minimum, all costs associated with said over sizing shall be at the District’s expense.
3. At the option of the District, Applicant may provide the trenching, backfill (including any imported backfill required), compaction repaving and any earthwork at Applicant’s sole cost, expense and responsibility. Any such services done by Applicant shall be in accordance with the District’s specifications and shall be inspected by the District.

## **DISTRIBUTION TRANSFORMER CHARGE**

A Distribution Transformer Charge which is based upon the weighted average cost per KVA for the size of service provided shall be included in the cost of line extensions as set forth in the "Line Extensions" paragraph above, and shall be determined as follows:

1. For residential services the charge per KVA shall be the weighted average cost per KVA of the type (overhead or underground) of transformers normally utilized to serve such loads, times KVA of transformer capacity required to provide service, or in the case of apartments, condominiums, sub divisions, commercial developments, etc., where a transformer (s) is purchases specifically to serve such loads the actual cost of the transformer (s) may be used.
2. For general service, where more than one customer can be served from the same transformer (s), a weighted average cost per KVA for then type (overhead or underground) of transformer (s) normally utilized to serve such loads, times the KVA of transformer capacity required to provide service shall be used.
3. For general service, where only one customer can be served from a transformer (s), or a transformer (s) is purchased specifically to serve such load, the actual cost of the transformer (s) may be used.
4. For the purpose of this paragraph, the KVA of transformer capacity required to provide service shall be the KVA transformer capacity normally utilized by the District to serve such loads. The District is currently utilizing 5 KVA for a 100 amp, 10 KVA for a 200 amp, and 20 KVA for a 400 amp single-phase services.
5. The weighted average cost per KVA to be used herein shall be revised annually to reflect the current cost of transformers to the District.

## **MISCELLANEOUS**

Any facilities installed hereunder shall be the sole property of the District.