

**RULES AND REGULATIONS
LOS ALAMOS COUNTY
BOARD OF PUBLIC UTILITIES**

PREFACE

The following rules and regulations for electric, gas, water, and sewer service have been adopted by the Los Alamos County Board of Public Utilities pursuant to the Los Alamos County Code of Ordinances Section 40-45. These rules were updated in their entirety in May 2006. Subsequently, when rules are changed, their revision dates are noted in the footers of those sections.

These rules and regulations are to be used in conjunction with the Los Alamos County Code of Ordinances and Los Alamos County Utility Department Construction Standards.

The rules and regulations are divided into major sections to include the general Rules that apply to the entire utility and a section for each specific utility. The major sections include General Rule, Electric, Gas, Water, Sewer, Subdivision, and Fee Schedule. Appendix I is included for reference and is not a formal inclusion of the rules.

Each rule is numbered using the designation for that section. Each rule number consists of two parts separated by a dash. The figure before the dash refers to the Section, i.e., GR for General Rule Section. The figure after the dash refers to the position of the part within the rule. Thus, the second rule of the GR section is numbered GR-2 and the first part of that rule is numbered GR-2.01. Under this system, each rule is identified with its section and each part is identified within its rule. New rules and parts within rules can be inserted in their proper place by using the decimal system.

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RULES AND REGULATIONS
GENERAL RULES (GR)
GR-1
JURISDICTION

GR-1.01 GENERAL

These rules apply to all electric, gas, water and sewer service areas within the Los Alamos County boundaries and other contiguous areas that may legally be served by the County of Los Alamos. Utilities Department responsibilities are designated and established by Article V of the Los Alamos County Charter and described in the Los Alamos Code of Ordinances and authorized by NMSA 1978.

If any section, subsection, sentence, clause, word, or phrase of this rule is for any reason held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this rule, which shall remain in full force and effect. The Utility and the governing body of the Utility, hereby declares that it would have passed this rule and each section, subsection, sentence, clause, word, or phrase thereof irrespective of any one or more sections, subsections, sentences, clauses, words, or phrases being declared unconstitutional or otherwise invalid.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-2
UPDATE PROCEDURES**

GR -2.01 GENERAL

Rule includes the process for updating the rules, authorization required, notification, review and approval process.

GR-2.02 UPDATE PROCEDURES

From time to time it may be necessary to modify one or more of the rules due to changes that cannot be foreseen at this time. The procedures for changing a rule will be as follows:

- A. Utilities Manager will propose a rule change or changes to the Board.
- B. Interested parties or focus groups and the County Attorney may review the proposed rule change or changes. After review by these entities the change or changes may be brought forward at a regularly scheduled Board meeting for adoption. If adopted by the Board, the rule change or changes will be recorded at the County Clerk's office.
- C. Should the Utilities Manager determine an emergency need for a change or changes, he or she can immediately implement the change concurrent with the approval process described in GR-2.02 A. and B.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-3
DEFINITIONS**

GR-3.01 GENERAL

Rule provides terms and expressions for rules and fee Schedule.

GR-3.02 DEFINITIONS

- A. APPLICANT - A person requesting the Utility to supply electric, gas, water, and sewer service, or any combination thereof.
- B. APPLICATION - A request to the Utility for electric, gas, water, or sewer service or any combination thereof. When accepted, the Application constitutes the basis for supplying commodities and services to the applicant.
- C. BILLING DEMAND - The method used for computing charges under rate Schedule based on the size of the customer's load. The load may be the connected load, the measured maximum demand, or a modification of either as provided for by the applicable rate schedule.
- D. BOARD - The Board of Public Utilities of Incorporated County of Los Alamos.
- E. CO-APPLICANT- A person who submits an Application with another Applicant, jointly requesting the Utility to supply electric, gas, water or sewer service or any combination thereof.
- F. CONNECTED LOAD - The sum of the rated capacities of all of the customer's equipment, which can be connected, to the Utility's lines at any one time.
- G. COUNCIL - The Incorporated County of Los Alamos County Council.
- H. CREDIT CLASSIFICATION - Code assigned to categorize accounts according to their payment habits.
- I. CUSTOMER - The person or persons in whose name service is rendered, as evidenced by the signature on the application for that service, or, in the absence of a signed instrument, by the receipt and payment of regularly issued bills, regardless of the identity of the actual user of the service.
- J. CUSTOMER CLASSIFICATIONS:
 - 1) residential
 - 2) commercial
 - 3) schools
 - 4) county
 - 5) industrial.
- K. CUSTOMER'S MAILING ADDRESS - The address specified in a customer's application or any other address subsequently given to the Utility by the customer, to which any notice or other communication is to be mailed.
- L. DATE OF PRESENTATION - The date upon which a bill or notice is mailed or delivered by the Utility to the customer.
- M. DELIVERY LINE - That portion of the facilities which is a connecting segment between a main and a

service line.

- N. DELINQUENT ACCOUNT- A customer who has failed to pay amounts due and owing to the Utility for at least twenty-five days after the due date for payment of a bill for services provided.
- O. DEPARTMENT - The Department of Public Utilities of the Incorporated County of Los Alamos.
- P. DEPARTMENT'S OPERATING CONVENIENCE - The utilization, under certain circumstances, of facilities or practices ordinarily employed, which contribute to the over-all efficiency of the Utility's operation. The term does not include customer convenience.
- Q. DISTRIBUTION LINES - Overhead pole lines or underground facilities consisting of conduit, cable, or pipe, which are operated at nominal distribution voltages or pressures.
- R. ESTIMATED FIRST YEAR'S REVENUE - The revenue the Utility estimates it will receive from a customer (who will be served by an extension of the Utility's line) during the twelve (12) month period beginning either at the time of completion of the extension or at some later time specified in the appropriate rule.
- S. FORCE MAJEURE – A delay or default in performing an obligation owed to another person or entity, when such delay or default is caused by conditions beyond the control of the Utility or the person failing to perform the obligation, including, but not limited to Acts of God, Government restrictions (including the denial or cancellation of any export or other necessary license), wars, insurrections, labor shortages or work stoppages, or any other cause beyond the reasonable control of the party whose performance is affected.
- T. FRAUD- A false representation of a matter of material fact, whether by words or by conduct, by false or misleading allegations or by concealment of that which should have been disclosed, which deceives and is intended to deceive, so that, another will act upon the false or misleading representation or concealment.
- U. INTERRUPTIBLE SERVICE - Service which, at the discretion of the Utility is subject to discontinuance for a time or at intervals.
- V. INTEGRATED DEMAND - The demand created by the customer's power requirements averaged over a specified interval of time. The average kilowatt demand requirement over a specified length of time. Usually expressed in kilowatts, kilovolt-amperes, or reactive kilovolt-amperes; determined by measurement with a standard demand meter or by calculations based upon measurements made by other types of standard metering equipment.
- W. kW - KILOWATT - Unit of power delivery or the rate at which energy is used by the customer.
- X. kWh - KILOWATT-HOUR - Unit of electric energy delivered to the customer, or a product of the rate of delivery and the time.
- Y. KVA - KILOVOLT AMPERE - Unit of apparent power equal to the product of current in amperes and voltage at the point of measurement.
- Z. KVAR - KILOVOLT AMPERE REACTIVE - Reactive component of apparent power determined by standard metering equipment which may be used in determining the power factor at the point of measurement.
- AA. LIGHTING SERVICE – Service including power to private area lights, which are maintained by the Utility.

- BB. MAILED - Any notice or other communication will be considered "Mailed" when it has been enclosed in a sealed envelope, properly addressed to the last known address of recipient, and deposited in any United States Post Office Box, postage prepaid.
- CC. MAXIMUM DEMAND - The average kilowatts during the specified time interval when the customer's use is greatest in the billing period as indicated or recorded by the Utility's meter.
- DD. METER - The instrument used for measuring the electricity, gas, or water delivered to the Customer.
- EE. MULTI-FAMILY ACCOMMODATIONS - An apartment, duplex, court-group, or any other group of residential units located upon single premises, providing the residential units therein are single family. Hotels, guest, or resort ranches, tourist camps, motels, auto-courts, and trailer courts that consist primarily of transient accommodations are not multi-family accommodations.
- FF. NET- METERING - The measurement by use of a single meter capable of registering the difference between the electricity supplied by Utility to the customer and the electricity generated by a self-generation source on the Customer's property that is fed back to the electric utility during a billing period.
- GG. NOMINAL VOLTAGE - The nominal voltage of a circuit is the approximate voltage between conductors in a circuit or system of a given class, assigned for the purpose of convenience. The operation voltage actually existing at various times on the system is subject to normal distribution variation.
- HH. PERMANENT SERVICE - Service that, in the opinion of the Utility, is of an established character. This may be continuous, intermittent, or seasonal in nature.
- II. PERSON - Any individual, partnership, corporation, public agency or other organization operating as a single entity.
- JJ. POINT OF DELIVERY (Electric)- The point of delivery is the electric meter for electrical service in the case of underground service or the weather head in the case of the overhead service. Refer to E-2.02 for additional information.

POINT OF DELIVERY (Gas)- The point of delivery for gas shall be at the outlet connection of the gas meter. Refer to G-2 for additional information.

POINT OF DELIVERY (Water)- The point of delivery for water is the outlet side of the water meter. The meter is typically located at the property line. Refer W-2 for additional information.
- KK. RATE SCHEDULE - A County ordinance setting forth the charges and conditions for a particular class or type of service, as adopted by the Los Alamos County Council.
- LL. RULES AND REGULATIONS- Requirements and conditions for electric, gas, water and sewer service as adopted by the Los Alamos County Board of Public Utilities and filed with the County Clerk pursuant to the Los Alamos Public Code, Section 14-8-1 and 14-1-11.
- MM. SEASONAL SERVICE - Service to establishments, which are, occupied seasonally or intermittently, such as seasonal resorts or other part-time establishments.
- NN. SECONDARY VOLTAGE – Electric utility service voltage less than 600 volts.
- OO. SERVICE LINE – An electric, gas water or sewer line that does not leave the homeowner's property.
- PP. SEWER MAIN - A line which is designed to collect wastewater from more than one customer service connection, and which is not in or under a multi-family dwelling unit. (Adopted 01/19/00)

- QQ. SINGLE FAMILY DWELLING OR ACCOMMODATION - A house, an apartment, or any other residential unit which contains cooking facilities and which is used as a residence by a single family.
- RR. SINGLE PHASE SERVICE - The definition of a single phase service, as is used in determining service charges in electric rate ordinances, would include an apartment building that has a three phase plus single phase service to it, but has no requirement for this type of service, or any equipment that requires three phase service to operate, provided that this service was installed prior to 1968 and/or for the Utility's convenience.
- SS. STANDBY CHARGE - That portion of the charge for standby service, which is a fixed amount, based on the maximum load the Utility stands ready to supply in accordance with the rate schedule.
- TT. STANDBY SERVICE - Service supplied to customers who normally obtain their power requirements from sources other than the Utility. Under this service, the Utility provides a permanent service connection to supply the customer's contracted load in accordance with the provisions of the standby schedule.
- UU. TEMPORARY SERVICE - Service for construction or for enterprises or activities where it is known in advance that the service will be for less than three (3) years. Service for operations, the permanency of which has not been established, will also be considered temporary service to a tenant under a lease with an original term of less than three (3) years.
- VV. THERM - 100,000 BTU's
- WW. TRACT OR SUBDIVISION - An area for family dwellings, which may be identified by, filed subdivision plans or as an area in which a group of dwellings may be constructed about the same time, either by a large scale builder or by several builders working on a coordinated basis.
- XX. UTILITY - The Incorporated County of Los Alamos Department of Public Utilities consisting of the Electric, Gas, Water, and Sewer Divisions.
- YY. UTILITY EXTENSION- Extension of Electric, Gas, Water, and/or Sewer conduits, pipes, cables, wires, and appurtenances such as transformers, substations, tanks, manholes, or regulator stations which are in the opinion of Utility Engineering required to serve a property, property between existing Utility and the property presently under consideration, and property that might be developed in the future which would be served by or through the Utility extended to serve the property being presently considered for development.
- ZZ. UTILITY REPRESENTATIVE- Utility's agents, employees, etc.
- AAA. UTILITY SERVICE- Electric, gas, water or sewer service provided to a customer.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-4
PROTECTION OF UTILITY SYSTEMS**

GR-4.01 GENERAL

Rule provides for use of County property and equipment managed by the Utility.

GR-4.02 USE OF COUNTY ASSETS MANAGED BY THE UTILITY

- A. Use by Customer of any Utility property or equipment that is a part of or necessary to the operation and maintenance of the Utility and its systems for any purpose other than providing utility services is subject to the following conditions.
- 1) The intended non-utility use must not conflict with the Utility use of the property or equipment.
 - 2) The Utility may, in its sole discretion, impose restrictions or conditions on access or use of the property or equipment to assure the integrity, security and protection of the property or equipment; to assure that minimum use and maintenance standards are met; and to assure that there is no interference with utility installation, maintenance, repair, or operations.
 - 3) Any modifications to a structure being used for providing utility services must be approved in advance by the Utility. The Utility may require that the property be returned to its original condition at the conclusion of the non-utility use. No costs incurred in connection with the non-utility use shall be borne by the Utility without the express prior written approval of the Utility.
 - 4) Utility use of the property shall have priority over non-Utility use.

GR-4.03 WRITTEN AGREEMENTS

- A. A written agreement approved by Board and County Council and executed by the Utility Manager or designee, is required for use of any Utility property or equipment for a purpose other than providing utility services. The agreement will, at a minimum, include the following requirements:
- 1) The Utility shall not be liable for any damages or liabilities associated with the non-utility use and, to the extent permitted by law, the user shall indemnify and hold the Utility harmless from and against all damages, liabilities and costs, of any kind or nature, arising as a result of the non-utility use.
 - 2) Termination Rules acceptable to the Utility, given the nature, location and term of the use.
 - 3) Fees payable to the Utility sufficient to cover any and all costs associated with the non-utility use, including without limitation, costs incurred in evaluating the proposed non-utility use, preparing and reviewing the written agreement, monitoring the use, and any and all other costs and expenses that may accrue to the Utility.
 - 4) Security sufficient, in the sole discretion of the Utility to protect the assets, operation or other interests of the Utility.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-5
MANDATORY CONNECTIONS**

GR-5.01 GENERAL

Rule provides requirements for mandatory connection of sewers.

GR-5.02 MANDATORY CONNECTION REQUIREMENTS

- A. Sewer Connections - Connection of building wastewater systems to public sewer is mandatory in accordance with the requirements of Section 40-242 of Los Alamos County Code of Ordinances. Per Section 40-242 the Board may waive this requirement upon the application of the owner of an improved lot when the Board finds that all of the following exist:
- 1) The public sewer was located after the lot was improved;
 - 2) The provisions for private sewage disposal for the lot are adequate and there is no reason to believe they will not continue to be adequate; and
 - 3) Features of the terrain would require construction of such a nature as to make the costs of the connection unreasonable.
- B. Private liquid waste disposal systems shall be designed and permitted by the New Mexico Environment Department (NMED) per NMAC 20.7.3, or future requirements as may be enacted by the Environmental Improvement Board (EIB) or NMED regarding Liquid Waste Disposal.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-6
APPLICATION FOR SERVICE**

GR-6.01 GENERAL

Rule covers the application for service requirements including application process, restrictions of application, and customer equipment affecting the Utility's ability to provide service.

GR-6.02 APPLICATION FOR SERVICE REQUIREMENTS

- A. Each applicant for Utility service may be required to apply on a designated form provided by the Utility.
- B. The application is a request for service and does not, in itself, bind the Utility to serve.
- C. Each applicant shall be evaluated to determine the class of service.
- D. For residential applications, the names of the persons in control of the premises shall be given.
- E. For services other than a residence, the names of the persons in control of the premises or of the business conducted shall be given. All applicants for commercial or industrial service must be signed by the owner or agent.
- F. The Utility shall provide the utility service within a reasonable time once the application has been accepted and any necessary permits have been obtained. It is the responsibility of the applicant to comply with all applicable codes and rules and to obtain the necessary permits from governmental authorities.
- G. The applicant shall pay all applicable administrative charges and one-time charges as described in the Fee Schedule.

GR-6.03 JOINT APPLICATION FOR SERVICE

Two or more persons (co-applicants) who join in one application for service shall be jointly and severally liable hereunder and shall be billed by means of a single periodic bill mailed to the person designated on the application. Both parties may be required to sign the application prior to obtaining service.

GR-6.04 CUSTOMER'S EQUIPMENT OR OPERATIONS

Customers shall give the Utility written notice of the extent and nature of any major change in the size or character, of the equipment or operations for which the Utility is supplying service before making any such change that can affect the Utility's capability to deliver the Utility with existing equipment.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-7
LIABILITY AND INTERRUPTION OF SERVICE**

GR-7.01 GENERAL

Rule limits liability of Utility to the extent provided by law.

GR-7.02 LIABILITY OF UTILITY

- A. The Utility shall exercise reasonable diligence to furnish a continuous and sufficient supply of Utility services to its customers and to avoid any unnecessary shortage or interruption of delivery thereof. The Utility cannot guarantee a continuous or sufficient supply of Utility services free from interruption. The Utility shall not be liable for interruption or shortage of supply, nor for any loss or damage occasioned thereby, if such interruption or shortage results from any cause not within its control.
- B. The Utility shall not be liable for damages resulting from necessary changes or adjustments required by the Utility to provide access to Utility facilities or equipment, including meters.

GR-7.03 TEMPORARY SUSPENSION FOR REPAIRS

- A. The Utility has the right to suspend temporarily the delivery of any Utility service for the purpose of making repairs or improvements to the system.
- B. The Utility shall make a reasonable attempt to provide prior notice to the extent time permits.
- C. The Utility shall perform this work as efficiently as possible for any scheduled outages

GR-7.04 APPORTIONMENT OF SUPPLY DURING TIME OF SHORTAGE

Should a shortage of supply occur that impacts the Utility's ability to provide a particular Utility service, the Utility shall attempt to apportion its available supply among its customers recognizing needs and priorities.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-8
RIGHT TO ACCESS CUSTOMER PROPERTY**

GR-8.01 GENERAL

Rule covers the right of the Utility to access customer property and obstruction of Utility facilities and equipment.

GR-8.02 ACCESS TO UTILITY PROPERTY

- A. The Utility's representatives shall have the right during normal working hours and as shall be required in an emergency, to enter upon the premises and properties of the customer to inspect the service, read the meter, locate facilities as required by New Mexico excavation law and make necessary maintenance repairs, adjustments, or replacements of any property of the Utility located thereon.
- B. For all facilities installed on private property not owned by the customer requesting such facilities, the customer shall provide the Utility with all necessary private easements in a Utility approved format suitable for recording.
- C. Customer meters shall be located in an accessible location.
- D. In the event the meter or other equipment belonging to the Utility is located inside a building or is otherwise inaccessible, customer shall either move the meter and other property of the Utility to an accessible location at the customers' expense or make arrangements to have someone present to admit the representative of the Utility.
- E. The Utility has the right to discontinue service if Utility facilities and equipment are not accessible and the customer does not comply with access requirements. Disconnection and reconnection fees as stated in Fee Schedule will apply.

GR-8.03 OBSTRUCTION OF UTILITY EQUIPMENT

- A. Obstruction of any utility equipment including but not limited to meters, manholes, vaults, transformers, pedestals, or power lines is not allowed.
- B. Obstructions such as bushes, flowers, or trees planted near Utility equipment including utility meters, manholes, vaults, transformers, pedestals and or power lines shall be trimmed and maintained by the customer in such a manner that the Utility has ready access to the meter or meters and other Utility equipment.
- C. In the event the Utility's representative encounters difficulties in accessing the Utility's equipment, including reading a meter, because bushes, other materials, or vehicles are blocking the meter or access to equipment, the Utility representative shall leave a notice at that location identifying the problem and requesting the obstacles be removed so there is access to the meter or equipment. For rental properties, the notice shall be copied with a letter to the property owner.
- D. If after notification to the customer, a period of 30 days has elapsed and no action has been taken to correct the problem, the Utility shall have the obstacle(s) removed to allow for access to the Utility's equipment. The customer shall be billed for the actual cost to remove the obstacle(s).
- E. The Utility or representative of the Utility shall not be responsible for any damages resulting from removal of any obstacle(s) around Utility's equipment, in accordance with this Rule.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-9
TEMPORARY SERVICES**

GR-9.01 GENERAL

Rule includes requirements for temporary services, including electric service and fire hydrants.

GR-9.02 GENERAL REQUIREMENTS

A. Application for temporary service will be pursuant to GR-6, Application for Service.

GR-9.03 TEMPORARY SERVICE – ELECTRIC SERVICE

- A. All temporary electric service shall be made in accordance with the Utility's requirements and the most recently adopted version of the National Electrical Code (NEC) adopted by the New Mexico Construction Industries Division.
- B. Temporary electric service shall be provided with a temporary service pole furnished by the customer and accessible to the Utility's power source. Utility Engineering must be contacted prior to the installation of any temporary electric service for assignment of location. The service will not be connected without approval of Utility Engineering.
- C. The temporary service extension shall be made in accordance with Rule GR-22 Utility Extensions. The applicant shall pay in advance, to the Utility, the estimated cost of all labor, equipment, material and overhead necessary to provide the requested service or services.
- D. The applicant shall establish credit as required by Rule GR-16, Establishment and Re-Establishment of Credit. The amount shall not exceed the estimated bill for the duration of service.
- E. Temporary electric service fees are included in the Fee Schedule.

GR-9.04 TEMPORARY SERVICE - FIRE HYDRANT METERS

- A. Temporary use of fire hydrants requires the use of fire hydrant meters to measure the quantity of water used.
- B. Users of fire hydrant meters shall provide readings every 30-day period to the Utility Department.
- C. Temporary fire hydrant meter service fees are included in the Fee Schedule.

GR-9.05 REFUNDS FOR TEMPORARY SERVICE

- A. Any advance payment made by the customer in excess of the actual installation costs of the service or services shall be refunded.
- B. Temporary service will be billed at the actual cost to provide service.
- C. No refund of the initial costs for the utility extensions and installation of the service or services shall be made by the Utility.
- D. The customer shall pay all capital costs for equipment not previously billed for a conversion of a temporary service to a permanent service.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-10
SERVICE CONNECTIONS AND CONNECTION TO UTILITY**

GR-10.01 GENERAL

Rule provides requirements for connection to the existing utility, connection to other systems, number of services, separate metering and conversions.

GR-10.02 CONNECTION TO EXISTING UTILITY SYSTEM

- A. Service connections to be constructed in accordance with the construction standards of the Utility.
- B. All connections to the mains and electric distribution systems shall be made by the Utility.
- C. All connections will be obtained through a completed and approved application and/or the Service Request Form.
- D. Service line installations will be inspected by the Utility for conformance with the construction standards of the Utility and the building permit requirements.
- E. Customers shall not open or close valves or switches or operate controls on the Utility's existing system.
- F. All connections (other than overhead electric service) to Utility's systems require an approved penetration permit issued by the Utility.

GR-10.03 CONNECTIONS TO OTHER SYSTEMS

- A. There shall be no connections of any type in the customer's lines from any other source of supply other than approved co-generation facilities. Any such cross connection shall be cause for immediate discontinuance of service.

GR-10.04 NUMBER OF SERVICES

- A. Customers may apply for separate services to accommodate lot splits in the future. Additional costs for separate services shall be recovered by the Utility.
- B. For multiple dwelling units or condominiums, water service may be rendered by a single connection or by individual meters for each dwelling unit provided the meters are grouped and numbered in a manner approved by the Utility. Gas and electric services shall be rendered by individual meters for each dwelling unit.
- C. For separate services, each line shall be billed as a separate service.

GR-10.05 SEPARATE METERING

- A. Each new individual dwelling unit or other individually identifiable customer shall install separate, individual meters for each utility service to be supplied by the Utility.
- B. The use of master or group metering may be allowed for the following purposes:
 - 1) Master water meters for multiple occupants' structures where individually maintained property does not exist.
 - 2) Master gas meters for multiple occupancy structures using a central heating system.

3) Master water meters for mobile home parks.

GR-10.06 CONVERSIONS

- A. When one customer occupies a building or structure that is metered and billed for multi-customer use, the customer may obtain a single customer billing by converting the facilities so that the entire particular commodity to the single customer premises is through one meter.
- B. Such conversion may require a consolidation plat and does require proper conversion from multiple meters to one meter, which must be approved by the Utility.
- C. Such conversions shall be at the expense of the property owner.
- D. No "single customer" billing shall be made until the facilities are modified and the Utility has approved of such modification or conversion.
- E. Private plumbing and electrical modifications completed as part of a conversion shall comply with applicable codes and laws.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-11
UNAUTHORIZED CONNECTIONS**

GR-11.01 GENERAL

The rule defines unauthorized connections and enforcement and penalties for violation.

GR-11.02 UNAUTHORIZED CONNECTIONS

- A. Unauthorized connections include, but are not limited to:
- 1) Connection without authorization and approval of the Utility;
 - 2) Unauthorized bypass of a meter;
 - 3) Removal or reversing of a meter;
 - 4) Tampering with connection, valves, meters, or other facilities for the purpose of obtaining service without authorization.
- B. Service provided by the Utility to any customer shall only be used in connection with such customer's residence, dwelling, or building to which the Utility has authorized a utility service connection and for which a customer account exists.
- C. The customer connection must comply with technical Rules identified in all applicable federal, state, and utility rules and regulations and standards.
- D. Additional facilities shall not be connected to the existing service nor shall service be connected from one residence, dwelling, or building to another residence, dwelling or building without first obtaining a written authorization and/or statement of requirements from the Utility, and without first complying with any such requirements.

GR-11.03 ENFORCEMENT

- A. If a connection is completed in violation of this rule, the connection shall be considered unauthorized and the following actions shall be taken by the Utility:
- 1) Applicable charges as defined and assessed in the County Code of Ordinances.
 - 2) The connection will be subject to inspection and if construction is not acceptable, the connection shall be removed and reinstalled in accordance with the Utility construction standards and these rules and regulations.
 - 3) Violation shall result in the discontinuance of service without notice, assessment of charges based on estimated usage, and other costs related to the discontinuance of service.
 - 4) When a service is disconnected for a violation or violations as described above, disconnection and reconnection fees shall apply.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-12
RESPONSIBILITY FOR EQUIPMENT**

GR-12.01 GENERAL

Rule provides specifics on Customer responsibility for equipment.

GR-12.02 RESPONSIBILITY OF CUSTOMER

- A. Customer shall install, own and maintain all facilities from point of delivery to the customer's facility or building as defined in each utility section.
- B. Customer is responsible for the utility service after it passes the point of delivery.
- C. Customer is responsible to allow the Utility the right to access the property to install, maintain equipment (if applicable), read meters, or other access required to provide utility service.
- D. Customer or property owner must exercise due care for protection of the Utility facilities on customer premises.
- E. In the event of loss or damage of the Utility property on customer property, the customer shall pay the Utility the costs of repairing or replacing such property.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-13
DISCONNECTION AND RECONNECTION OF SERVICE**

GR-13.01 GENERAL

This rule includes criteria for disconnection and reconnection of service, and temporary disconnection of service.

GR-13.02 DISCONNECTION CRITERIA

- A. The Utility may discontinue utility service to a customer based on the following criteria:
- 1) Non-payment of delinquent account.
 - 2) Unsafe or Detrimental Conditions
 - a. Condition determined to be hazardous.
 - b. Use of equipment in such a manner as to adversely affect the Utility equipment or Utility service to others.
 - c. Customer's equipment or the use thereof is determined by the Utility to be unsafe or hazardous or in violation of applicable laws, ordinances, rules and regulations.
 - d. Any condition existing upon the customer's premises that is determined to endanger the Utility's service facilities, personnel or public.
 - 3) Tampering with, damaging, or destroying equipment furnished and owned by the Utility.
 - 4) Unauthorized use of service.
 - 5) Failure to comply with conditions specified by the Utility and/or the Customers' application.
 - 6) Refusal to grant access at reasonable time to equipment installed on the premises of the customer for the purpose of inspection, maintenance or replacement.
 - 7) Violation of and/or non-compliance with the Utility's rules and regulations and construction standards.
 - 8) Failure to Establish Credit
 - a. If, for an applicant's convenience, should the Utility provide service before credit is established in accordance with Rule GR-16, Establishment and Re-establishment of Credit, and the customer fails to establish credit, the Utility may discontinue service after written notice of not less than three (3) business days.

GR-13.03 DISCONNECTION OF SERVICE

- A. Service may be temporarily disconnected in any or all types of Utility Service at the request of the customer, and at such reasonable time as designated by the customer. There shall be a reconnect fee as described in the Fee Schedule.
- B. When a customer desires to disconnect service, the customer shall give the Utility not less than two business days notice of intention and state the date on which customer wishes the disconnection should be effective. A customer shall be held responsible for all service furnished at the premises until two (2) days after receipt of such notice by the Utility, or until the date of termination specified in the notice, whichever date is later.

GR-13.04 DISCONNECTION OF SERVICE NOTICE PROCESS

- A. A Disconnection of Service Notice shall be submitted for non-payment of bills, or other factors as described in this rule. The initial notice shall be submitted with the customer's bill.

- B. The first collection step shall consist of the following statement imprinted on the second bill issued.

**** YOUR ACCOUNT IS PAST DUE ****

This is a reminder to the customer that payment was not made in full on the previous bill.

- C. Any utility bill remaining unpaid forty (40) days from the bill date of the first unpaid bill shall receive a discontinuance of service notice indicating the amount past due and the anticipated date of termination. This termination date shall be not less than fifteen (15) days from date of notice. This notice shall indicate that payment in full or payment plus satisfactory payment arrangements must be made prior to the termination date if service is to be continued.

This notice shall be delivered to the affected customer in person or by depositing a copy of the notice in the U.S. Mail, postage prepaid, addressed to the customer at the same address where they receive their monthly bills.

- D. Three (3) days prior to the date for discontinuance, if payment or arrangements have not been made, a final notice shall be posted at the residence or place of business indicating the date services shall be terminated if payment has not been received by that date or corrective action has not been identified.
- E. Two (2) days prior to the discontinuance date the Utility shall attempt to contact the customer to ensure the customer understands the date service shall be discontinued if payment is not received or corrective action not identified.

GR-13.05 DISCONNECTION PROCESS

- A. Normally the Utility will initially disconnect only the electricity. If the Utility considers it more prudent to disconnect a different service instead, for example to maintain heat when below freezing temperatures are forecast, and if doing so is practical, the utility will disconnect water service instead. If, for a period of five (5) days after the disconnection of electricity (or water) there is no communication from the customer, the Utility will disconnect other utility services. After the other utility services have been disconnected, a letter will be issued giving the customer ten (10) days to settle the account. If the account remains unsettled, the Utility will take appropriate action deemed necessary to collect the outstanding balance including submitting the account to a collection agency and or filing a lien on the customer's property.
- B. Liens are permitted under NMSA 3-23-6.
- C. The Utility will take any of the actions authorized pursuant to this section against the property owner in the event that a tenant vacates the premises without payment of Utility.

GR-13.06 NOTICE OF AVAILABILITY OF UTILITIES ASSISTANCE AND WINTER MORATORIUM PROTECTION

- A. While not required by State law, the County and the Department of Public Utilities ("DPU" or "Department") observe the general rules and principles of the State law known as the "LIHEAP Winter Moratorium" as found in 17.5.410.29-30 NMAC. To that end, the DPU will follow the following guidelines.
- B. Program Information. The DPU will make available to the public information regarding the Department's assistance program for low income individuals and winter moratorium protection against of disconnection of utility services for residential customers, including explanation of payment

options and circumstances under which services may be disconnected or discontinued.

C. Required notices.

- (1) Required notice prior to heating season, which for purposes of this rule runs from November 15th each year to March 15 of the subsequent year. Beginning with the August billing cycle DPU shall provide to all residential customers, at least two times prior to the next heating season, the following statement either on a bill, in a bill insert, by a public service announcement in a publication of general circulation in the service area, or through a direct mailing:
 - a. "Protection from winter shut-off begins November 15th of each Calendar Year. To avoid potential disconnection of services please contact the Utilities Department at 505-662-8333 for eligibility information for low income utilities assistance or for payment options. Your service will not be disconnected from November 15th through March 15th if you have no past due amounts or you remain current on any settlement or installment agreement for amounts due as of November 15th

- (2) Required notice of end of moratorium protection. Beginning with the February billing cycle the DPU shall communicate in writing to all residential customers at least one time the following statement either on a bill, in a bill insert, by a public service announcement in a publication of general circulation in the service area, or through a direct mailing:
 - a. "Protection from winter shut-off ends March 15, (year). To avoid potential disconnection of services please contact the Utilities department at 505-662-8333 to make arrangements for payment of any past due balances.

- (3) 15-day notice of discontinuance of service. The DPU shall include the following statements in all disconnect notices issued pursuant to this rule during the heating season:
 - a. "15-day disconnect notice for services;"
 - b. "Your service will not be disconnected from November 15 through March 15 if you have no past due amounts, or you remain current on any settlement or installment agreement for amounts due as of November 15. For information call the Department of Public Utilities at 505-662-8333

D. WINTER MORATORIUM PROTECTIONS:

- (1) Unless requested by the residential customer, or as may be required under other Department Rules, DPU shall not discontinue or disconnect service to a residential customer during the heating season from November 15 of each year through March 15 of the subsequent year for nonpayment of the residential customer's utility bill if:
 - a. the residential customer has no past due charges on November 15 of the current heating season; or
 - b. the residential customer has a settlement agreement or an installment agreement with DPU for amounts other than those owing from the prior heating season, and the residential customer continues to make the agreed-upon payments under the settlement or installment agreement. Amounts owing from the prior heating season must be paid in full.

- (2) At any time during the current heating season, a residential customer may become eligible for winter moratorium protection from discontinuance or disconnection of service if the residential customer either pays the amount that was due as of November 15 or enters into a settlement or installment agreement for such past-due amounts and continues to make the agreed-upon payments under the settlement or installment agreement.
- (3) The utility shall make installment agreement options available to any residential customer that has an unpaid bill pursuant to the regulations of the Department.
- (4) A residential customer who has defaulted on a current installment agreement and whose utility service has been discontinued or disconnected during the non-heating season shall be reconnected and maintain the protection afforded by this rule by paying reconnection charges if any, and by paying the amount due pursuant to the installment agreement by the date on which service is reconnected.

GR-13.07 RECONNECTION FEES

- A. The fees for reconnection of service shall be applicable for services disconnected for failure to comply with this rule. Fees are included in the Fee Schedule section.
- B. In the event the Utility's equipment has been damaged or additional expense is incurred to restore service, the Utility shall charge the customer the full cost for recovery of labor, material and equipment.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-14
RATES AND FEES**

GR-14.01 GENERAL

The user rates are set by ordinance and are in Chapter 40 of the County Code of Ordinances. The fees are adopted by the Board and are shown in the Fee Schedule.

**RULES AND REGULATIONS
GENERAL PROVISION RULES (GR)
RULE GR-15
DEPOSITS**

GR-15.01 GENERAL

This rule describes the deposit and guarantee of payment requirements for the utility. No interest is paid on deposits required by the Utility. The deposit shall be calculated in accordance with the Fee Schedule.

GR-15.02 DEPOSIT REQUIREMENTS

A. Residential

Except as provided in paragraphs 1 – 6 below, no deposits are required from new customers who can provide a letter from their most recent utility demonstrating to the Utility a history of timely payments.

Deposits will be required from residential customers under the following conditions:

- 1) New customers who are unable to provide a letter from their most recent utility demonstrating to the Los Alamos County Utilities Department a history of timely payments.
- 2) Any customer being reconnected after a disconnection for non-payment.
- 3) Any customer who has interfered with or improperly connected to any Los Alamos County utility service or system.
- 4) Any customer who has filed or been made part of a bankruptcy action within the past seven years.
- 5) Any customer who has made payment of a Utility bill, to Los Alamos County, that was returned for non-sufficient funds (NSF) or for insufficient credit available more than once during the preceding twelve-month period.
- 6) Any customer that has incurred three or more “collections events” with Los Alamos County Utilities in the preceding twenty- four-month period. Collections events include door tags, reminder letters, broken payment arrangements, or referral of an account to a collection agency.

B. Commercial

Customer deposits or irrevocable letters of credit will be required for all new commercial accounts where the location receiving service is not owned by the Customer.

Deposits will also be required from commercial customers under the following conditions:

- 1) Any customer being reconnected after a disconnection for non-payment.
- 2) Any customer who has interfered with or improperly connected to any Los Alamos County utility service or system.
- 3) Any customer who has filed or been made part of a bankruptcy action within the past seven years.
- 4) Any customer who has made payment of a utility bill, to Los Alamos County, that was returned for non-sufficient funds (NSF) or for insufficient credit available more than once during the preceding twelve-month period.
- 5) Any customer that has incurred three or more “collections events” in the preceding twenty-four month period. Collections events include door tags, reminder letters, broken payment arrangements, or referral of an account to a collection agency.

GR-15.03 REFUND OF DEPOSITS

- A. Upon disconnection of service, the Utility shall refund the customer's deposit or the balance in excess of any unpaid bills for service.
- B. Upon customer request, deposits will be credited to customer accounts when there have been no delinquent payments for twelve consecutive billing cycles.

RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-16
ADVANCED METERING INFRASTRUCTURE

GR-16.01 GENERAL

Rule provides for installation of advanced metering infrastructure for all customers and allows for customers to opt out of this type of metering with no penalties. Because the Utility is publicly owned, the New Mexico Inspection of Public Records Act (IPRA) considers all metering data collected by the Utility as public information. Individual customer metering data may be accessed by anyone upon filing a request with the Los Alamos County Records Manager.

GR-16.02 DESCRIPTION OF ADVANCED METERING EQUIPMENT

- A. Electric meters shall be of electronic type, with ability to collect and store incremental consumption data as programmed by the Utility.
 - 1) Meters shall be equipped with a radio transceiver to both send data to the Utility and accept information back to the meter from the Utility.
 - 2) Meters shall be equipped to allow the Utility to disable the collection, storage and transmission of data, at the Utility's option.
- B. Gas meters shall be fitted with a device to optically read the dials and transmit via radio the data back to the Utility upon demand.
 - 1) Individual meters, or the Advanced Metering Infrastructure operating system shall be equipped to allow the Utility to disable the collection, storage and transmission of data, at the Utility's option.
- C. Water meters shall be of the magnetic flow sensing type, with the ability to store incremental usage data as programmed by the Utility.
 - 1) Individual meters, or the Advanced Metering Infrastructure operating system shall be equipped to allow the Utility to disable the collection, storage and transmission of data, at the Utility's option.
- D. Meters whose collection, storage and transmission of data has been disabled shall continue to be manually read. The Utility shall not collect or store data from such meters except as needed for billing or account management purposes.

GR-16.03 CUSTOMER ABILITY TO OPT OUT OF ADVANCED METERING INFRASTRUCTURE

- A. The opt out election will be offered to the account holder, regardless of ownership or occupancy of the particular location under the following conditions:
 - 1) A customer may opt out by submitting a completed "Election to Opt Out" form to the Utility's Customer Care Center.
 - 2) Should a customer elect to opt out, the functionality of the meters and modules to collect and transmit incremental usage data will be disabled, and no such data will be collected or retained by the Utility. Billing data will be collected and used for account management and billing purposes only, typically monthly.
 - 3) Customers electing to opt out will not have access to their usage information in real time.
 - 4) Account management features enabled by Advanced Metering Infrastructure will not be available to customers who have opted out.
 - 5) Alternative rate structures that may be implemented and that utilize the detailed incremental

consumption data that advanced metering can provide will not be available to customers who opt out.

- 6) Meters will be read, typically monthly, at the customer's location by Utility staff for billing or account management purposes.
 - 7) No additional fees or penalties will be assessed to customers who elect to opt out of Advanced Metering Infrastructure.
- B. If a customer does not elect to opt out when first advised of the opportunity to do so, but later decides they wish to opt out, they may do so by contacting the Utility Customer Care Center staff and submitting the "Election to Opt Out" form. The functionality of the metering equipment to record and transmit incremental usage data will be disabled within ten business days of receiving such request from the customer.
- C. If a customer does elect to opt out but later decides they wish to cancel this election, they may do so by contacting the Customer Care Center and retracting their previously executed "Election to Opt Out" form.
- D. If a customer that chose to opt out at a specific location vacates their service location, the opt out election of the customer moving out will not automatically be transferred to a new location in the Department's service area. The customer moving must submit a new election for the new location if that customer wishes to continue to opt out of participation in the Advanced Metering Infrastructure program.

GR-16.04 CUSTOMER NOTIFICATION OF ABILITY TO OPT OUT

- A. The Utility will take all reasonable efforts to notify every customer that data collected by the Utility is subject to disclosure under IPRA. Customers concerned about the potential for their incremental usage data to be disclosed, will not be required to participate in the Advanced Metering Infrastructure program.
- 1) Reasonable notification efforts will include public service announcements in the local media, bill inserts, and posters or flyers prominently displayed at the Utility's Customer Service counters and other locations throughout the County where public service announcements are routinely posted.
- B. All new customers will be provided the same full disclosure regarding the possibility of public release of their incremental metering data and will be afforded the opportunity to opt out when establishing service should they choose to do so.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-17
PRESENTATION AND PAYMENT OF BILLS**

GR-17.01 GENERAL

Rule provides the process for presentation and payment of Utility bills.

GR-17.02 BILLING PERIOD

- A. Bills for utility service shall be presented on a nominal 30 days basis.
- B. Fixed service charges will be prorated for initial and final bills.

GR-17.03 PRESENTATION OF BILLS

- A. The following information will be included on each bill for utility service:
 - 1) Bills are due and payable upon presentation and shall be considered past due twenty five (25) days after the date billed.
 - 2) Questions regarding bills shall be directed to the Utility.
 - 3) Metered Service - Bills for metered service shall be based on meter readings when reasonably practicable for the preparation of regular bills.
 - 4) Actual meter readings will be utilized for initial and final bills.

GR-17.04 READING OF SEPARATE METERS NOT COMBINED

- A. For the purpose of billing, consumption of each meter on the Customer's premises shall be computed separately, and the reading of two or more meters shall not be combined, except as follows:
 - 1) Where combinations of meter readings are specifically provided for in the rules or ordinances and;
 - 2) Where the Utility's operating convenience requires the use of more than one meter.

GR-17.05 PAYMENT OF BILLS

- A. All bills are due and payable upon presentation and payment shall be made to the Utility or authorized representative.
- B. Partial payments will be applied to unpaid balances on a proportional basis to all services in the absence of direction from customer.
- C. Late payment fees are assessed pursuant to Los Alamos County Code of Ordinances, Chapter 40, Article III, Division 1, Section 40-101, late payment fees on electric, gas, water, sewer and refuse utility past due accounts.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-18
UTILITIES ASSISTANCE PROGRAM (UAP)**

GR-18.01 GENERAL

The purpose of the UAP is to provide assistance to qualified low income residential customers of the Utility during the periods of October 1 through March 31, or year-round for citizens over age 65 or account holders qualified through the Social Security Administration for Supplemental Security Income (SSI), or one-time assistance to account holders who demonstrate need due to unforeseen and unusual circumstances. Funding is provided voluntarily from customers.

To qualify for monthly assistance, the household income of the applicant must be below 50% of the median household income for the Los Alamos Census Designated Place (CDP), which includes all of Los Alamos County. The Department will verify income levels by requesting copies of tax returns, pay stubs, or other suitable documentation. Applicants should be aware that documents submitted may be subject to release under the inspection of public records act (IPRA). Personal Identifier Information and tax information will be redacted to the extent allowable under IPRA Regulations before release.

GR-18.02 AMOUNT OF ASSISTANCE PROVIDED

Assistance is always limited by the amount of contributions. The Utility shall attempt to distribute assistance based on need. Assistance provided will be up to 30% of the customer's average bill for consumption of water, gas, electric and sewer during the previous winter months of October through March, with a maximum of \$125.00 assistance per month and a minimum of \$15.00 assistance per month for those who qualify. The monthly credit will be limited by the customers total bill for utilities services for each individual month. If the customer does not have previous winter use history at the subject residence staff will estimate appropriate assistance based on relevant comparative information.

GR-18.03 ONE-TIME PAYMENTS FOR IMMEDIATE FINANCIAL HARDSHIP

A single lump sum assistance credit may be applied to a qualified customer's bill if they have a demonstrated need due to unforeseen circumstances (e.g., layoff, illness, major household repairs, etc.) and are in danger of their utility services being turned off for non-payment. A brief statement of income and anticipated expenses, a statement of need or hardship as to why available resources are not sufficient to pay the utilities bill, and details of other assistance resources sought or expended will be required. Lump sum payments will generally only be granted once per incident and only after all other assistance programs have been pursued. The maximum amount will be \$350.00. Each individual case will be judged on its own merit. Staff will make a recommendation for final approval by the Deputy Utilities Manager for Finance and Administration after review of the hardship documentation provided to ensure compliance with the requirements stated in this provision.

GR-18.04 PROCEDURE FOR ALLOCATING ASSISTANCE

The annual assistance period will be October 1 through the following March 31 of each year, or October 1 through the following September 30 for year-round assistance. A new application will be required each year. In September the Utility will determine eligibility for winter or year-round assistance and calculate the maximum allocation for each applicant. One-time assistance payments will be considered as applications are received, if funds are available. Applications received during an annual assistance period will be considered for the remainder of the current assistance period if funds are available. If the total allocation thus calculated exceeds projected funds available, the allocations will be reduced on a pro-rata basis. In no case will assistance payments exceed contributed funds available at the time the assistance payment is credited to the customer's account.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-19
ESTIMATED BILLS**

GR-19.01 GENERAL

Rule provides the process and criteria for estimated bills.

GR-19.02 ESTIMATED BILLS

- A. The Utility shall compute a bill based on estimated Utility use under the following conditions:
 - 1) The Utility is unable to obtain access to the customer's premises or meter through no fault of its own for the purpose of reading the meter.
 - 2) A meter is defective or has been tampered with or bypassed.
 - 3) Weather conditions prohibit meter readings or where other Force Majeure conditions exist which are beyond the reasonable control of the Utility and which prevent reading the meter.

- B. Meters will be read at regular intervals. However, if a meter reading is missed, the Utility may bill the customer on an estimated consumption and the difference will be adjusted when the meter is next read. The basis for this estimate shall be either the Customer's normal consumption for corresponding periods in the preceding year or the Customer's normal consumption of proceeding months as determined by the Utility.

- C. If the Utility underestimates a Customer's use and subsequently corrects the bill, the Customer may request an installment plan with regard to the underestimated amount.

- D. Sewage rates are based on water use during winter months as defined by Los Alamos County Code of Ordinances, Chapter 40, Article III, Division 1, Section 40-202, Determination of charges.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR 20
DISPUTED BILLS**

GR-20.01 GENERAL

Rule describes the process for resolving disputed bills.

GR-20.02 DISPUTED BILLS

- A. The Utility shall investigate any questions of accuracy of metering or other factors concerning the bill for services rendered. If the bill is in error, it shall be void and the Utility shall notify the customer and issue a corrected bill.
- B. When the accuracy of the meter is questioned, the Utility shall test the meter as provided in Rule GR-21, Meter Tests and Adjustments of Bills for Meter Error.
- C. The following procedure applies if the customer has reason to question the accuracy or appropriateness of bills for any service(s) received from the Utility:
 - 1) Within sixty (60) days of receiving the bill, the customer may contact the Utility and request an explanation of the bill. The Customer shall pay to the Utility the non-disputed portion of the bill.
 - 2) Within ten (10) days of speaking with the Utility, if the customer is not satisfied with the explanation, the customer may request a hearing with the Utilities Manager or designee. All decisions of the Utilities Manager or designee are final and conclusive unless an appeal is taken pursuant to number 3 below.
 - 3) Within ten (10) days of the decision of the Utilities Manager or designee, the customer may appeal the decision to the Los Alamos County Board of Public Utilities (P.O. Drawer 1030), Los Alamos, New Mexico, 87544), which has final administrative authority for billing. Appeal requests shall be in writing and will be normally scheduled for hearing at the next regularly scheduled meeting of the Board of Public Utilities. All decisions on disputed bills by the Board are final, with the customer having no further rights of administrative review.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-21
METER TESTS AND ADJUSTMENT OF BILLS FOR METER ERROR**

GR-21.01 GENERAL

Rule provides the process for testing meters and adjusting bills.

GR-21.02 METER TESTS

- A. Prior to installation of a new meter, the meter shall be factory certified or tested.
- B. On a customer's request, Utility shall test the meter(s) serving that customer.
- C. If a customer requests a test, the customer shall be required to make a deposit in accordance with the Fee Schedule.
- D. Deposits shall be returned if the meter is found to register more than two percent (2%) fast. The results of the test shall be furnished to the customer upon completion of the test. The requirement of a deposit may be waived if it is deemed appropriate by Utility in its sole discretion to help settle a billing dispute.

GR-21.03 ADJUSTMENT OF BILLS FOR METER ERROR

A. FAST METER

For meters found to be registering more than two percent (2%) fast, the Utility shall refund the customer the amount of the overcharge. The refund shall be limited to corrected consumption for the preceding six (6) months.

B. SLOW METER

The Utility will charge the customer for the amount of any undercharge for any meter found to be registering slow provided the error, under the applicable rate schedule, caused an under billing amount of \$10.00 or more and be limited to preceding three (3) month period.

C. NON-REGISTERING METERS

For meters found to be non-registering, the bill shall be determined based on the estimate of electricity, gas, or water consumed but not registered for a period of three (3) months. The consumption shall be estimated from the customer's prior use, the Utility's experience with other customers of the same class, and the general characteristics of the customer's operations.

D. GENERAL

When it is found that the error in a meter or billing began on a date, which can be reliably estimated, the overcharge or the undercharge shall be computed back to but not beyond the date established.

GR-21.04 ADJUSTMENTS OF BILLS BECAUSE OF METER FAILURE

- A. When a meter is found to have failed, the Utility shall replace the failed meter as promptly as possible.

- B. During the period the failed meter remains in service, the Utility shall bill the customer for an estimate of gas, electricity, or water consumed but not registered.
- C. Estimated consumption shall be based on the Utility's records of the customer's prior use in similar periods, the use of other customers in the same class, and the general characteristics of the customer's operation.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-22
UTILITY EXTENSIONS**

GR-22.01 GENERAL

GR-22 defines responsibilities of parties with respect to Utility extensions when those parties are involved in development of property in Los Alamos County. The parties are generally the developer who in this context is the owner, or the Contractor (collectively referred to in this General Rule as the Applicant) and the Incorporated County of Los Alamos Department of Public Utilities (Utility).

It is the intent of this Rule and of the Utility that new development pay for required Utility both within the property and for the extension of Utility required to serve the property being developed.

Utility extensions will be constructed by the developer per Utility design and construction standards. Utility Engineering must also inspect and approve the construction of any Utility infrastructure. Upon approval of the installation, the Utility infrastructure will be conveyed to the County of Los Alamos per Article 6 of the County Development Code.

GR-22.02 DEFINITION

UTILITY EXTENSION- Extension of Electric, Gas, Water, and/or Sewer conduits, pipes, cables, wires, and appurtenances such as transformers, substations, tanks, manholes, or regulator stations which are in the opinion of Utility Engineering required to serve a property, property between existing Utility and the property presently under consideration, and property that might be developed in the future which would be served by or through the Utility extended to serve the property being presently considered for development.

GR-22.03 RESPONSIBILITY OF APPLICANT

It is the Applicant's responsibility to bear the total cost of the infrastructure, which provide facilities of the size and capacity determined by Utility Engineering required to serve the property being developed to extend from existing Utility to the far end of the property under consideration. At minimum these will be, except as exempted in 22.04, as follows:

- A. Sewer lines shall be 8 inch
- B. Water lines shall be 8 inch
- C. Gas lines shall be 2 inch
- D. Electric Lines shall be 4/0 Al three-phase 15 Kv class cable in a 4-inch conduit with a 4-inch spare unless reduced capacity is approved in writing by Utility Engineering.
- E. Two communications conduits shall be provided at 4-inch size unless reduced capacity is approved in writing by Utility Engineering.

All construction methods and materials shall conform to Los Alamos Utility Department Standards. All utility extensions shall be in accordance with and in compliance with applicable rules and regulations of the Utility, including applicable technical provisions and with all applicable state and federal laws, rules and regulations. See Los Alamos County Utility Standards for physical requirements of utility extensions i.e. materials required, trench specifications etc.

GR-22.03 EXCEPTIONS

Under certain circumstances it may be determined that the requirements for utility extensions required by this Rule may be waived or modified. Utility will review the application and make a determination of the availability and feasibility of providing service. The Utility shall have the sole responsibility for determining the proper line sizing or facilities required. The extension shall be made from the nearest adequately sized utility. Utility Engineering will have the final authority (with, as always, the developer retaining the right to appeal what he or she considers an adverse decision to the Utilities Manager and the Utilities Board) with regards to the appropriateness of waiver or modification. Some examples of situations for which a waiver or modification might be approved are:

- A. No development is possible between an existing utility and the proposed development.
- B. No development is possible on the far side of a proposed development.
- C. The proposed development is limited by some reason of terrain, land ownership issues, or zoning.

The developer must have an approved utility design along with any waivers in writing prior to any construction.

GR-22.04 UTILITY RESPONSIBILITIES

Utility Engineering must evaluate service reliability, future service requirements, or capacity considerations and how a development might impact the ability to serve the community at large. Consequently Utility Engineering will, in cooperation with the Applicant, develop a rudimentary design and evaluate the possible impacts that a development might have on existing utility systems and how utility extensions to the proposed development might be integrated into future development. The purpose of the rudimentary design is to size and route the Utility infrastructure to best serve the proposed development along with other developments that are possible in the vicinity of the development being considered.

The evaluation of the impact and the rudimentary design performed by Utility Engineering will develop the sizes and capacities of Utility extensions except that extensions will be minimally sized as per section GR-22.3. If the evaluation of impacts and the rudimentary design dictate that utility extensions or other infrastructure must be larger than that required to serve the development that is being considered, the Utility may elect to pay an incremental amount for the construction of the oversize(s) needed as per the following:

- A. It is the intent of this Rule that the frontage of any lot, property, subdivision or other development will have Utility along its full length. It is understood that there are situations such as corner lots where the extension of Utility along both sides does nothing with regards to the service of that lot. In those instances:
 - 1) Utility may elect to pay a pro rata share of the utility extension(s) based on the length of the shortest side of the property.
- B. It is also the intent of this Rule that consideration be made for future utility service to properties adjacent to, in the vicinity of, along the utility extension path to, and for future service past the property under consideration. It is understood that a person developing a property might not be responsible for insuring that another property that might be developed in the future have sufficient utility infrastructure at that future time. In that vein, the Utility, should they mandate increased capacity or routing of extensions that would increase costs for a developer may elect to pay the incremental cost of the extension above what would be required to serve the development under consideration.

- C. On all projects to which the Utility elects to contribute, the cost that Utility has borne will be tracked and the expenditure of the Utility will increase at a rate of 4% per annum. When a future developer utilizes this infrastructure that developer will be assessed that cost of the extension(s) that can logically be ascribed to that future development. The cost to that future developer will be the original value of the extension(s) brought forward at the previously mentioned 4% per annum.

GR-22.05 APPLICANT RIGHTS FOR REIMBURSEMENT FOR FACILITIES

Applicants are responsible for the cost of extending Utility to their development. Future developments that benefit from the applicant's investment in Utility infrastructure, shall be responsible for paying the original developer a pro-rata share of the cost of those facilities. The value of such infrastructure shall be recorded by the Utility and the pro-rata share of subsequent developments shall be determined by the Utility.

To facilitate payments between applicants, it is each applicant's responsibility to provide the Utility with unitized facilities costs, and a current mailing address for a period of 20 years.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-23
LIMITATIONS AND RESTRICTIONS OF USE**

GR-23.01 GENERAL

Rule includes the general requirements for limitation and restriction of use, resale prohibition, other use and use on other premises.

GR-23.02 GENERAL REQUIREMENTS

- A. The Utility reserves the right, in its sole discretion, to limit the size of service connections and to prohibit the customer's use or the flow of the commodity that exceed the capacity of the Utility facilities. Noncompliance of this rule by a customer shall constitute grounds for discontinuing service in accordance with Rule GR-13, Disconnection and Restoration of Service.
- B. The Utility reserves the right to impose restrictions or limitations on a commodity should outside governing or regulatory bodies impose similar restrictions on the Utility.
- C. If a new Utility use is proposed for a new development or change in use is requested, the Customer shall obtain approval of the Utility for such additional service and conditions under which the Utility will be supplied. The Utility reserves the right to limit consumption of new users to ensure existing customers will have sufficient supply.

GR-23.03 RESALE PROHIBITED

No commodity or service provided by the Utility shall be resold for profit by any customer.

GR-23.04 OTHER USE AND USE ON OTHER PREMISES

A customer shall not use electricity, gas, or water received from the Utility upon other premises or for other purposes than those specified in the application and in the appropriate Rate Schedule.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-24
UTILITY LINE LOCATES**

GR-24.01 GENERAL

Rule provides details on services performed by Utility for line locates, limits on locates, and repeat locates.

GR-24.02 SERVICES PERFORMED

- A. All excavation requires notification in accordance with the New Mexico One Call process for utility locates.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-25
INSPECTION**

GR-25.01 GENERAL

Rule provides inspection requirements of the Utility.

GR-25.02 INSPECTION REQUIREMENTS

- A. Utility inspections are required on all private developments, public utility installations and service work.
- B. Construction shall not commence until appropriate utility fees and deposits are arranged.
- C. Approvals Required – No utility work shall be done without first obtaining written approval of the Utility.
- D. Applicants (homeowner/contractor) are notified of inspection requirements at issuance of the specific permit.
- E. Intermediate inspection shall be made as required for buried Utility.
- F. The Utility will inspect construction activities to insure compliance with the Utility’s Construction Standards, requirements issued with the building permit, and all applicable local, state and federal laws.
- G. The presence or absence of an inspector shall not relieve the Homeowner/Contractor from any requirements. Each phase of Utility installation is subject to inspection.
- H. Inspection Before Covering – All work will be inspected prior to covering. Any work covered previous to the inspection shall be uncovered to provide opportunity to inspect the utility work.
- I. Inspection Scheduling
 - 1) The homeowner/contractor is responsible for coordinating construction and inspection activities with the County’s inspector.
 - 2) Construction activities that will interrupt service, require County resources, require operation of existing County facilities, require public notifications or other non-typical events will be scheduled with the County’s inspector and other pertinent Utility representatives as early as practical. A minimum of 72 hours notice will be provided.
 - 3) The homeowner/contractor shall notify the County inspector of all utility testing 24 hours in advance of the scheduled testing.
 - 4) The homeowner/contractor is responsible for calling for interim inspections. Before calling for inspections the following items must be at the project site:
 - a. “Utility Inspection Notice Card”
 - b. Approved set of drawings.
- J. Inspection Documentation and Tracking
 - 1) The inspector shall document the results of their inspection by completing the standard inspection form.

- 2) Documentation for failed inspections will identify and report faulty and inadequate installations and recommend corrective action.
- K. The homeowner/contractor shall correct faulty and inadequate installations. Utility service will not be provided until all corrections from inspection are re-inspected and approved by the Utility. Upon completion of the correction, the contractor shall contact the Utility and schedule a re-inspection.

GR-25.03 INSPECTION FEES

Inspection fees will be charged based on the inspection fee schedule included in the Fee Schedule.

**RULES AND REGULATIONS
GENERAL RULES (GR)
RULE GR-26
RIGHTS-OF-WAY AND UTILITY EASEMENTS**

GR-26.01 GENERAL

Rule provides rights-of-way and easement requirements for the Utility.

GR-26.02 REQUIREMENTS

- A. Rights-of-way and easements will be provided as required for the public movement of people, goods and vehicles and ready provision and extension of existing and future Utility.
- B. Rights-of-way and easements designated for public infrastructure shall be dedicated and specified as to purpose.
- C. The owner shall complete "Application for Permission to Encroach on Utility and/or Drainage Easement or Right-of-Way" and "Permit for Encroachment on Easement or Right-of-Way" for work associated with the development that encroaches on Utility easements.

GR-26.03 RIGHTS-OF-WAY AND EASEMENTS

A. RIGHTS-OF-WAY

- 1) Rights-of-way will be dedicated to the County, primarily for the public movement of people, goods, and vehicles to operate and maintain utility systems and conveyance of utility services.
- 2) Rights-of-way may be required by County for existing or future Utility, with the appropriate rights-of-way widths.

B. EASEMENTS

- 1) Easements are defined as areas intended for restricted use on private property upon which any public utility benefiting from such easement shall have the right to remove all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of its respective utility systems.
- 2) Residential lots will have adequate utility easement provisions reserved for the use of all public utility lines, conduits and equipment.
- 3) Easement must be granted for the use of the Utility and any other entity for which access shall be granted by law unless shared use with other Utility is coordinated and approved in advance by the Utility.
- 4) The Utility shall at all times have the right of unobstructed ingress and egress to and from and upon the said easements for the purposes of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems.
- 5) Property owners shall keep Utility easements clear of all obstructions, such as but not limited to, fences, buildings, shrubs and other vegetation, or other improvements which in any way endanger or interfere with the construction, maintenance, or operation of any utility system.

**RULES AND REGULATIONS
ELECTRIC (E)
RULE E-1
DESCRIPTION OF SERVICE**

E-1.01 GENERAL

This rule describes the nature of electric service in terms of availability, character of service and conditions of service.

E-1.02 REFERENCES

- A. Los Alamos Code of Ordinances: Chapter 40
- B. National Electric Code (NEC), latest edition of the National Electrical Code as adopted by Utility at time of construction.
- C. National Electric Safety Code (NESC), latest edition of the National Electrical Safety Code as adopted by Utility at time of distribution installation.

E-1.03 AVAILABILITY

The electric service supplied by Utility is for the exclusive use of the customer on the premises to which such service is delivered by Utility. The Utility supplies or offers to supply electric service through its distribution system for residential, commercial and other customers within the County of Los Alamos and areas, which the Utility may lawfully serve.

Utility will use reasonable diligence to supply continuous electric service to the customer but does not guarantee the supply of electric service against irregularities or interruptions.

E-1.04 CHARACTER OF SERVICE

- A. Electric Service Limitations and Voltage Standards

Electric service connections are limited to electric energy supply and transmission, substation and distribution facilities available at time of building construction. Available secondary service voltage classifications will depend upon a customer's location and proximity to existing facilities within an overhead or underground service area.

The standard secondary service is alternating current, 60 hertz, single or three phase. Service must not be used by the customer for purposes other than those specified in the applicable electric rate.

The standard primary nominal voltages are:
13200/7620 V GD Y for Los Alamos and 12470/7200 V GD Y for White Rock.

Overhead and Underground Service Area Nominal Secondary Voltages:

- Single-phase, three-wire, 120/240 volts.
- Three-phase, four-wire, 120/208 volts wye.
- Three-phase, four wire, 277/480 volts wye.

- B. Overhead and Underground Electric Facilities:

The electric distribution system is composed of overhead and underground electrical facilities. Electric distribution facilities will be placed underground at the developers/Customers sole expense in areas newly subdivided and platted within the limits of the County of Los Alamos. All services

greater than 200 Amps are required to be underground.

C. Electric Utility Extension Requirements:

Extension of distribution facilities to a place of delivery to the customer will be made subject to Rule GR-22, Utility Extensions, and other rules as applicable.

D. Qualification for Three-Phase Service:

Nominal three-phase service may be provided if a three-phase primary and transformer are already in place and in use. If three-phase service is not available, the customer must make arrangements for utility extensions and pay the associated fees.

E-1.05 CONDITIONS OF SERVICE

A. Customer shall balance the three-phase load between phases in accordance with good engineering practices.

B. MOTOR PROTECTION AND EQUIPMENT

Customer's motor starting and protection equipment must conform to the National Electric Code:

- 1) For customers receiving three-phase electric service, it is the customer's responsibility to provide protection for motors against the possibility of single-phase operation.
- 2) Customers using or requiring motor installations greater than 7.5 hp shall submit voltage drop calculations for Utility review and approval, single phase service shall be supplied to installations provided the prior written approval of the Utility Engineering Department has been obtained on the number and size of motors, switches, circuits, and related facilities.

C. INSTANTANEOUS MOTOR DEMAND:

As a protection to service and equipment, Customer shall equip motors of ten horsepower and larger with a starter of such design that the instantaneous starting current requirement will be limited to not more than 300% of rated full-load current. For residential service, the use of any single-phase motor will be limited to 125 amps starting current at 240 volts. All three-phase motors should be protected against over and under voltage and single and reversed phasing condition by the customer. A variance to the above may be granted in writing by Utility Engineering Department. All requests for variances to these rules will be made to Utility Engineering Department in writing with the following information:

- 1) Horsepower rating.
- 2) Nameplate full-load amps.
- 3) Nameplate locked rotor amps.
- 4) Frequency of starts per time unit.
- 5) NEMA code letter.
- 6) Nameplate voltage.

D. INTERFERENCE WITH SERVICE

- 1) The Utility may require corrective measures to be taken by the customer for any motor or other apparatus, which may cause unacceptable voltage fluctuations to other customers. Such corrective measures shall be undertaken at the Customer's sole expense.

- 2) Welders:
Prior to the use of welders in residential areas, which require more than 30 amps input, permission will be obtained from Utility Engineering Department. This is to ensure good service and limit the amount of voltage flicker to our customers. If service upgrades are required, Utility Engineering Department must be contacted.
- 3) Emergency Generators:
When an emergency generator is required, it will be installed in such a manner as to eliminate the possibility of operating in parallel with, or back-feeding into the Utility electrical system. A double-throw, dual-source main disconnect will be used for this purpose.

Customers must sign and be in compliance with the Utility interconnection agreement in order to parallel with Utility system.
- 4) Customers cannot superimpose a current upon any part of the Utility's electrical system.
- 5) Voltage levels:
The actual secondary distribution voltage at the customer's meter will vary up to and including +/- 5% of the nominal voltage, depending on circuit location and normal operating needs. This conforms to the ANSI Standard C84.1, which deals with electric power supply and utilization systems. It must be recognized that because of conditions outside Utility control, there may be infrequent and limited periods when sustained voltage outside these limits might occur. Additional voltage variation will occur between the meter and the customer's utilization equipment at normal operation.

E. ADDED FACILITIES

- 1) If a customer makes a written application for added facilities to be provided by the Utility, and that are in addition to, or in substitution for, the standard facilities the Utility would normally install, the Utility shall collect from the customer the costs for the installation provided the installation of such facilities is acceptable to the Utility.
- 2) Conversion of overhead distribution systems to underground. Financial responsibility for the differential cost for the conversion of overhead electric systems to underground belongs to individual property owners. Conversion to underground systems from overhead will require organized effort by property owners in contiguous service areas, as defined by Utility, such as streets, neighborhoods or subdivisions. Property owners in these areas may arrange for conversions under certain conditions. Those conditions shall include:
 - a. Agreement to participate by a minimum of 75% of all affected property owners understanding that they will be responsible for payment of differential costs. Construction costs for the purpose of this computation are to include, design, project management and administration. The differential cost of undergrounding shall be computed as the cost of the underground construction less cost to replace with a new overhead system plus the un-depreciated cost of the existing system plus the cost of removal of the existing system, net of the salvage value, plus the cost of converting the customer's service entrance from overhead to underground.
 - b. Acquisition of all required easements within a reasonable time.
 - c. Agreements to participate by all private utilities with equipment attached to County poles.
 - d. Approval by the Board and Council of a rate ordinance imposing a rate increment to recover the differential cost.

Utility will assist organized property owners by providing design standards and preliminary designs. Utility will also work with private utilities with equipment on our poles to ensure that such equipment is undergrounded in conjunction with the electric project and that the County's costs for such work are fully recovered.

**RULES AND REGULATIONS
ELECTRIC (E)
RULE E-2
SERVICE CONNECTIONS – ELECTRIC**

E-2.01 GENERAL

Rule provides specific service connection requirements and connection to the utility requirements for electric service. Rule provides specific requirements for connection for electric service

E-2.02 POINT OF DELIVERY – DEFINED

- A. The “Point of Delivery” for electrical service is the electric meter in the case of underground service or the weather head in the case of overhead service. In locations where Utility has installed an overhead distribution system, the customer must install and maintain the meter socket, entrance conduit, entrance wire, weatherhead, and point of attachment, which must be of sufficient strength to support the size of service wire required. Fees will be charged in accordance with the Fee Schedule.
- B. In locations where Utility has installed an underground distribution system, new applications for service or customers contemplating additions to their loads will, in all cases, consult Utility Engineering Department in order to obtain details of the service connections. Utility will install, own, and maintain all residential services up to the meter except as designated in this rule. Fees will be charged in accordance with the Fee Schedule.
- C. In existing older installations where underground electric service was installed with a direct buried service line the point of delivery is the pole, pedestal or transformer. In these cases the Customer owns and is responsible for the line between the point of delivery and the meter. If the Customer at their sole expense replaces a direct buried line according to the current Utility Standards, the Utility will then assume ownership to the meter.
- D. The “Service Line” for electric service is from the meter/weather head to the point of connection/pedestal, transformer, pole or mid-span tap.

E-2.03 GENERAL REQUIREMENTS FOR SERVICE CONNECTION

- A. The customer is required to request service and make the required payment to the Utility prior to any connection in accordance with GR-10, Service Connections and Connection to Utility. For commercial services rated 225 amps or more, a load data form must be submitted to the Utility Engineering Department for required service design details which are necessary to assure that sufficient transformer capacity, conductor size, conduit size and metering requirements are provided.
- B. To initiate a single-family residence service application, a customer must file a Service Request form at the Utility Engineering Department. The application shall include a plot plan showing dwelling and meter location. The application form will state electric service fees, as applicable, and other customary charges to be paid. Electric service fees will be paid prior to issuance of a building permit. The Utility Engineering Department must approve meter locations.

E-2.04 CUSTOMER PREMISES

- A. Residential Service

All new subdivisions are required to have underground service. All underground installations are required to be in conduit. No direct burial of electrical lines is allowed.

B. Commercial Services

All commercial services greater than 200 amps are required to have underground electric service unless a variance is approved by Utility Engineering Department. All underground installations are required to be in conduit. No direct burial of electrical lines is allowed.

E-2.05 OVERHEAD SERVICE FROM AN OVERHEAD LINE

A. SERVICE DROPS

The Utility shall furnish and install service wires to the customer's nearest suitable permanent support. The location and installation of the support must be approved by Utility Engineering Department.

B. IMPAIRED CLEARANCE

Whenever any of the clearances required from the service drops to the ground or any object become impaired by reason of any changes made by the owner or tenant of the premises, the customer shall, at his own expense, provide a new and approved support in a location approved by the Utility for the termination of the Utility's existing service drop wires and also all service entrance conductors and equipment necessitated by the change of location.

C. SERVICE ENTRANCE CONDUCTORS

For each overhead service connection, the customer shall furnish at his own expense, a set of service entrance conductors which shall extend a minimum of 3 feet from the weather head from the point of connection of the Utility's service drop on the customer's support to the customer's meter base. Such service entrance conductors shall be of a type and be in an enclosure that meets with the approval of the Utility and any inspection authorities that have jurisdiction.

E-2.06 UNDERGROUND SERVICE CONNECTION FROM UNDERGROUND SYSTEM

A. The residential customer shall provide, a Utility approved trench from the Utility's point of connection to customer's point of delivery. The trench must follow the path defined by Utility Engineering Department.

B. The Utility shall furnish and install, at the customer's expense, the underground service cables and conduit. Conduit will be placed from the point of delivery on the customer's premises to the service entrance riser on the residence.

C. The commercial customer must have a qualified contractor install the service entrance conduit using Utility construction standards and Utility approved conduit and wire. These installations must be approved by the Utility Engineering Department prior to issue of the building permit. The installation must be inspected by Utility Engineering prior to backfilling the trench or installing secondary conductors.

E-2.07 NUMBER OF SERVICES

Only one service for each rate and/or voltage class under which the customer receives service will be installed and maintained by Utility for each customer at each service address.

Separate services may be installed for separate buildings or groups of buildings where necessary for the operating convenience of the Utility as provided for in the rules and rate Schedule or where required by law or ordinance.

Customer may apply for separate services to accommodate for lot splits in the future. Any additional costs for separate service shall be sole expense of the Customer.

E-2.08 SPECIAL SERVICES

- A. Premises for which arrangements are made for any special type of service (such as, but not limited to, three phase service to a residence, emergency, x-ray, welder, or transmitter service) shall be served only by underground connection where general service to the premises facilities to accommodate such service shall be made by the Utility at the customer's sole expense. Ownership of such additions shall remain with the Utility.
- B. Underground extensions shall not include the service line from the building to the supply terminal box at the customer's property line.

**RULES AND REGULATIONS
ELECTRIC (E)
RULE E-3
METER REQUIREMENTS - ELECTRIC**

E-3.01 GENERAL

Rule provides the requirements for meter installations for electric service including ownership, responsibility, and location of meters.

E-3.02 METER REQUIREMENTS

The customer will provide and maintain without cost to Utility sufficient and proper facilities for the installation of meters and other apparatus at an easily accessible location on or within the premises to be supplied with service and in accordance with the rules contained herein.

- A. All meters are the property of the Utility, installed by and under the control of the Utility. No person shall remove or tamper with a meter without written permission from Utility.
- B. Meter Locations:
The location of meters and metering equipment will be designated by Utility where such meters and equipment will be readily accessible at all reasonable hours for reading, testing, inspecting, and other maintenance purposes. No wiring dependent upon the meter location should be started until the location has been definitely assigned. Refer to Permit issued by Utility Engineering.
- C. General
 - 1) Meter sockets will be plumb and securely fastened to the building wall (at framing members).
 - 2) Meter sockets will be installed no less than fifty-four inches and no more than sixty inches above finished grade or permanent platform. Measurement is to centerline of meter socket.
 - 3) Meter sockets must NOT be installed under projections lower than seven feet to allow for reading and maintenance of equipment.
 - 4) A minimum of three feet of clear space must be left in front of the meter for reading.
 - 5) A minimum of two feet of clear space measured from any part of the meter socket to all conduits, pipe, walls, etc. must be maintained for servicing.
 - 6) Electric meters and CT cabinets will be located at least three feet in all directions from gas meters and regulators.
 - 7) All above-ground conduit on the line side of residential meters will be of a material as approved by Utility and as noted in the permit drawings; in all cases it will be rigid galvanized conduit or Schedule 80 PVC of a grade as indicated in the permit drawings and as required by Utility to meet the NEC. Commercial installations will be Rigid Galvanized Steel, IMC or EMT as allowed by the NEC.
 - 8) Outdoor Metering Locations:
Outdoor meters will not be installed where they will interfere with traffic, sidewalks, driveways, or where they will obstruct the opening of doors or windows, or in any location which may be considered hazardous or cause damage to the metering equipment.
 - 9) Indoor Metering Locations: Indoor meter installations are not permitted.

E-3.03 GREEN POWER REQUIREMENTS

Refer to E-6, Cogeneration and Small Power Producers for specific requirements of Green Power Meters.

E-3.04 SERVICE RELOCATES

For relocation services from one pole to another, if the meter base is moved, it is considered a new service and all fees apply for a new service.

**RULES AND REGULATIONS
ELECTRIC (E)
RULE E-4
RESPONSIBILITY FOR ELECTRIC EQUIPMENT**

E-4.01 GENERAL

Rule describes the Utility and customer responsibility for electric facilities.

E-4.02 UTILITY RESPONSIBILITY

A. The Utility is responsible:

- 1) For supplying electricity and maintaining the supply lines to the meter or weather head except as discussed in E-2.02 B.
- 2) For the installation and maintenance of meters, conductors in conduit and overhead lines.
- 3) For the maintenance, repairs and replacement of all Utility property.

E-4.03 CUSTOMER RESPONSIBILITY

A. The Customer shall be responsible:

- 1) For the electricity after it passes the electric meter.
- 2) For all electric equipment on load side of the meter.
- 3) For protection of the meter installation from damage.
- 4) For paying the cost of the electric service installation and providing trench in location specified by the Utility.
- 5) For payment for electrical service in accordance with the appropriate rate schedule.

**RULES AND REGULATIONS
ELECTRIC (E)
RULE E-5
INTERCONNECTION - CONNECTION WITH COGENERATION
AND SMALL POWER PRODUCERS**

E-5.01 GENERAL

The purpose of this rule is to provide for the purchase of energy from customers of the Utility meeting the interconnection requirements for Qualifying Facilities.

All interconnections with the electric distribution system require prior written approval by the Utility department of Engineering, the completion of the Interconnection Agreement (see Appendix I) and the payment of all applicable fees.

E-5.02 DEFINITIONS

As used in this rule, unless otherwise specified:

- A. "Qualifying Facility" means a cogeneration or a small power production facility which meets the criteria for qualification contained in 18 C.F.R. Section 292.203, or such other criteria as may be reasonably prescribed by rule by the Utility.
- B. "Customer" means a customer of Utility who owns or operates a Qualifying Facility.
- C. kW – Kilowatts is a measure of power: 1000 watts = 1 kW
- D. kWh – Kilowatt Hours is a measure of the consumption of energy. A 1 kW heater used over one hour will consume 1 kWh of energy.
- E. PV – Photovoltaic: PV system inverters and generators are sized according to the maximum power output they can produce in kW.
- F. AC – Alternating Current
- G. DC – Direct Current

E-5.03 PURCHASES OF ENERGY FROM CUSTOMER-OWNED QUALIFYING FACILITIES

Utility may purchase up to 6000 kW of capacity, in the aggregate, of solar, wind, or other renewable energy from customer-owned Qualifying Facilities within the service area of Utility.

The system maximum installed capacity for any individual residential location is limited to the capacity in kW sufficient to produce energy up to the level of total consumption of the residence based on actual consumption for the immediately preceding twelve months, using standard efficiency and availability calculations for the Los Alamos service area as defined by the Department, with a maximum allowed of 10 kW DC.

The system maximum installed capacity for any commercial location is limited to the capacity in kW sufficient to produce energy up to the level of total consumption of the customer based on actual consumption for the immediately preceding twelve months, using standard efficiency and availability calculations as defined by the Department, with a maximum allowed of 100 kW DC, if the capacity available on the transformer serving the customer is sufficient. For commercial customers upgrade of transformer capacity will be at the customer's expense.

The Customer shall submit system specifications which size the output of the PV system to offset existing average annual consumption. The customer can obtain this information from the utility bill or by calling customer service (505-662-8333). The utility will compare the previous annual consumption to the proposed production using the "PVWATTS" website (<https://pvwatts.nrel.gov/>) or an equivalent energy output estimation method.

E-5.04 PROCEDURE FOR INTERCONNECTION

- A. General. Unless otherwise specifically provided for in a special interconnection agreement negotiated with the Utility, the procedures for standard interconnection agreements and interconnections set forth in this rule shall be followed.
- B. Conditions of interconnection. Utility shall interconnect with any Qualifying Facility which:
 - 1) is covered by a signed standard or special interconnection agreement between the customer and Utility, which is consistent with the approved form of agreement set forth in this rule;
 - 2) is capable of operating safely and commencing the delivery of power into the Electric Utility's system, including but not limited to protection from over currents, fault currents, frequency disturbances, and voltage differentials;
 - 3) has met all applicable safety and performance standards established by local and national electrical codes, including the most recent National Electrical Code (NEC), the most recent National Electrical Safety Code (NESC), the Institute of Electrical and Electronics Engineers (IEEE), and Underwriters Laboratories, as well as all applicable safety and performance standards adopted by rule of the Utility that are necessary to protect public safety and system reliability;
 - 4) was constructed in accordance with a design that has been submitted to and approved by the Utility;
 - 5) has been installed by a licensed electrician who has obtained all required permits and inspections.
- C. Isolation transformers and disconnection switches. Utility shall not require an isolation transformer for interconnection of single phase photovoltaic Facilities meeting the requirements of Subsection B of this section. If Utility determines that an isolation transformer is required for other types of Qualifying Facilities, the Utility may require the transformer by providing written notice to the Customer at the time of application. The customer shall have installed and maintained in proper operating condition, at Customer's sole expense, a separate load break disconnect switch as a visible means of disconnection, unless the customer and Utility shall agree in writing to the use of the meter as a visible means of disconnecting single-phase photovoltaic facilities.
- D. Meters. A single reversible meter shall be used unless an alternate metering arrangement is agreed to by the customer and Utility. The register shall be used to measure the amount of energy delivered by the Utility to the customer and will reverse enabling measurement of the amount of energy which is produced by the Qualifying Facility and delivered to Utility. The customer shall be required to pay the cost of the required metering equipment with the exception of the meter. Within twenty (20) days of receiving notification from the customer of the intent to interconnect, the Utility will notify the customer of any metering costs. Charges for special metering costs shall be paid by the customer, or arrangements for payment agreed to between the customer and Utility, prior to the Utility authorizing interconnected operation.
- E. Liability insurance. Customers are urged to obtain adequate liability insurance to cover risks, liabilities, and consequences, which may arise as a result of interconnection with a utility system. For good cause shown, the Utility may require a customer to obtain general liability insurance.
- F. Provision of interconnection agreement. The Utility shall provide a standard interconnection agreement within ten (10) days of a request for such form. When a customer enters into an interconnection agreement pursuant to this rule, the Utility shall provide the customer with a copy of that interconnection agreement. Utility shall provide a blank form of application for interconnection within ten (10) days of a written request for such form. The Utility shall maintain a file of each interconnection agreement entered into by the Utility.

E-5.05 METERING CALCULATION

Utility shall calculate each customer's bill for the billing period using the standards and conditions stated in this section.

- A. Applicable rate. Customers shall be billed for service in accordance with the rate structure and monthly charges that the customer would be assigned if the customer had not interconnected a Facility with Utility's system, plus any incremental cost of required metering equipment. Energy produced or consumed on a monthly basis shall be measured in accordance with standard net metering practice. Power supplied to the customer will be billed at the customer's applicable rate under Utility's current rate schedule.
- B. Credit for excess energy. If electricity generated by the customer exceeds the electricity supplied by the Utility during a billing period, the Utility shall credit the customer through a balancing account for the excess kilowatt-hours of energy generated, by crediting the customer for the net energy supplied to the Utility. The rate paid or credited to the Customer will be the Utility's average cost for capacity and energy from the Los Alamos County Resource Pool for the previous year. The Customers balancing account shall be closed out annually and any funds owing to the Customer will be paid within 30 days.

E-5.06 COMPLAINTS AND INVESTIGATIONS

Any disputes over the implementation of this rule shall be addressed in accordance with dispute resolution procedures set forth in the rules governing service from Utility.

E-5.07 SEVERABILITY

If any part of this rule or any application thereof is held invalid, the remainder of this rule or its application to other situations or persons shall not be affected.

E-5.08 EXEMPTION OR VARIANCE

- A. Any interested person may file an application for an exemption or a variance from the requirements of this rule. Such application shall:
 - 1) describe the situation which necessitates the exemption or variance;
 - 2) set forth the effect of complying with this rule on the utility and its customers if the exemption or variance is not granted;
 - 3) identify the Section of this rule for which the exemption or variance is requested;
 - 4) describe the result which the request will have if granted;
 - 5) state how the exemption or variance will promote the achievement of the purposes of this rule; and,
 - 6) state why no other reasonable alternative is available.
- B. If the Utility determines that the exemption or variance is consistent with the purposes of this rule, the exemption or variance may be granted. The Utility may, at its option, require an informal conference or formal evidentiary hearing prior to the granting of the variance. All exemption or variance requests will be considered on an individual basis and the customer shall be responsible for all necessary system upgrade costs as determined by the utility.

E-5.09 REQUEST FOR STAY PENDING AMENDMENT, EXEMPTION, OR VARIANCE

A request for an amendment, exemption, or a variance from the requirements of this rule may include a request that the Utility stay the application of the affected portion of this rule for the transaction specified in the motion. Utility has the sole discretion to determine whether to grant a request for an amendment, exemption or variance or an accompanying request for a stay. In reviewing such request, Utility will not act unreasonably.

E-5.10 CUSTOMER INFORMATION

Utility will provide information to all customers regarding this rule, including, but not limited to, contact persons and a description of terms and conditions for purchases from Qualifying Facilities.

**RULES AND REGULATIONS
GAS (G)
RULE G-1
DESCRIPTION OF SERVICE**

G-1.01 GENERAL

This rule describes the nature of gas service in terms of availability, character of service and conditions of service.

G-1.02 AVAILABILITY

The Utility supplies natural gas service through its gas distribution system. Gas service is supplied for residential, commercial, and other customers within the County.

G-1.03 CHARACTER OF SERVICE

Unless otherwise specified by special agreement with the Utility, gas shall be delivered to all customers at a pressure at or about four (4) ounces per square inch gauge.

G-1.04 CONDITIONS OF SERVICE

All gas delivered to any customer will be used only on the premises where delivered except by special agreement.

**RULES AND REGULATIONS
GAS (G)
RULE G-2
SERVICE CONNECTIONS - GAS**

G-2.01 GENERAL

Rule provides specific requirements for connections for gas service.

G-2.02 POINT OF DELIVERY - DEFINED

- A. The "Point of Delivery" for gas delivered to any customer shall be at the outlet connection of the gas meter. The gas meter shall be located per Utility requirements.
- B. The "Service Line" for gas service is from the main to the gas meter.

G-2.03 REQUIREMENTS OF SERVICE CONNECTION

- A. The Customer is required to complete the Application for Service prior to any service connection in accordance with GR-10, Service Connections and Connection to Utility.
- B. Customer is required to pay the service installation and associated connection fees per the Fee Schedule.
- C. The Customer is required to call for location of underground Utility before excavation in accordance with GR-24, Utility Line Locates.
- D. The Utility shall furnish and install the service line, service cock, regulator and meter. Customer shall reimburse Utility for the cost of such installation and equipment in accordance with the Fee Schedule. The Utility shall operate and maintain the service line and meter set up to the point of delivery.
- E. No pipe shall be connected with the Utility's distribution mains that do not connect with the Customer's meter. Other than the customer's connection to the meter, no facilities of the Utility may be connected, disconnected, removed, repaired or altered, except by Utility's representatives.
- F. The cost, construction and remediation of the service trench will be the responsibility of the owner and will be excavated in compliance with the rules, regulations and standards of the Utility.

G-2.04 NUMBER OF SERVICES

- A. Customers occupying separate premises or quarters shall be supplied with individual service connections in accordance with this Rule, except as provided in Rule GR-10, Service Connection and Connection to Utility.
- B. A single meter and a single point of delivery may be used to supply a group of buildings pursuant to such terms and conditions as may be required and approved by the Utility.
- C. Customer may apply for separate service and pay all additional costs for a separate service.

**RULES AND REGULATIONS
GAS (G)
RULE G-3
METER REQUIREMENTS – GAS**

G-3.01 GENERAL

Rule provides the requirements for meter installations for gas service including ownership and location of meters.

G-3.02 METER REQUIREMENTS

- A. All meters are property of the Utility, installed by and under control of the Utility.
- B. The Utility's meters shall be located on the Customer's premises as near as possible to the point where the Customer's piping begins unless otherwise specified by the Utility.
- C. Alternate locations are acceptable if agreed to in writing by the Utility.
- D. The location shall be accessible at all times to the Utility's representatives for inspection, reading or testing of the Utility's meters and other facilities.
- E. All meters shall be located where they are not subject to damage and where they will be adequately ventilated. Owner shall ensure Customer keeps area around the gas meter riser shall be free of impermeable surfaces for a minimum of 12 inches from the riser in all directions.
- F. The Customer shall not permit anyone, other than authorized representatives of the Utility to adjust, repair, connect, disconnect or in any way change or affect the performance of the meter or other appliances of the Utility used in serving the premises.
- G. The installation, operation and maintenance of the connection between the meter and Customer owned piping is the responsibility of the Customer.
- H. Gas meters and other gas service equipment shall be accessible at all times in accordance with Rule GR-8, Right to Access Customers' Property.

**RULES AND REGULATIONS
GAS (G)
RULE G-4
RESPONSIBILITY FOR GAS EQUIPMENT**

G-4.01 GENERAL

Rule provides the Utility and customer responsibility for gas equipment.

G-4.02 UTILITY RESPONSIBILITY

- A. The Utility shall be responsible for:
- 1) The safe conduct and handling of the gas until it passes the meter.
 - 2) The installation and maintenance of its meter, service cock, regulator and related fittings.
- B. In the event a service line to the meter does not meet Department of Transportation requirements regulating gas distribution or is otherwise considered unsafe the Utility shall replace or repair the line.
- C. The Utility shall at any time and without charge, inspect where leaking gas or any other dangerous condition is suspected.

G-4.03 CUSTOMER RESPONSIBILITY

- A. The customer shall be responsible for:
- 1) The safe conduct, handling and use of the gas after it passes the meter.
 - 2) Providing the construction and remediation of the service trench per Los Alamos Utility standards
 - 3) The piping, fixtures, appliances, apparatus and appurtenances used in connections herewith, upon customer's property and at and from the meter.
 - 4) Installation, operation and maintenance of all piping, fixtures, appliances, and apparatus and appurtenances downstream of the meter at all times in conformity with applicable codes, and the requirements of the appropriate authorities.
 - 5) Installing and maintaining such protective devices as are required or appropriate to protect the customer's appliances or equipment during abnormal service conditions or the interruptions or failure of all or a part of the utility service provided by the Utility.
 - 6) Replacement or repair of any landscaping or hardscaping (hardscaping includes but is not limited to fencing, concrete pads and other structures) damaged during repair or replacement of the gas service line. Utility will make reasonable effort to minimize damages. The Utility has an implied easement for the service line.
- B. Before initiating gas services to the customer's premises, the customer shall provide proof satisfactory to the Utility that all the customer's pipes, fixtures, appliances, apparatus and appurtenances have been tested and found to be tight, free from leaks, and in good operating condition. Such proof shall be in the form of a certificate executed by an authorized State gas inspector, certifying that such pipes and appliances have been tested and found to be tight, free from leaks, and ready to use. For repairs made during non-working hours when the authorized gas inspector is not available, the Utility can in its discretion elect to accept a signed affidavit from a licensed plumber certifying that the pipes and appliances have been tested and found to be tight, free from leaks, and ready and turn gas on pending receipt of certification from an authorized gas inspector that inspection is completed. Failure by the Customer to provide the required certification within 7 days from the start or restart of service shall result in termination of the service in conformity with these Rules. For manufactured housing written certification from a licensed plumber certifying

that such pipes and appliances have been tested and found to be tight, free from leaks and ready to use will be accepted.

**RULES AND REGULATIONS
WATER (W)
RULE W-1
DESCRIPTION OF SERVICE**

W-1.01 GENERAL

Rule describes availability, character and conditions of water service.

W-1.02 AVAILABILITY

The Utility supplies water service through its water distribution system. Water service is supplied for residential, commercial, and other customers within the Utility service area.

W-1.03 CHARACTER OF SERVICE

Utility shall deliver water to all customers at a pressure range of forty (40) to ninety (90) pounds per square inch gauge, insofar as is practical.

W-1.04 CONDITIONS OF SERVICE

No resale of water for profit is allowed pursuant to the Los Alamos County Code of Ordinances and GR-23 Limitation and Restrictions of Use.

**RULES AND REGULATIONS
WATER (W)
RULE W-2
SERVICE CONNECTIONS - WATER**

W-2.01 GENERAL

Rule provides specific requirements for water service connections.

W-2.02 POINT OF DELIVERY - DEFINED

- A. The "Point of Delivery" for water service is the outlet side of the water meter. The meter is typically located at the property line.
- B. The "Delivery Line" for water service is from the water main to the inlet of the meter. Where the water service meters are installed in close proximity to the dwelling or other establishment, the cost, operation and maintenance of that portion of the Delivery Line, which extends across the property line. to the meter is the responsibility of the property owner.
- C. The "Service Line" for water is from the meter to the residence or commercial establishment.

W-2.03 REQUIREMENTS OF SERVICE CONNECTION

- A. The customer is required to complete the application for service and make required payment to the Utility prior to any connection in accordance with GR-10 Service Connections and Connection to Utility.
- B. The customer is required to pay the associated connection fees for the installation in accordance with the applicable Fee Schedule.
- C. The customer is required to call the Utility for location of underground Utility before excavation in accordance with GR-24, Utility Line Locates.
- D. The Utility will furnish and install the tap to the main, delivery line, meter box, and meter at the sole expense of the customer in accordance with the applicable Fee Schedule. The customer, at their own sole expense, shall furnish, install, and maintain all other pipe, tubing, fittings and connections between the meter and the place of consumption.
- E. Un-metered connections to the Utility system are prohibited. Facilities of the Utility may not be disconnected, removed, repaired, or altered, except by the Utility's representatives.
- F. Customer may install a temporary service connection as desired, utilizing a frost-proof hydrant no less than 24 inches from the meter. The isolation valve in the meter box shall not be operated by the customer. If an isolation valve is necessary for the customer's temporary service, a new valve located not less than 24 inches from the meter box must be installed.
- G. No connections other than service line shall be made directly within the meter box.

W-2.04 NUMBER OF SERVICES

- A. Customers occupying separate premises or quarters shall be supplied with individual service connections in accordance with this rule, except as provided in Rule GR-10, Service Connection and Connection to Utility.
- B. A single meter and a single point of delivery may be used to supply a group of buildings as approved by the Utility.

- C. Customer may apply for a separate service. Any additional costs for the separate service shall be recovered by the Utility.

**RULES AND REGULATIONS
WATER (W)
RULE W-3
METER REQUIREMENTS – WATER**

W-3.01 GENERAL

Rule provides the requirements for meter installations for water service including ownership and location of meters.

W-3.02 METER REQUIREMENTS

- A. All meters are the property of the Utility, installed by and under control of the Utility.
- B. The Utility's water meters shall generally be located at the customer's property line within the Customer's property.
- C. Alternate locations are acceptable if agreed to in writing with the Utility. However, the owner is always responsible for all water piping located on his or her property.
- D. The location shall be accessible at all times to the Utility's representatives for inspection, reading, maintenance or testing of the Utility's meters and other facilities in accordance with GR-8, Right to Access Customer Property.
- E. All meters shall be located where they are not subject to damage.
- F. No person shall move, tamper, connect, or disconnect meter equipment or gain access into the meter enclosure.
- G. The customer shall not permit anyone, other than authorized employees of the Utility to adjust, repair, connect, disconnect or in any way change or affect the performance of the meter or other appliances of the Utility used in serving the premises.
- H. At customer request Utility will move any meter. The Utility will move the meter at customer's sole expense in accordance with the applicable Fee Schedule to a location where it is accessible to the Utility. If the Utility is required to move the meter, the customer will pay the full costs for the relocation services.
- I. Except as otherwise provided in this Rule, Utility initiated meter relocations shall be paid for by the Utility.

**RULES AND REGULATIONS
WATER (W)
RULE W-4
RESPONSIBILITY FOR WATER FACILITIES**

W-4.01 GENERAL

Rule describes the Utility and customer responsibility for water facilities.

W-4.02 UTILITY RESPONSIBILITY

A. Except as otherwise provided in these Rules, the Utility shall be responsible:

- 1) For the water until it passes the point of delivery.
- 2) For the installation and maintenance of the tap, delivery line, meter, isolation valves, related fittings and meter box.
- 3) For the maintenance, repairs and replacement of all Utility property.

W-4.03 CUSTOMER RESPONSIBILITY

A. The Customer shall be responsible:

- 1) For the water after it passes the point of delivery.
- 2) For all piping on private property except meter, isolation valves and related fittings.
- 3) For protection of the meter installation from damage.
- 4) For paying the cost of the water service installation by the Utility.
- 5) Excavation for meter box

B. Except as otherwise provided in these Rules, the customer is responsible for maintenance, repair, and replacement of all piping, fixtures and appliances occurring upon customer's premises from the point of delivery.

C. Where the water service meters are installed in close proximity to the dwelling or other establishment, and the Delivery Line extends across the property line, the cost for maintenance and replacement for that portion of the Delivery Line from the property line to the meter is the responsibility of the property owner.

**RULES AND REGULATIONS
WATER (W)
RULE W-5
FIRE HYDRANTS**

W-5.01 GENERAL

Rule describes the use of fire hydrants.

W-5.02 USE OF FIRE HYDRANTS

- A. In order to assure proper operation of fire hydrants, no water shall be drawn through fire hydrants for any other purpose than fire protection, except as provided by this Rule and in accordance with Rule GR-9, Temporary Service.
- B. Fire hydrants may be used for temporary construction purposes if approved by the Utility and with the use of a Utility issued meter paid for per the applicable Fee Schedule.
- C. Customer must provide adequate backflow prevention approved by the Utility.
- D. Customer shall be responsible for damages to meter or fire hydrant due to improper use.

**RULES AND REGULATIONS
WATER (W)
RULE W-6
BACKFLOW PREVENTION AND CROSS-CONNECTIONS**

W-6.01 GENERAL

Rule provides backflow prevention and cross-connection requirements for water service. State and Federal regulations governing water supplies and piping systems stipulate that no connection shall be permitted between the public water supply system and any other water source not regulated by those regulations unless the public water system is protected by a backflow prevention assembly or physical separation approved by the Utility.

W-6.02 REFERENCE

- A. Manual of Cross-Connection Control, ^{latest} edition, Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California.
- B. American Water Works Association Standards, latest edition.
- C. Uniform Plumbing Code, latest edition.

W-6.03 PURPOSE

- A. The purpose of this rule is to:
 - 1) To protect the potable water supply and prevent the backflow of contaminants and pollutants into the Utility water supply system.
 - 2) To promote the elimination or control of existing cross-connections, actual or potential, with a customer's internal potable water system, plumbing fixtures and industrial piping systems.
 - 3) To provide a continuing Program of Cross-Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water systems.

W-6.04 RESPONSIBILITY

- A. The Utility shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the sole judgment of the Utility an approved backflow prevention assembly is required (at the customer's water service connection or within the customer's private water system) for the safety of the water system, the Utilities Manager or his designated agent shall give notice in writing to the customer to install such an approved backflow prevention assembly(s) at a specific location (s) on customer premises. The customer shall immediately install such an approved backflow prevention assembly at the customer's own expense; and failure, refusal, or inability on the part of the customer to install, test, and maintain the assembly(s) shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.
- B. The customer shall modify his system by proper installation of a backflow prevention assembly at the customer's sole expense, according to the requirements of these rules. The Utility shall inspect the work in progress. When the work is completed, the customer shall notify the Utility for inspection of the system. If the modifications required have been correctly made, in the sole determination of the Utility, the procedures specified in this rule shall be followed. If the assembly has not been correctly installed or completed the Utility shall notify the customer in writing, listing the deficiencies found. The Utility shall discontinue water service from the public water supply if the Utility requirements are not met.

- C. The Utility and its authorized representatives, shall not assume liability for any damage, or loss of revenue or income, that shall accrue to persons or property as a result of any act, or by reason of any omission in the discharge of the duties and responsibilities afforded by this rule.
- D. This rule shall not be construed to relieve or lessen the responsibility of any customer for any damages to persons or property caused by defects or cross-connections, nor shall the Utility or their authorized representative be deemed to have assumed such liability by reason of the performance of the inspections or testing authorized by this rule.
- E. The Utility shall suspend water service if it is discovered that any person willfully damaged, bypassed, impaired or rendered ineffective any required backflow prevention assembly or physical separation installed at the service connection to any premise or within a premise.

W-6.05 DEFINITIONS

- A. Approved – This term as herein used in reference to an air gap, a double check valve assembly, a reduced pressure principle backflow prevention assembly or other backflow prevention assemblies or methods shall mean an approval by the Utility.
- B. Backflow- This term shall mean the reversal of the flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable supply of water from any source or sources.
- C. Backpressure- This term shall mean the elevation of pressure in the downstream piping system (by pump, elevation of piping, or steam and or air pressure) above the supply pressure at the point of consideration, which would cause, or tend to cause a reversal, of the normal direction of flow.
- D. Backsiphonage- This term shall mean a form of backflow due to a reduction in system pressure, which causes a subatmospheric pressure to exist at a site in the water system.
- E. Backflow Preventer- An assembly or means designed to prevent backflow
 - 1) Air gap- This term shall mean a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel.
 - 2) Reduced Pressure Principle Backflow Prevention Assembly (RPA)- This term shall mean an assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located resilient seated test cocks and tightly closing resilient seated shutoff valves at each end of the assembly. The assembly is designed to protect against a non-health (i.e. pollutant) or health hazard (i.e. contaminant). This assembly shall not be used for back flow protection of sewage or reclaimed water.
 - 3) Double Check Valve Backflow Prevention Assembly (DCVA)- This shall mean an assembly composed of two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. This assembly shall only be used to protect against a non-health hazard (i.e. pollutant).
 - 4) Pressure Vacuum Breaker Assembly (PVB): This term shall mean an assembly containing an independently operating, loaded check valve and an independently operating, loaded air inlet valve located on the discharge side of the check valve. The assembly shall be equipped with properly located test cocks and tightly closing shutoff valves located at each end of the assembly.
- F. Approved Backflow Prevention Assembly: This term shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled *AWWA/ANSI C510-92, Standard for Double Check Valve Backflow Prevention*

Assemblies and AWWA/ANSI C511-92, Standard for Reduced Pressure Principle Backflow Prevention Assemblies or any successor standards.

- G. Cross- Connection- This term shall mean any unprotected actual or potential connection or structural arrangement between a public or consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable water system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary or permanent devices because of which backflow can or may occur are considered to be cross-connections.
- 1) The term "direct cross-connection" shall mean a cross-connection which is subject to both back siphonage and backpressure.
 - 2) The term "indirect cross-connection" shall mean a cross-connection which is subject to back siphonage only.
- H. Hazard means the risk created by contamination or pollution resulting from a cross-connection or the absence or lack of a backflow prevention assembly.
- 1) Hazard- Contamination- means a threat of contamination, to the public potable water system or the customer's water system to a degree, which creates a hazard to public health.
 - 2) Hazard- Pollutational- means a threat of pollution to the public or customer potable water system, which would not create a hazard to public health, but renders the potable water aesthetically unacceptable.
 - 3) Hazard- System- means a threat of severe damage to the physical properties of the municipal water system or the customer's potable water system, or a threat of pollution or contamination, which would have a protracted effect upon the potable quality of the water in either system.

W-6.06 REQUIREMENTS

- A. The water system shall be made up of two parts:
- 1) Utility's System- This shall consist of the source facilities including all the components of production, treatment, storage and the distribution system including the network of conduits used for the delivery of water from the source to the customer's system which are under control of the Utility, up to the location at which the Customer's system begins.
 - 2) Customer's System- This shall include all other parts of the facilities beyond the termination of the Utility's distribution system that are utilized in conveying potable water.
- B. Policy
- 1) No water service to any premise shall be installed or maintained by the Utility unless the water supply is protected as required by local, state and federal laws and regulations and as required by these Utility Rules and Regulations. Service of water to any premise shall be discontinued by the Utility if a backflow prevention assembly required by these Rules is not installed, tested, and maintained, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
 - 2) The customer's system shall be open for inspection at all reasonable times to authorized representatives of the Utility or other jurisdictions to determine whether un-protected cross-connections or other hazards, including violations of these rules, or any applicable local, state or federal law, exist. This will also include the right to test any installed approved Backflow Prevention assembly. When such a condition becomes known, the Utility shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the consumer has corrected the condition(s) in conformance with all regulations and statutes relating to plumbing and water supplies.
 - 3) An approved backflow prevention method in accordance with the latest edition of the Manual of

Cross- Connection Control shall be utilized or installed at every service connection to a customer's water system or at any usage point in the water system when the Utility determines in its sole discretion that the potable water supplied by the public potable water system may be subject to contamination, pollution or other deterioration in sanitary quality from conditions within the customer's water system. If the Utility determines, after inspection of the customer's system, that a backflow prevention assembly more restrictive than that required by these rules is needed to provide adequate protection of the public potable water supply from the degree of hazard potential by the customer's water system, the Utility may, at its sole discretion, require the customer's system be modified as needed at the Customer's expense.

- 4) The backflow prevention method to be utilized or installed shall be determined by the Utility. The method required by the Utility shall be sufficient to protect against the potential degree of hazard to the public potable water supply from the customer's water system.
- 5) Any backflow prevention assembly required herein shall be a make, model and size approved by the Utility. Any backflow prevention assembly must have met the laboratory and field performance specifications by the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established in Specifications of Backflow Prevention Assemblies- Section 10 of the *Manual of Cross-Connection Control*. Backflow prevention assemblies must have a manufacturer's parts and service center located within a 150-mile radius. Testing laboratories shall be qualified by the Utility.
- 6) Backflow preventers which may be subjected to backpressure or backsiphonage that have been fully tested and have been granted a Certificate of Approval by a qualified laboratory and are listed on the laboratory's current list of approved back flow prevention assemblies may be used without further qualification.
- 7) It shall be the duty of the customer at any premise where backflow prevention assemblies are installed to have a field test performed by a certified backflow prevention assembly tester upon installation and at least once per year thereafter. In those instances where the Utility deems the hazard to be great enough the Customer may be required to have field tests at more frequent intervals. These tests shall be at the sole expense of the Customer and shall be performed by Utility personnel or by a certified tester approved by the Utility. The customer shall notify the Utility in advance when the tests are to be undertaken so that a Utility representative may witness the field tests if so desired. These assemblies shall be repaired, overhauled or replaced at the expense of the customer whenever the assemblies are found to be defective. Records of such tests, repairs and overhaul shall be kept by the Customer and provided to the Utility.
- 8) All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the testing and maintenance requirements, be excluded from the requirements of the rules provided that the Utility is assured with documentation provided by Customer that they will satisfactorily protect the Utility's system. Whenever the existing device is moved from the present location or requires more than minimum maintenance or when the Utility finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.
- 9) The Utility reserves the right to take any and all authorized enforcement actions, including the pursuit of its legal remedies and disconnection of service.

W-6.07 BACKFLOW PREVENTION METHODS REQUIRED

A. Whenever activities which the Utility determines constitute a potential hazard are conducted on premises served by the public potable water system, back flow prevention methods or assemblies of the type recommended by the *Manual of Cross-Connection Control* published by the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California must be utilized or installed at each service connection for that premises.

B. IRRIGATION SYSTEMS

- 1) All irrigation sprinkler systems connected to the Utility lines shall be connected in accordance with these rules. Such connections with necessary equipment to prevent back flow shall guarantee that in the event of reduced pressure, irrigation water shall not enter the water system.
 - 2) The customer shall maintain all vacuum breakers and back flow prevention equipment in good working condition.
- C. When two (2) or more activities with a potential hazard are conducted on premises served by the public potable water system and served by the same service connection, the most restrictive backflow prevention method required for any of the activities conducted on the premises shall be utilized or installed at the service connection. The order of most restrictive to least restrictive backflow prevention methods shall be as follows:
- 1) Air gap (most restrictive).
 - 2) Reduced Pressure principle assembly (RPA).
 - 3) Double check valve assembly (DCVA).
 - 4) Pressure vacuum breaker assembly (PVB) (least restrictive).

W-6.08 BACKFLOW ASSEMBLY INSTALLATION REQUIREMENTS

- A. Backflow prevention assemblies shall be installed by the customer, at the customer's sole expense and in compliance with the standards and specifications adopted by the Utility.
- B. The backflow assembly shall be in an accessible location approved by the Utility and installed in accordance with manufacturer recommendations.
- C. When a customer desires a continuous water supply, two (2) backflow prevention assemblies shall be installed parallel to one another at the service connection to allow a continuous water supply during testing of the backflow prevention assemblies. When backflow prevention assemblies are installed parallel to one another, the sum of the cross-sectional areas of the assemblies shall be at least equal to the cross-sectional area of the service connection.
- D. No customer shall alter, modify, bypass or remove a backflow prevention method without the written approval of the Utility.

W-6.09 INSTALLATION OF BACKFLOW PREVENTION ASSEMBLIES FOR FIRE SYSTEMS

All fire protection systems require back flow prevention devices per the Manual of Cross Connection and American Water Works Association Manual M14, most current editions.

W-6.10 TEST, MAINTENANCE, RECORDS

- A. The customer shall test and service backflow prevention assemblies at least once a year. If in the opinion of the Utility, the testing reveals the assembly to be defective or in unsatisfactory operating condition, the customer shall promptly perform any necessary repairs, including replacement or overhaul of the assembly, if necessary, which will return the assembly to satisfactory operating condition. The customer shall be responsible for all costs incurred to repair the backflow assemblies.
- B. If the Utility or a customer learns or discovers, during the interim period between tests, that an assembly is defective or in unsatisfactory operating condition, the customer shall promptly perform any necessary repairs, including replacement or overhaul of the assembly, if necessary, which will return the assembly to satisfactory operating condition. The customer shall be responsible for all costs incurred to repair the backflow assembly.

- C. Testing shall be performed by an individual approved by the Utility. Approval issued to a backflow prevention assembly tester may be revoked or suspended for improper testing, maintenance, reporting or other improper practices.
- D. The Customer shall maintain records, on forms approved by the Utility, of the results of all tests and all servicing, repairs, overhauls or replacements of the backflow prevention assembly. A copy of the records shall be promptly submitted to the Utility after completion of the activity for which the record is made. The Customer must maintain such records for a period not less than five (5) years.
- E. Fire systems shall not be out of service for more than eight (8) consecutive hours due to testing, maintenance or repairs. The fire department shall be notified immediately of any changes in fire service status.

W-6.11 MANUAL OF PROCEDURES

Copies of the Los Alamos County Utility "Manual of Procedures" for back flow prevention compliance and testing may be obtained from the Utility. The manual provides general definitions of conditions relevant to Backflow and cross-connections, guidelines for the location and installation of approved backflow prevention assemblies or the use of an air gap, and includes precise, step-by-step instructions for those assemblies requiring systematic and periodic testing to insure that they operate satisfactorily. This manual is incorporated by reference.

W-6.12 FEES

Fees are assessed in accordance with Fee Schedule.

**RULES AND REGULATIONS
WATER (W)
RULE W-7
PRIVATE WATER WELLS**

W-7.01 GENERAL

Rule describes the requirements for private water wells.

W-7.02 REFERENCE

- A. Manual of Cross-Connection Control, ^{Latest} Edition, Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California.
- B. Uniform Plumbing Code

W-7.03 PURPOSE

- A. Water – For any private water wells drilled within the County boundaries, the following requirements shall be met:
 - 1) Private water wells cannot be inter-connected in any way to the Utility's water distribution system.
 - 2) Metering of private water wells is required if the resident is connected to the County sewer system. The meter will be read in accordance with provisions of GR-8.
 - 3) No other customers may be connected to the private water well.

**RULES AND REGULATIONS
WATER (W)
RULE W-8
WATER CONSERVATION**

W-8.01 GENERAL

Rule provides requirements for the conservation of produced water within Los Alamos County.

W-8.02 REFERENCE

N/A

W-8.03 DEFINITIONS

- A. The following words, terms and phrases, when used in this rule, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- 1) Produced water means potable water sold to customers of the Department for private consumptive purposes.
 - 2) Gray water means household wastewater other than from water closets and kitchen sinks.
 - 3) Non-potable water means water sold to customers of the Department for industrial, irrigation and other purposes not involving direct human consumption.
 - 4) Reuse Water means effluent from a wastewater treatment plant operated by the Department that is released for non-potable purposes.
 - 5) Irrigation includes sprinkler systems, drip systems and watering with a hose. Irrigation does not include watering from a watering can.
 - 6) Water waste means the wasteful use of produced water, including but not restricted to:
 - a. Produced water applied to landscape in such a manner, rate and/or quantity that it overflows the landscaped area being watered and runs onto streets;
 - b. Produced water applied to landscape which leaves a sprinkler, sprinkler system, or other application device in such a manner or direction as to spray onto streets;
 - c. Application of produced water to landscape at prohibited times;
 - d. Washing of vehicles, equipment, or hard surfaces such as parking lots, aprons, pads, driveways, or other surfaced areas when produced water is applied in sufficient quantity to flow from that surface onto streets; and without the use of an automatic shutoff nozzle.
 - e. Failing to repair a leak in a system which delivers produced water within five (5) working days of the discovery of same;

W-8.04 WATER WASTING PROHIBITED

No person, firm, corporation, county, school, state facility or operation shall cause or allow to occur water waste. In general the occurrence of an unforeseeable or unpreventable failure or malfunction of plumbing and irrigation system hardware shall not be deemed a violation of this rule unless and until formal warning notice has been issued. This does not apply to personnel of the County Fire Department engaged in the operation, maintenance or testing of any fire protection system or water used in construction activities.

W-8.05 WATER CONSERVATION

The following water conservation measures shall be in effect during the period between May 1 and September 30 at the times specified. No person, business, or institution shall use any produced water in violation of any provision of this section.

- A. Outdoor use of water for irrigation of grass, trees, plants or other vegetation, including outdoor potted vegetation shall be prohibited between the hours of 10:00 a.m. and 5:00 p.m.
- B. Outdoor use of water for irrigation of grass, trees, plants or other vegetation, including outdoor potted vegetation shall be determined as follows:
 - 1) Users with odd numbered addresses shall be permitted to use water in the above manner on each Wednesday, Friday and Sunday.
 - 2) Users with even numbered addresses shall be permitted to use water in the above manner on each Tuesday, Thursday and Saturday.
 - 3) Watering in the above manner shall be prohibited on each Monday.
 - 4) In case of corner buildings having both odd and even numbers, the number carried on the books of the Department shall control.
- C. Areas watered using reuse or non-potable water, gray water or water from a private well are exempted from these restrictions. These conservation measures shall not apply to any person, firm, or corporation engaged in the business of growing plants for sale or newly planted vegetation for a period of up to 1 month.

**RULES AND REGULATIONS
SEWER (S)
RULE S-1
DESCRIPTION OF SERVICE**

S-1.01 GENERAL

Rule describes the availability, character, and conditions of sewer service.

S-1.02 REFERENCE

Los Alamos Code of Ordinances, Section 40, Article IV Sewer Use.

S-1.03 AVAILABILITY

The Utility provides for disposal of permitted waste and sewage from customers connected to its sewer facilities. Sewer service is supplied for residential, commercial, and other customers within the County.

S-1.04 CHARACTER OF SERVICE

The Utility shall accept all permitted sewer wastes in accordance with the Los Alamos County Code of Ordinances, Section 40 requirements. In general, such wastes shall be those normally obtained from the sewer lines of a home or building and are treatable in the Utility's treatment plants without interfering with the treatment process.

S-1.05 CONDITIONS OF SERVICE

Conditions of service are per Los Alamos County Code of Ordinance, Section 40, Article IV, Sewer Use.

**RULES AND REGULATIONS
SEWER (S)
RULE S-2
SERVICE CONNECTIONS - SEWER**

S-2.01 GENERAL

Rule provides specific connection requirements for sewer service.

S-2.02 REFERENCE

- A. Los Alamos County Code of Ordinances, Section 40, Article IV Sewer Use.
- B. Uniform Plumbing Code, latest edition

S-2.03 RESIDENTIAL SEWER SERVICE LINE

For a service pipeline with no property line cleanout, the "Service Line" for sewer service is the sewer line from the main to the house. For a service pipeline with a property line cleanout approved by the Utility, the "Service Line" for sewer service is the sewer line from the property line cleanout to the house, and the "Delivery Line" for sewer service is the sewer line from the main to the property line cleanout. The property line cleanout is installed by the customer and approved by the Utility. The property line cleanout and delivery line are owned by the Utility. The service line is installed and owned by the customer.

S-2.04 REQUIREMENTS OF SERVICE CONNECTION

- A. All sewer service connections shall be installed in accordance with Los Alamos Code of Ordinances, Section 40, Article IV Sewer Use, and the Uniform Plumbing Code, latest edition.
- B. The customer shall submit an application for service together with the required payment prior to any connection in accordance with GR- 6, Application for Service.
- C. The customer shall pay the associated connection fees for the installation.
- D. The customer shall call for location of underground Utility before excavation in accordance with GR-24, Utility Line Locates.
- E. Sewer service and trenching must be inspected and approved in its entirety by Utility Engineering prior to backfilling the trench. Customer shall be required to re-excavate the service if backfilled prior to Utility inspection and approval. Utility may disconnect water until the re-excavation takes place.
- F. The connection into the sewer main shall be installed by the Utility.
- G. The customer may be required to install a flow meter, lift station or other apparatus if deemed necessary by the Utility after the service request is assessed.
- H. New service installations require a cleanout to the main at the property line. Additionally if any portion of the residence drain-waste-vent system is below the level of the upstream manhole on the sewer main a backwater valve or similar device is required.

Upon connection to the Utility, on-site wastewater treatment/disposal systems shall be rendered incapable of future use in compliance with applicable local, state and federal regulations and LAC 40-243, Private sewage disposal. Exception- Gray water holding and irrigation systems are expressly allowed.

S-2.05 NUMBER OF SERVICES

- A. Customers occupying separate premises or quarters shall be supplied with individual service connections in accordance with this rule, except as provided in Rule GR-10, Service Connection and Connection to Utility.
- B. In general, one sewer service line is allowed for each dwelling. Multiple dwelling units (up to four units) require separate service lines.
- C. A main extension with manholes of appropriate size is required for properties with more than four (4) dwelling units.
- D. Customer may apply for separate services to accommodate future lot splits. Additional costs for separate services shall be recovered by the Utility from the Customer.

S-2.05 COMMERCIAL SEWER SERVICES

- A. Commercial sewer service lines six inches in diameter or greater shall terminate in a main line manhole at Customer sole expense.
- B. Traps and interceptors as required by the Utility shall be installed per Uniform Plumbing Code, latest edition at customer sole expense.

**RULES AND REGULATIONS
SEWER (S)
RULE S-3
RESPONSIBILITY FOR SEWER FACILITIES**

S-3.01 GENERAL

Rule provides the Utility and Customer responsibility for sewer equipment.

S-3.02 UTILITY RESPONSIBILITY

- A. The Utility shall be responsible for the installation, repair, maintenance and replacement of sewer mains.
- B. Upon a customer's request, the Utility shall provide maintenance and cleaning services of a customer's delivery line from the property line cleanout to the main at no charge to the customer, if an accepted property line clean-out exists at the time of the request.
- C. All sewer main taps will be performed by the Utility and charged to the customer.

S-3.03 CUSTOMER RESPONSIBILITY

- A. The Customer shall be responsible for:
 - 1) The installation, repair, replacement and maintenance of the service line and connection to the sewer main stub out at the property line.
 - 2) Installation of the service line to the main if no stub out exists.
- B. Service lines from the property line to the main if there is no property clean out. Service line taps of this type needing replacement or repair will be replaced by the Utility and charged to the customer. If there is a property line clean out the Utility is responsible for the tap and the line between the tap and the property line clean out.

If a customer elects to install a property line cleanout in an existing service line, the Utility GWS (Gas Water and Sewer) management must inspect the tap and stub out and provide a written acceptance of those components prior to taking over responsibility for them.

- C. The customer is responsible for cleaning out service lines to the sewer main except as provided in Section S-3-02.B above.
- D. For existing service where the owner requests the utility to maintain the service line between the property line and the main the utility will install the property line cleanout plus a back water valve if required at customer expense.

**RULES AND REGULATIONS
SEWER (S)
RULE S-4
SEWER TRAPS AND INTERCEPTORS**

S-4.01 GENERAL

Rule provides requirements for installation of traps and interceptors to prevent fats, oils, grease, sand and other harmful substances from entering the sewer collection system to protect the sewer collection and treatment facilities.

S-4.02 REFERENCES

- A. Los Alamos County Code of Ordinances, Section 40, Article IV Sewer Use.
- B. Uniform Plumbing Code (UPC)- Latest Edition

S-4.03 REQUIREMENTS

- A. Except as provided in subsection B, below, sewer traps and interceptors shall be provided by the Customer and maintained by the customer at the Customer's sole expense when determined by the Utility to be necessary for the proper handling of liquid waste containing fats, oil and grease, flammable wastes, sand or other harmful substances.
- B. Sewer interceptors and traps are not required for individual private dwelling quarters.
- C. Interceptors and traps shall be of a type and capacity approved by the Utility and meeting the UPC requirements.
- D. Interceptors and traps shall be located for easy and readily accessible cleaning and inspection by the Utility.
- E. Sewer interceptors and traps shall be installed in all service stations, car washes, garages, restaurants, or any other facilities where discharge of fats, oil and grease, flammable wastes, sand or other harmful substances as determined by the Utility is expected.
- F. Interceptors and traps shall be maintained in efficient operating condition, by periodic removal of accumulated materials. At no time during the cleaning or operation process shall substances collected by the interceptors and traps be introduced into a drain or other fixtures that are connected to the public sewage collection system. User is responsible for proper disposal of accumulated materials.

**RULES & REGULATIONS
SEWER (S)
RULE S-5
PRIVATE SEWAGE DISPOSAL**

S-5.01 GENERAL

Rule provides requirements for the proper disposal and treatment of sewage from private sewage systems.

S-5.02 REFERENCES

- A. Los Alamos County Code of Ordinances, Section 40, Article IV Sewer Use.

S-5.03 DEFINITIONS

- A. Chemical Toilet Waste shall mean any sanitary waste from portable or one door movable sanitary facilities. None of these shall contain industrial waste, toxic waste, radiological waste or hazardous waste as defined in Resource Conservation and Recovery Act (RCRA, 40 CFR, 122 & 403) or any recodification or revision thereto.
- B. Septic tank waste shall mean any sanitary waste from residential and commercial septic tanks. None of these wastes shall contain wastes excluded in the definition contained in chemical toilet waste.
- C. Septage shall mean the mixture of domestic sludge and wastewater removed during the pumping of a septic tank used in the treatment of residential and commercial waste discharges, (sand, grit and grease from traps or industrial waste from holding tanks is not considered septage).
- D. User shall mean any person permitted to discharge septic tank waste, chemical toilet waste, sand trap waste and grease trap waste to an approved area.

S-5.03 APPLICABILITY

- A. This rule applies to private sewage disposal systems where the building sewer is not connected to a public sanitary sewer.
- B. In accordance with LAC Sec. 40-243, Private sewage disposal.
- C. This rule shall not apply to recreational vehicles.

S-5.04 REQUIREMENTS

- A. Private sewage disposal requirements are in accordance with LAC Sec. 40-243, Private sewage disposal.
- B. All septage waste shall be hauled and disposed by septage haulers according to these rules.
- C. All septage waste shall be disposed of at an approved septage disposal area.
- D. User shall dispose of chemical toilet waste at the Utility's wastewater treatment facility or other state, county, or federal approved facility or disposal area.

S-5.05 PERMITTING REQUIREMENTS

- A. The permittee shall be required to complete all information on the Manifest before discharging waste, and to certify the accuracy of all information pertaining to waste discharges to be made at the Utility wastewater treatment plant.
- B. Each permittee shall be responsible for obtaining a trip manifest report from the septage disposal facility prior to discharging any waste. The manifest shall record the following:
 - 1) The name and address of waste hauler;
 - 2) The waste haulers permit number;
 - 3) The date the waste was received from producer;
 - 4) The name and address of producer;
 - 5) The origin of waste (address);
 - 6) The type of waste (residential, commercial);
 - 7) The quantity of wastes (gallons);
 - 8) The signature of hauler (certifies the origin, type, quantity, and producer address on manifest are correct and true).
- C. The producer of the waste shall certify the type of waste in accordance with applicable State and Federal Requirements.

**RULES AND REGULATIONS
SECTION SUBDIVISIONS (SD)
RULE SD-1
SUBDIVISION & SITE PLAN DEVELOPMENT PROCESS**

SD-1.01 GENERAL

Rule provides the general and specific requirements and processes for development of subdivisions and site plans that will use County utility systems (water, sewer, electric power and gas).

SD-1.02 REFERENCE AND DEFINITIONS

- A. Los Alamos County Code of Ordinances, Chapter 16 - Development Code.
- B. **Subdivision** – (minimum definition above a summary plat procedure) any division of a single parcel, which creates three or more new parcels and/or requires the construction of a new road.
- C. **IDRC** – Inter-Departmental Review Committee; consists of staff member representatives from the various Los Alamos County Departments. Staff members review subdivision plans and make recommendations based on standardized institutional and operational criteria to the Planning and Zoning Commission.
- D. **Sketch Plat Plan** – an informal submittal for review of a conceptual plan that demonstrates the subdivision plat and may include the plans for public infrastructure improvements.
- E. **Preliminary Plat** – a formal submittal to the Community Development Department (CDD), which delineates the new subdivision parcels and demonstrates the plan for public infrastructure improvements. The public infrastructure improvements are assumed to be in a preliminary plan stage and will not be overly scrutinized for engineering requirements and etc.
- F. **Final Plat / Site Plan** – a formal submittal for a final review by the IDRC of parcel platting and the final plan for public infrastructure improvements. The final plat will be recorded with the County Clerk's office upon approval by the P & Z. The public infrastructure improvements will be designed by a registered professional engineer in the state of New Mexico, and will satisfy the Publics Works Engineering Department, as well as the Utility Engineering Department.
- G. **Easement** – a grant of use of land for a specific purpose, by the owner of the property to another person.
- H. **Right-of-way**- total area of land deeded, reserved by plat or otherwise acquired or occupied, used or intended to be used by the county or state, primarily for the public movement of people, goods and vehicles. Public right-of-way may be used for other public purposes.

SD-1.03 GENERAL REQUIREMENTS

- A. A Subdivision Application packet is available from the County's Community Development Department (CDD). The following is a summary of the requirements:
 - 1) Application Processing: the developer will follow procedures and instructions included in the Subdivision Application packet provided by the CDD. Applications will be processed by the CDD through the Inter-Departmental Review Committee (IDRC), which is a committee of Los Alamos County staff member representatives from the departments that are affected by development and review all development for comments and recommendations to the Planning and Zoning Commission. In general, Utility Engineering will review applications for the following:

- a. Verify that existing rights-of-way and/or easements, utility lines, mains, meters and the Utility Line Locator Work Order Number are included on all submitted drawings in the application process.
 - b. Review proposed rights-of-way alignments, easements and encroachments, and proposed utility lines, mains, and meters are in accordance with the Los Alamos County Utility Construction Standards and Rules and Regulations.
 - 2) The Developer will work with Utility Engineering to produce a final detailed engineering site plan. Utility Engineering will provide design criteria that incorporate all Los Alamos County Utility Engineering Construction Standards.
- B. Construction - Subdivision developments shall meet the requirements of these Utility Rules and Regulations and the County's Utility Engineering Construction Standards. During the Construction Phase of the subdivision project, construction shall follow the approved detailed engineering plans. The developer and construction contractor must request written approval from Utility Engineering of any deviations from the approved Engineering plans, provide up-to-date and accurate drawings, and coordinate all utility infrastructure construction inspections.
- C. Final Acceptance – Record drawings (reproducible and electronic) must be completed and submitted by the developer, including a GPS or survey record of new utility alignments completed by developer according to the development code requirements. Utility Engineering will provide approval for operation and recommend acceptance by the County Engineer and Los Alamos County Council of the newly constructed Utility based on completion of inspections and testing.

SD-1.04 Pre-Application SKETCH PLAT PLAN Meeting (required)

- A. Description – A Sketch Plat Plan is a document process in preliminary form that must be presented by the developer or their agent to Utility Engineering for review and comment prior to the CDD application process. It allows the developer to receive feedback and make any necessary changes that might otherwise hold up the project after formal submittal. It also gives Utility Engineering the opportunity to assess any possible impacts and discuss them with the developer in advance of any further planning.
- B. Procedure – Arrange a meeting with Utility Engineering to present the proposed project. Utility Engineering will consider the implications of the project and address all of the construction standards, the need for granting easements and/or right-of-way alignments, as well as apprising the developer of the rules and regulations regarding development of subdivisions. The sketch plat plan may include the developer's preliminary utility design concepts for the water, sewer, gas, and electric systems.
- C. Outcome – From the discussions of the sketch plat plan meetings, Utility Engineering will work with the developer to produce a rudimentary design for the water, sewer, gas, and electric system layouts. The design will consider the size and scope of the subdivision, and the subsequent demands on the currently existing utility systems.

SD-1.05 PRELIMINARY PLAT

- A. Data Requirements – The preliminary plat plans should be produced by a New Mexico professionally registered engineer and must be professionally drafted in a commonly accepted engineering computer drafting and mapping system, be in an appropriate geographic projection and scale (UTM Zone 13 or NM State plane NAD-83), and shall include the following utility information:
 - 1) Water system layout including transmission and supply mains, pipe sizes, valves, PRVs, meters, fire hydrants, and other appurtenances applicable to the water system. If applicable, the layout shall include storage reservoirs, or pump stations. The layout may reflect the designs produced by Utility Engineering in the sketch plat plans.

- 2) Sewer system layout including collection and conveyance lines, manholes, service stub-outs, back-water valves and property-line cleanouts.
- 3) Natural gas system layout including gas lines, valves, pressure regulation stations, meters and any other gas system appurtenances.
- 4) Electric system layout including power lines, power poles, street lights, transformers, pedestals, switches, conduit, and any other electric system appurtenances.
- 5) Proposed utility connections to existing utility lines and mains. Preliminary plat plans will include location of connections to existing Utility and show line sizes, material, and all other relative appurtenances.
- 6) Preliminary utility easements and all right-of-way alignments.
- 7) Conceptual construction plan and schedule.

SD-1.06 RIGHTS-OF-WAY AND/OR ROADWAY ALIGNMENTS

- A. The developer will dedicate to Los Alamos County, right-of-way alignments that will be used or may be intended for use by the Los Alamos County Utility Department personnel and that meet the requirement of the County Public Works Department, primarily for the public movement of people, goods, and vehicles to operate and maintain utility systems and conveyance of utility services.
- B. If a right-of-way forms a part of the subdivision boundary, the width shall conform to the requirements of Utility Engineering.
- C. In platting the subdivision, the developer will provide additional right-of-way alignments required for existing or future Utility, with the appropriate right-of-way alignments and widths
- D. The developer will dedicate to Los Alamos County, right-of-way for the following utility appurtenances:
 - 1) Gas system pressure regulation stations
 - 2) Sewer lift stations
 - 3) Electrical switches
 - 4) Electrical transmission lines

SD-1.07 EASEMENTS

- A. Easements are defined as an area intended for restricted use on private property upon which any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of its respective utility or drainage systems within any of these easements.
- B. All lots shall have adequate utility easement provisions reserved for the use of all public utility lines, conduits and equipment
- C. Permanent easement must be granted for the exclusive use of the County Utility. Shared use with other Utility must be approved in advance by Utility Engineering.
- D. Utility Engineering shall at all times have the right of unobstructed ingress and egress to and from and upon the said easements for the purposes of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
- E. Location of utility line easements shall generally be provided as required by Utility Engineering to accommodate the proposed utility alignments.
- F. Easements shall be continuous to serve all lots in the block. Such easements shall parallel as

closely as possible the street frontage of such block.

- G. The width of easements that form the boundary of a subdivision and are adjacent to unplatted property will be provided on-site or by an off-site easement.
- H. Additional easement shall be provided where necessary for the placing of guy wires or transformers on lot division lines.
- I. Utility easements shall be kept clear of all obstructions, such as but not limited to, fences, buildings, shrubs and other vegetation, or other improvements which in any way endanger or interfere with the construction, maintenance, or operation of any utility system.

SD-1.08 FINAL PLAT / SITE PLAN

A. The purpose of the final plat/site plan is to show the final detailed plat and infrastructure improvements site plan designs of the proposed subdivision. The final plat incorporates the review comments and site improvement changes, as well as development requirements identified in the preliminary plat process as per the IDRC and the Planning and Zoning Commission. The developer is encouraged to meet with Utility Engineering as required in the development of the detailed final plat and site improvement plan.

B. PLAT SUBMITTAL PROCEDURE

- 1) The following utility-related information must be provided:
 - a. Final information that was provided in the preliminary plat.
 - b. Final utility systems layout plan.
 - c. Final utility easements and right-of-way alignments.
 - d. Final construction sequence and schedule.

SD-1.09 SPECIAL PROCEDURES

A. IMPACT STUDIES

Impact studies may be required after review by Utility Engineering. The Utility Engineering will determine if an Impact Study is necessary upon meeting with the developer and reviewing the Sketch Plat Plan before a Preliminary Plat is submitted. Utility Engineering will notify the developer in writing that an Impact Study is required. The notification will specify the utility (or Utility) that needs evaluation and the specific information and data that must be provided by the developer. The study will be produced by Utility Engineering at no cost to the developer. All requirements for Utility infrastructure improvements identified by the Impact Studies are the responsibility of the developer except as identified in GR-22, Utility Extensions.

Utility Impact Study subjects include, but are not limited to:

- 1) Water
 - Hydraulic analysis including residential and nonresidential demands (average and peak) including both indoor and outdoor purposes and fire flow requirements. Plans of the proposed system and for the connection to the existing water system including layout, lines sizes, valves, hydrants and meters and other appurtenances. If applicable, pump station design including sizing and proposed layout and equipment.
- 2) Sewer
 - Sewer flow analysis (average and peak) including both residential and nonresidential

requirements. Plans of the proposed system and for the connection to the existing sewer system including layout, manholes and other appurtenances. If applicable, pump and lift station design including sizing, proposed layout and equipment and odor control.

3) Gas

Gas flow analysis including both residential and nonresidential demands (average and peak). Plans of the proposed system and for the connection to the existing gas system including layout, valves, meters, regulating stations and other appurtenances.

4) Electric

Power analysis including both residential and nonresidential demands (average and peak). Plans of the proposed system and for the connection to the existing electric system including layout, lines, power poles, transformers, and meters.

B. REPLATS, CORRECTED AND AMENDED PLATS

- 1) Any replat, corrected or amended plat for the purpose of correcting an error on a previously approved and filed subdivision plats in which there are no modifications to the planned utility systems and their connection to the County's existing utility systems are considered minor amendments. Minor amendments will not require approval by Utility Engineering.
- 2) Any replat, corrected or amended plat for purposes of altering the subdivision including the utility systems will require approval by Utility Engineering. Alterations include the following:
 - a. Alteration of the layout of one or more of the utility systems.
 - b. Change in demand and flow requirements greater than plus or minus 5%.
- 3) Subdivisions that are altered without written approval by Utility Engineering will not be approved until all conflicts are satisfactorily mitigated and accepted in writing by Utility Engineering.

SD-1.10 PERMITTING

- A. Building and construction permits will not be issued by the CDD until all utility infrastructure associated with the development has been inspected and tested and approved by Utility Engineering.
- B. The following permits may be required for utility construction depending on the scope of the project:
 - 1) Penetration Permit(s) – LAC Utility Engineering.
 - 2) Curb/Street Cut Permit(s) – Public Works Engineering.
 - 3) Traffic Control Plan – County Traffic Engineering Division.
 - 4) Excavation Permit – Public Works Engineering.

SD-1.11 SUBDIVISION APPROVAL PROCESS AND CONSTRUCTION SCHEDULE

A. SUBDIVISION APPROVAL PROCESS

Prior to beginning construction the following will be completed and/or provided to Utility Engineering:

- 1) All easement alignments and subdivision plats shall be filed with the County Clerk.
- 2) Utility fees, escrow (construction surety), and other financial requirements shall be deposited with the proper County authorities
- 3) Final engineering plans that are produced by a professional engineer registered in the State of

- New Mexico, and approved and signed by the Utility Engineering Manager.
- 4) Materials submittals approved by Utility Engineering.
 - 5) Required permits have been acquired including permit amendments.
 - 6) Construction schedule

B. SEQUENCE AND SCHEDULE OF CONSTRUCTION

A preconstruction meeting is required with Utility Engineering to review construction plans and schedule. The developer or its representative agent shall provide a planned sequence and schedule of construction prior to construction of the Utility. The sequence of construction will be in a standard project schedule format and updated and revised on a regular basis as agreed to by Utility Engineering prior to construction.

C. INSPECTION

Inspections are required to ensure compliance with the approved plans and ordinances. Intermediate inspections will be made as required for buried Utility. Representatives of Utility Engineering will inspect construction activities to ensure compliance with the County Utility Construction Standards.

- 1) Utility inspections are required on all private developments and public utility installations.
- 2) The presence or absence of an inspector will not relieve the developer from any requirements.
- 3) Inspection Frequency
 - a. The preliminary frequency and number of inspections will be determined during the development of the preliminary and final plats. The final estimated frequency and number of inspections will be determined during pre-construction meeting.
 - b. Each phase of utility installation is subject to inspection.
 - c. All work will be inspected prior to covering. Any work covered prior to inspection will be uncovered to provide opportunity to inspect the utility work.
- 4) Inspection Scheduling
 - a. The developer's contractor is responsible for coordinating construction activities and inspections with the County's inspector.
 - b. Construction activities that will interrupt service, require County resources, require operation of existing County facilities, require public notifications or other non-typical events will be scheduled with the County Utility Engineering Department and other pertinent County utility representatives as early as practicable. Depending on the activity, a minimum of 2-days notice shall be provided.
 - c. The developer's contractor shall notify the County inspector of all utility testing 24 hours in advance of the scheduled testing.
 - d. The contractor is responsible for calling for inspections at least 24 hours before he or she wishes to schedule an inspection. If the contractor is not ready for inspection when scheduled, the inspector will return the following normal workday.
- 5) Inspection Documentation and Tracking
 - a. Utility Engineering shall track the construction of all projects from inception to completion (final inspection/approval).
 - b. The inspector shall document the results of their inspection by producing a written report for each site visit.
 - c. Documentation for failed inspections will identify and report faulty and inadequate installations and recommend corrective action. The inspection report will be distributed to the contractor and developer.
 - d. The contractor shall correct faulty and inadequate installations. Upon completion of the

correction, the contractor shall contact Utility Engineering and schedule a re-inspection.

SD-1.12 FINAL APPROVAL AND ACCEPTANCE

A. COMPLETION OF ALL UTILITY

All Utility shall be completed and tested prior to final approval and issuance of building permits.

Water, gas electric, and sewer systems, which are to be constructed in the right-of-way or public easement, are not to be accepted for public use until the Utility Manager or designated representative issues a certificate of completion and approval that is submitted as a recommendation to the County Engineer.

B. COMPLIANCE SUBMITTALS

- 1) Utility Testing
 - a. The developer's contractor shall notify the County inspector of all utility testing 24 hours in advance of the scheduled testing.
 - b. Water, sewer, electric and gas extensions will be tested in accordance with the Construction Standards of Utility Engineering, the applicable regulating agencies, and in accordance with current industry standards.
 - c. Written documentation supporting passing tests and certifications will be submitted to the County inspector prior to approval and acceptance by Utility Engineering.
- 2) Inspection fees – Inspection fees are defined in Section FS - Fee Schedule, and are due with the application for construction permits.
- 3) Record Drawings
 - a. The contractor is responsible for maintaining current record drawings through the duration of the utility construction project.
 - b. At a minimum, record drawing information will include dimensions between inline features such as valves, manholes, service laterals, fittings, pedestals. Service lateral locations will be identified and depicted, and dimensions provided from mains to end of stub outs, mains to valves, mains to meter boxes, mains to clean-outs, etc. as constructed. Record drawings will include offset distances from other Utility and permanent features such as curbs.
 - c. Prior to final acceptance, record drawings shall be submitted for final review and approval. Following approval of the record drawings a record drawing set shall be submitted on sepia, vellum, or Mylar.
 - d. Prior to final acceptance of utility improvements, an electronic record drawing file and as-built plan set, stamped by a Professional Engineer registered in the State of New Mexico, will be submitted to Utility Engineering. The electronic drawings shall be in a format using the New Mexico State plane Central Zone NAD-83 coordinate system and produced in a relatively current version of AutoCAD, or other pre-approved mapping system.
- 4) The Utility Manager or designated representative shall make the final decision of approval of the completed project and make a recommendation of acceptance of public Utility to the County Engineer and the County Council.
- 5) Warranty – Developer shall provide a one-year warranty for all public physical site improvement infrastructures for any necessary repairs or defective installations, and/or for repair of damage resulting from subsequent construction operations of the developer or his contractors.

**RULES AND REGULATIONS
FEE SCHEDULE (FS)**

Administrative Fees		
Account Initiation and Transfer Fee	\$10	
Reconnection following disconnection for non-payment – normal hours	\$60	Per trip to location, 8:00 AM to 4:00 PM M-F
Reconnection following disconnection for non-payment – after normal hours	\$200	Per trip to location, after hours, weekends and holidays
Door Hanger Fee	\$10	Per occurrence
Deposits		
Residential	\$60 per meter	
Commercial	Variable	Two times the highest anticipated monthly bill
Fire hydrant meter	\$1,500	Refundable upon meter return (All commodity charges shall be at the filed and approved rate schedule)
Service Fees		
Disconnection or reconnection of electric, gas or water – normal hours – No charge for first trip in a 24-hr period, thereafter each trip is \$75	No Charge (first trip) \$75 each additional trip	Per trip to location, 8:00 AM to 4:00 PM M-F
Emergency disconnection or reconnection of electric, gas or water – after normal hours	No Charge	Per trip to location, after hours, weekends and holidays
Non –Emergency_ disconnection or reconnection of electric, gas or water – after normal hours	\$200	Per trip to location, after hours, weekends and holidays
Furnace check fees	\$100	For up to two furnaces
Meter Test Fees (Requested by customer)		
Electric meters, all sizes	\$125	
Water meters 5/8 inch through 1-1/2 inch	\$150	
Water meters greater than 1-1/2 inch (in place test)	\$150	
Construction Fees		
New Service Installations		
100 amp electric residential service installation less than 150 feet	\$850	Prepaid
200 amp electric residential service installation less than 150 feet	\$1008	Prepaid
Residential Net Meter application & inspection (2 trips), incremental cost of Net meter, labor and materials to install Net meter and make any necessary upgrades to the existing transformer serving the resident.	\$360	Prepaid
Commercial Net Meter application & inspection	\$450	Prepaid

SECTION REVISIONS: 02/24/2021, 06/17/2020, 06/20/2018, 06/21/2017, 01/18/2017, 08/17/2015, 12/17/2014, 11/20/2014, 07/18/2012, 01/24/2007, 05/17/2006

(2 trips), incremental cost of Net meter and labor to install Net meter		
All other electric service installations	Estimated cost	Prepaid
¾ inch gas residential service installation less than 150 feet	\$1140	Prepaid
¾ inch service line up to 150 feet, tap to main, and meter, out of road	\$1280	Prepaid
¾ inch service line up to 150 feet, tap to main in paved road, and meter	\$3040	Prepaid
Install ¾" – 1" excess flow valve on existing polyethylene service line	\$650	Prepaid
Install ¾" – 1" excess flow valve on existing steel service line	\$2540	Prepaid
Install gas valve on existing polyethylene service line	\$700	Prepaid
Install gas valve on existing steel service line	\$2850	Prepaid
All other gas service installations	Estimated cost	Prepaid
⅝ x ¾" water meter	\$440	Prepaid
⅝ x ¾" water meter with box, install out of road	\$1790	Prepaid
⅝ x ¾" water meter with box, with tap in paved road	\$3680	Prepaid
4 inch sewer tap and saddle with sewer main exposed by customer	\$430	Prepaid
All other work including sewer installations, service relocations and replacement	Estimated cost	Prepaid
North Mesa Connection Charges		
\$250 charge per undeveloped unit where the unit is located in a subdivision where the final plat has been formally accepted by the County, the charge shall be paid for by the individual customer or contractor at the time a water meter is requested	\$250 per unit	
Where the unit is located in a subdivision where the final plat has not been accepted by the County, the charge shall be paid by the subdivision's developer at the time the final plat is filed with the County	\$250 per unit	
Inspection Fees for Subdivisions/Commercial Utility Infrastructure		
Fees for inspection will be based on a percentage of the construction cost estimate for the public Utility infrastructure. Estimate shall be prepared by a Professional Engineer, registered in the state of New Mexico and signed and sealed by the New Mexico Professional Engineer and provided to County Utility Engineering Department for written approval.	5% of construction cost estimate for the public Utility infrastructure	1.If construction scope and or cost increases by 10 percent or more than original approved scope, inspection fee will be revised accordingly 2. Utility Department reserves right to modify fees if needed.

SECTION REVISIONS: 02/24/2021, 06/17/2020, 06/20/2018, 06/21/2017, 01/18/2017, 08/17/2015, 12/17/2014, 11/20/2014, 07/18/2012, 01/24/2007, 05/17/2006

APPENDIX 1

**STANDARD INTERCONNECTION AGREEMENT FOR
QUALIFYING FACILITIES 10 kW OR LESS**

STANDARD INTERCONNECTION AGREEMENT
INCORPORATED COUNTY OF LOS ALAMOS DEPARTMENT OF PUBLIC UTILITIES
STANDARD INTERCONNECTION AGREEMENT FOR
QUALIFYING FACILITIES

_____ (“Customer”) and the Incorporated County of Los Alamos, New Mexico, by and through its Department of Public Utilities (“Utility or County”), referred to collectively as parties and individually as party, agree as follows:

1. QUALIFYING FACILITY (“Facility”):

Customer's electric service account number _____

Type of generating facility _____
(Solar, Wind, etc.)

Rated generating capacity _____ (kW)

Customer and facility address _____

Facility will be ready for operation on or about _____ (date)

2. OPERATING OPTION

2.1. Customer has elected to operate its Qualifying Facility in parallel with Utility's system.

2.2. Customer understands that if this agreement is accepted, connection and operation of customer’s Qualifying Facility must meet at all times all applicable safety and performance standards, including those established by the National Electrical Code (NEC), the Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), the National Electrical Safety Code (NESC), and all additional safety and performance standards of Utility that are necessary to protect public safety and system reliability.

Customer shall be subject to the terms and conditions set forth in the Utility’s Electric Rule E-5 for Interconnection – Connection with Cogeneration and Small Power Producers (“Utility Rule”), a copy of which is attached to this agreement. Customer hereby acknowledges that Customer has read this rule.

3. UTILITY RULE. This Agreement shall be subject to and interpreted consistent with the provisions of Utility Electric Rule E-5.

4. CREDIT FOR NET ENERGY. Credit for net energy shall be in accordance with the Utility’s Rule, E-5.05, Metering Calculation.

5. INTERRUPTION OR REDUCTION OF DELIVERIES

5.1. Utility shall not be obligated to accept or pay for and may require Customer to interrupt or reduce deliveries of available energy in the following circumstances:

- a. when necessary in order to construct, install, maintain, repair, replace, remove, or inspect any of its equipment or part of its system; or
- b. if Utility reasonably determines that curtailment, interruption, or reduction is necessary because of emergencies, forced outages, force majeure, or compliance with prudent electrical practices.

5.2. To the extent practicable, Utility shall give Customer reasonable notice of the possibility that interruption or reduction of deliveries may be required.

5.3. Notwithstanding any other provision of this agreement, if at any time Utility reasonably determines that:

- a. The Customer's facility may endanger Utility personnel or other persons or property, or
- b. the continued operation of this facility may endanger the integrity or safety of Utility's electric system, then Utility shall have the right to immediately disconnect and lock out Customer's facility from Utility's electric system. No prior notice to the customer is required in circumstances where the Utility reasonably determines that the immediate action is necessary provided that the Utility shall notify Customer as soon as practicable. Customer's facility shall remain disconnected until such time as Utility is reasonably satisfied that the conditions referenced in this Section have been corrected.

6. INTERCONNECTION

6.1. Customer shall deliver the as-available energy to Utility at the Utility's meter.

6.2. Customer shall pay for designing, installing, operating, and maintaining the electric generating facility in accordance with all applicable laws and regulations, including the requirements of Utility for interconnection of a Qualifying Facility with Utility's electric system.

6.3. Utility shall furnish and install a standard kilowatt-hour NET meter. Customer shall provide and install a meter socket and any related interconnection equipment per Utility's requirements.

6.4. Utility shall meter the Customer's usage by using two registers. A separate register shall be used for measurement of energy flows in each direction at the point of delivery. Metering shall be at the expense of the Customer.

6.5 Customer shall provide a clearly understandable sketch or one-line diagram showing the Qualifying Facility, the interconnection equipment, breaker panel(s), disconnect switches and metering, to be attached to this Agreement.

6.6 The customer must provide an exterior, lockable disconnect switch to allow Utility personnel to physically disconnect the Customer's Facilities from the Utility.

6.7 Customer shall not commence parallel operation of the generating facility until written approval of the interconnection facilities has been given by Utility. Such approval shall not be

unreasonably withheld or delayed. Notwithstanding the foregoing, Utility approval to operate Customer's Qualifying Facility in parallel with Utility's electrical system should not be construed as an endorsement, confirmation, warranty, guarantee or representation concerning the safety, operating characteristics, durability or reliability of Customer's Qualifying Facility. Utility shall have the right to have its representatives present at the initial testing of Customer's protective apparatus.

7. MAINTENANCE AND PERMITS

7.1. Customer shall maintain the generating facility and interconnection facilities in a safe and prudent manner and in conformance with all applicable laws and regulations including, but not limited to, this interconnection requirement, and

7.2. Customer shall obtain any governmental authorizations and permits required for the construction and operation of the electric generating facility and interconnection facilities.

8. ACCESS TO PREMISES. Utility may enter Customer's premises:

- a. to inspect, at all reasonable hours, Customer's protective devices and read or test meters; and
- b. to disconnect, without notice, the interconnection facilities, if Utility reasonably believes a hazardous condition exists and such immediate action is necessary to protect persons, or Utility's facilities, or property of others from damage or interference caused by Customer's facilities, or lack of properly operating protective devices.

9. INDEMNITY AND LIABILITY

9.1. Subject to all limitations contained in applicable state law, including the New Mexico Tort Claims Act, each party shall indemnify the other party, its directors, officers, agents and employees against all loss, damages expense and liability to third persons for injury to or death of persons or injury to property caused by the indemnifying party's engineering design, construction ownership or operations of, or the making of replacements, additions or betterment to, by failure of, any of such party's works or facilities used in connection with this agreement by reason of omission or negligence, whether active or passive. The indemnifying party shall, on the other party's request, defend any suit asserting a claim covered by this indemnity. The indemnifying party shall pay all costs that may be incurred by the other party in enforcing this indemnity. It is the intent of the parties hereto that, where negligence is determined to have been contributory, principles of comparative negligence will be followed and each party shall bear the proportionate cost of any loss, damage, expense and liability attributable to that party's negligence.

9.2. Nothing in this agreement shall be construed to create any duty to any standard of care with reference to or any liability to any person not a party to this agreement. Neither Utility, its officers, agents or employees shall be liable for any claims, demands, costs, losses, causes of action, or any other liability of any nature or kind, arising out of the engineering, design construction, ownership, maintenance or operation of, or making of replacements, additions or improvements to, customer's facilities by customer or any other person or entity.

9.3. Neither Utility, its officers, agents or employees shall be liable for damages to the electrical generating equipment caused by an electrical disturbance on the Utility system or on the system of another, whether or not the electrical disturbance results from the negligence of Utility.

10. GOVERNING LAW. This agreement shall be interpreted, governed, and construed under the laws of the state of New Mexico as if executed and to be performed wholly within the state of New Mexico.

11. AMENDMENT, MODIFICATIONS OR WAIVER. Any amendments or modifications to this agreement shall be in writing and agreed to by both parties. The failure of any party at any time or times to require performance of any provision hereof shall in no manner affect the right at a later time to enforce the same. No waiver by any party of the breach of any term or covenant contained in this agreement, whether by conduct or otherwise, shall be deemed to be construed as a further or continuing waiver of any such breach or a waiver of the breach of any other term or covenant unless such waiver is in writing.

12. NOTICES. All written notices shall be directed as follows:

Attention: Utilities Manager
1000 Central Avenue, Suite 130
Los Alamos, New Mexico 87544

Attention: CUSTOMER
Name: _____
Address: _____
City: _____

Customer notices to Utility pursuant to this Agreement shall refer to the Customer's electric service account number set forth in Section 1 of this agreement

13. TERM OF AGREEMENT. This Agreement shall be in effect when signed by the Customer and Utility and shall remain in effect for one year and from year to year unless terminated by either party after the initial year on ten (10) days' prior written notice.

14. ASSIGNMENT. This Agreement and all provisions hereof shall inure to and be binding upon the respective parties hereto, their personal representatives, heirs, successors, and assigns. Customer shall not assign this Agreement or any part hereof without the prior written consent of Utility, and such unauthorized assignment may result in the termination of this Agreement.

15. ATTACHMENTS. This Agreement includes the following attachments, as labeled and incorporated herein by reference:

a. Utility's Electric Rule E-5 Interconnection – Connection with Cogeneration and Small Power Producers.

b. Customer's completed Application for Operation of Customer-Owned Generation.

- c. Customer's site plan and one line diagram for generation source including service entrance requirements, disconnecting means, panels, breakers, wire types and sizes, etc.
- d. Utility's written authorization to interconnect (this form), and completed service request form (when applicable--for new service installations).

IN WITNESS WHEREOF, the parties have caused two originals of this agreement to be executed by their duly authorized representatives. This agreement is effective as of the last date set forth below.

CUSTOMER

Name (Printed): _____

Signature: _____

Title: _____

Date: _____

UTILITY

Utilities Manager

Name (Printed): _____

Signature: _____

Date: _____